

apply and that payment be made only to the designated beneficiary, as otherwise provided by this chapter.

Sec. 10. **REPEALER.**

Minnesota Statutes 1980, Sections 353.01, Subdivision 34; and 353.017, Subdivision 4; and Minnesota Statutes 1981 Supplement, Section 353.023, are repealed.

Sec. 11. **EFFECTIVE DATE.**

This act is effective July 1, 1982.

Approved March 12, 1982

CHAPTER 405 — S.F.No. 2095

An act relating to state government; implementing the provisions of certain reorganization orders issued by the commissioner of administration; clarifying certain regulations relating to professional boxing; amending Minnesota Statutes 1980, Sections 176.281; and 474.01, Subdivisions 7a and 7b; Minnesota Statutes 1981 Supplement, Section 474.03; and Laws 1982, Chapter 375, Section 1.

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

Section 1. Minnesota Statutes 1980, Section 176.281, is amended to read:

176.281 ORDERS, DECISIONS, AND AWARDS OF COMPENSATION JUDGES, COMMISSIONER OF THE DEPARTMENT OF LABOR AND INDUSTRY, OR WORKERS' COMPENSATION COURT OF APPEALS; FILING; SERVICE.

When the commissioner of the ~~department of labor and industry~~ or compensation judge or office of administrative hearings or the workers' compensation court of appeals has rendered an order, decision, or award, it shall be filed immediately with the commissioner of the ~~department of labor and industry~~. Where the commissioner of the ~~department of labor and industry~~, compensation judge, office of administrative hearings, or workers' compensation court of appeals has rendered an order, decision, or award, the commissioner of the ~~department of labor and industry~~ or the office of administrative hearings or the workers' compensation court of appeals shall immediately serve a copy upon every party in interest, together with a notification of the time the same was filed.

Sec. 2. Minnesota Statutes 1980, Section 474.01, Subdivision 7a, is amended to read:

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

Subd. 7a. No municipality or redevelopment agency shall undertake any project authorized by this chapter, except a project referred to in section 474.02, subdivision 1f, unless its governing body finds that the project furthers the purposes stated in this section, nor until the commissioner of ~~securities and real estate energy, planning and development~~ has approved the project, on the basis of preliminary information which the commissioner may require, as tending to further the purposes and policies of this chapter. Approval shall not be deemed to be an approval by the commissioner of ~~securities and real estate energy, planning and development~~ or the state of the feasibility of the project or the terms of the revenue agreement to be executed or the bonds to be issued therefor, and the commissioner shall state this in communicating approval.

Sec. 3. Minnesota Statutes 1980, Section 474.01, Subdivision 7b, is amended to read:

Subd. 7b. Prior to submitting an application to the commissioner of ~~securities and real estate energy, planning and development~~ requesting approval of a project pursuant to subdivision 7a, the governing body or a committee of the governing body of the municipality or redevelopment agency shall conduct a public hearing on the proposal to undertake and finance the project. Notice of the time and place of hearing, and stating the general nature of the project and an estimate of the principal amount of bonds or other obligations to be issued to finance the project, shall be published at least once not less than 15 days nor more than 30 days prior to the date fixed for the hearing, in the official newspaper and a newspaper of general circulation of the municipality or redevelopment agency. The notice shall state that a draft copy of the proposed application to the commissioner of ~~securities and real estate energy, planning and development~~, together with all attachments and exhibits thereto, shall be available for public inspection following the publication of ~~such~~ the notice and shall specify the place and times where and when it will be so available. At the time and place fixed for the public hearing, the governing body of the municipality or the redevelopment agency shall give all parties who appear at the hearing an opportunity to express their views with respect to the proposal to undertake and finance the project. Following the completion of the public hearing, the governing body of the municipality or redevelopment agency shall adopt a resolution determining whether or not to proceed with the project and its financing and may thereafter apply to the commissioner of ~~securities and real estate energy, planning and development~~ for approval of the project.

Sec. 4. Minnesota Statutes 1981 Supplement, Section 474.03, is amended to read:

474.03 POWERS.

Any municipality or redevelopment agency, in addition to the powers prescribed elsewhere by the laws of this state, shall have the power to:

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(1) Acquire, construct, and hold any lands, buildings, easements, water and air rights, improvements to lands and buildings, and capital equipment to be located permanently or used exclusively on a designated site and solid waste disposal and pollution control equipment, and alternative energy equipment and inventory, regardless of where located, which are deemed necessary in connection with a project to be situated within the state, whether wholly or partially within or without the municipality or redevelopment agency, and construct, reconstruct, improve, better, and extend ~~such~~ the project;

(2) Issue revenue bonds, in anticipation of the collection of revenues of ~~such~~ the project, to finance, in whole or in part, the cost of the acquisition, construction, reconstruction, improvement, betterment, or extension thereof and, in the case of an alternative energy project, in addition to the other powers granted by this chapter, to finance the acquisition and leasing or sale of equipment and products to others;

(3) Issue revenue bonds to pay, purchase or discharge all or any part of the outstanding indebtedness of a contracting party engaged primarily in the operation of one or more nonprofit hospitals or nursing homes, theretofore incurred in the acquisition or betterment of its existing hospital or nursing home facilities, including, to the extent deemed necessary by the governing body of the municipality or redevelopment agency, any unpaid interest on ~~such~~ the indebtedness accrued or to accrue to the date on which such indebtedness is finally paid; and any premium the governing body of the municipality or redevelopment agency determines to be necessary to be paid to pay, purchase or defease ~~such~~ the outstanding indebtedness; if revenue bonds are issued for this purpose, the refinancing and the existing properties of the contracting party shall be deemed to constitute a project under section 474.02, subdivision 1c. Industrial revenue bonds shall only be available under this provision if the commissioner of ~~securities and real estate~~ energy, planning and development has been shown that a reduction in debt service charges to patients and third party payors will occur. All reductions in debt service charges pursuant to this program shall be passed on to patients and third party payors. These industrial revenue bonds may not be used for any purpose not consistent with the provisions of sections 145.832 to 145.845 or chapter 256B;

Nothing in this subdivision is intended to prohibit the use of revenue bond proceeds to pay outstanding indebtedness of a contracting party to the extent now permitted by law;

(4) Enter into a revenue agreement with any person, firm, or public or private corporation or federal or state governmental subdivision or agency in such manner that payments required thereby to be made by the contracting party shall be fixed, and revised from time to time as necessary, so as to produce income and revenue sufficient to provide for the prompt payment of principal of and interest on all bonds issued hereunder when due, and the revenue agreement shall also

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provide that the contracting party shall be required to pay all expenses of the operation and maintenance of the project including, but without limitation, adequate insurance thereon and insurance against all liability for injury to persons or property arising from the operation thereof, and all taxes and special assessments levied upon or with respect to the project and payable during the term of the revenue agreement, during which term a tax shall be imposed and collected pursuant to the provisions of section 272.01, subdivision 2, for the privilege of using and possessing the project, in the same amount and to the same extent as though the contracting party were the owner of all real and personal property comprising the project;

(5) Pledge and assign to the holders of ~~such~~ the bonds or a trustee therefor all or any part of the revenues of one or more projects and define and segregate ~~such~~ the revenues or provide for the payment thereof to a trustee, whether or not ~~such~~ the trustee is in possession of the project under a mortgage or otherwise;

(6) Mortgage or otherwise encumber ~~such~~ the projects in favor of the municipality or redevelopment agency, the holders of ~~such~~ the bonds, or a trustee therefor, provided that in creating any ~~such~~ the mortgages or encumbrances a municipality or redevelopment agency shall not have the power to obligate itself except with respect to the project;

(7) Make all contracts, execute all instruments, and do all things necessary or convenient in the exercise of the powers herein granted, or in the performance of its covenants or duties, or in order to secure the payment of its bonds; including, but without limitation, a contract entered into prior to the construction of the project authorizing the contracting party, subject to such terms and conditions as the municipality or redevelopment agency shall find necessary or desirable and proper, to provide for the construction, acquisition, and installation of the buildings, improvements, and equipment to be included in the project by any means available to the contracting party and in the manner determined by the contracting party and without advertisement for bids as may be required for the construction or acquisition of other municipal facilities;

(8) Enter into and perform such contracts and agreements with other municipalities, political subdivisions, and state agencies, authorities, and institutions as the respective governing bodies of the same may deem proper and feasible for or concerning the planning, construction, lease, purchase, mortgaging or other acquisition, and the financing of a project, and the maintenance thereof, including an agreement whereby one municipality issues its revenue bonds in behalf of one or more other municipalities pursuant to revenue agreements with the same or different contracting parties, which contracts and agreements may establish a board, commission, or such other body as may be deemed proper for the supervision and general management of the facilities of the project; provided, no municipality or redevelopment agency shall enter into or perform any contract or agreement with any school district under which the municipality or redevelop-

ment agency issues its revenue bonds or otherwise provides for the construction of school facilities and the school leases or otherwise acquires these facilities;

(9) Accept from any authorized agency of the federal government loans or grants for the planning, construction, acquisition, leasing, purchase, or other provision of any project, and enter into agreements with ~~such~~ the agency respecting ~~such~~ the loans or grants;

(10) Sell and convey all properties acquired in connection with ~~such~~ the projects, including without limitation the sale and conveyance thereof subject to ~~such~~ the mortgage as herein provided, and the sale and conveyance thereof under an option granted to the lessee of the project, for such price, and at such time as the governing body of the municipality or redevelopment agency may determine, provided, however, that no sale or conveyance of ~~such~~ the properties shall ever be made in such manner as to impair the rights or interests of the holder, or holders, of any bonds issued under the authority of this chapter;

(11) Issue revenue bonds to refund, in whole or in part, bonds previously issued by ~~such~~ the municipality or redevelopment agency under authority of this chapter;

(12) If so provided in the revenue agreement, terminate the agreement and re-enter or repossess the project upon the default of the contracting party, and operate, lease, or sell the project in such manner as may be authorized or required by the provisions of the revenue agreement or of the resolution or indenture securing the bonds issued for the project; any revenue agreement which includes provision for a conveyance of real estate to the contracting party may be terminated in accordance with the revenue agreement, notwithstanding that ~~such~~ the revenue agreement may constitute an equitable mortgage provided that no municipality or redevelopment agency shall have power otherwise to operate any project referred to in this chapter as a business or in any manner whatsoever, and nothing herein authorizes any municipality or redevelopment agency to expend any funds on any project herein described, other than the revenues of ~~such~~ the projects, or the proceeds of revenue bonds and notes issued hereunder, or other funds granted to the municipality or redevelopment agency for the purposes herein contemplated, except as may be otherwise permitted by law and except to enforce any right or remedy under any revenue agreement or related agreement for the benefit of the bondholders or for the protection of any security given in connection with a revenue agreement, provided that the public cost of redevelopment of land paid by a city or its redevelopment agency shall not be deemed part of the cost of any project situated on ~~such~~ the land;

(13) Invest or deposit, or authorize a trustee to invest or deposit, any money on hand in funds or accounts established in connection with a project or payment of bonds issued therefor, to the extent they are not presently needed for the purposes for which such funds or accounts were created, in accordance with section 471.56, as amended; and

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(14) Waive or require the furnishing of a contractors payment and performance bond of the kind described in section 574.26 and if ~~such the~~ bond shall be required, then the provisions of chapter 514 relating to liens for labor and materials, shall not be applicable in respect of any work done or labor or materials supplied for the project, and if ~~such the~~ bond be waived then the said provisions of chapter 514 shall apply in respect of work done or labor or materials supplied for the project.

Sec. 5. Laws 1982, Chapter 375, Section 1, is amended to read:

Section 1. **[341.115] PROFESSIONAL BOXING.**

Any contest, match or exhibition in which cash prizes of \$5 or more or compensation other prizes worth \$5 \$100 or more is are offered to any boxer shall comply with all rules of the board of boxing governing professional boxing. For purposes of this section, trophies, travel expenses and subsistence expenses shall not be considered prizes. No boxer participating in these contests, matches, or exhibitions shall engage in consecutive contests with less than a seven day interval. No boxer shall participate in these contests, matches, or exhibitions unless the boxer has submitted an affidavit of physical fitness to the board and has been examined by a physician designated by the board. The affidavit shall state: (a) that the boxer has previously participated in ten amateur or professional matches sanctioned by the board of boxing or sanctioned by a board which regulates boxing in another jurisdiction; or (b) that the boxer has regularly trained for at least 90 days under the supervision of a trainer second licensed by the board of boxing, or a second or trainer or the equivalent licensed in another jurisdiction. The examination shall include, but not be limited to, an electroencephalogram, unless the boxer has submitted to the examining physician (a) the results of an electroencephalogram administered within one year of the contest, match or exhibition; and (b) an affidavit stating that the boxer has not been knocked unconscious in boxing competition since the last electroencephalogram was administered. The examination shall be performed at the expense of the promoter.

Sec. 6. **EFFECTIVE DATE.**

Section 5 is effective the day following final enactment.

Approved March 15, 1982

CHAPTER 406 — H.F.No. 1948

An act relating to retirement; Richfield firefighters relief association; eliminating various obsolete special law provisions; validating certain prior payments or actions; amending Extra Session Laws 1961, Chapter 28, Section 14; repealing Extra Session Laws 1961, Chapter 28, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13; and Laws 1963, Chapter 464.

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