

Sec. 37. [116.082] OPEN BURNING OF LEAVES; LOCAL ORDINANCES.

Subject to sections 88.16, 88.17 and 88.22, but notwithstanding any law or rule to the contrary, a town or home rule charter or statutory city located outside the metropolitan area as defined in section 473.121, subdivision 2, by adoption of an ordinance, may permit the open burning of dried leaves within the boundaries of the town or city. The ordinance shall limit leaf burning to the period between September 15 and December 1 and shall set forth limits and conditions on leaf burning to minimize air pollution and fire danger and any other hazards or nuisance conditions. No open burning of leaves shall take place during an air pollution alert, warning or emergency declared by the agency. Any town or city adopting an ordinance pursuant to this section shall submit a copy of the ordinance to the agency and the department of natural resources.

Sec. 38. APPROPRIATION.

\$25,000 of the amount appropriated by Laws 1981, Chapter 334, Section 11, Subdivision 1, from the state building fund is cancelled and reappropriated to the commissioner of energy, planning and development for the purpose of conducting or contracting for the study directed by section 36. None of the money appropriated in this section shall be spent unless the legislative commission on waste management approves a work program of the department showing that the conditions prescribed in section 36 have been met and showing the scope of the proposed activities of the department in carrying out section 36.

Sec. 39. REPEALER.

Minnesota Statutes 1980, Section 473.827, Subdivisions 2, 3, 4, 5, and 6, are repealed.

Sec. 40. APPLICATION.

Sections 22 to 35 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 41. EFFECTIVE DATE.

This act is effective the day following final enactment.

Approved March 22, 1982

CHAPTER 570 — S.F.No. 2006

An act relating to gambling; providing an exception for certain nonprofit organizations to the annual limitation on prizes awarded from the conduct of raffles; amending Minnesota Statutes 1980, Section 349.26, Subdivision 9, and by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 349.26, Subdivision 15.

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

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

Section 1. Minnesota Statutes 1980, Section 349.26, Subdivision 9, is amended to read:

Subd. 9. **ISSUANCE OF LICENSE.** Licenses shall be issued only to a fraternal, religious, veterans or other nonprofit organization ~~covered by section 290.05, subdivision 4, clause (i) or (k) which is a corporation, fund, foundation, trust, or association organized for exclusively scientific, literary, religious, charitable, educational, or artistic purposes, or for the purpose of making contributions to or for the use of the United States, the state of Minnesota, or any of its political subdivisions for exclusively public purposes, or for any combination of the above-enumerated purposes, if no part of the net income of any such corporation, fund, foundation, trust, or association inures to the benefit of any private member, stockholder, or individual, or is a club organized and operated exclusively for pleasure, recreation, or other nonprofitable purposes, no part of the net income of which inures to the benefit of any private member, stockholder, or individual,~~ which organization has been in existence for at least three years and has at least 30 active members, as defined in section 349.12, subdivision 2.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 349.26, Subdivision 15, is amended to read:

Subd. 15. **TOTAL PRIZE AWARD LIMITS.** Total prizes from the operation of paddlewheels, tipboards and pull-tabs (or ticket jars) awarded in any single day in which they are operated shall not exceed \$1,000. Total prizes resulting from any single spin of a paddlewheel, or from any single seal of a tipboard, each tipboard limited to a single seal, or from a single pull-tab (or ticket jar), shall not exceed \$150. Total prizes awarded in any calendar year by any organization from the operation of paddlewheels, tipboards and pull-tabs (or ticket jars) and the conduct of raffles, except as provided in subdivision 15a, shall not exceed \$35,000. Merchandise prizes shall be valued at fair market retail value.

The county attorney of each county shall be responsible for investigating and, if appropriate, prosecuting organizations for violations of this section.

Sec. 3. Minnesota Statutes 1980, Section 349.26, is amended by adding a subdivision to read:

Subd. 15a. EXCEPTION; TOTAL PRIZE AWARDS LIMITATIONS. (a) An organization which directly or under contract to the state or a political subdivision delivers health or social services and which is exempt from taxation pursuant to section 501(c)(3) of the Internal Revenue Code of 1954, as amended through December 30, 1981, may award total prizes in a calendar year from the conduct of raffles, in excess of the limitation provided in subdivision 15, provided the prizes consist of real or personal property donated to the organization by an individual, corporation, or other organization and, except as provided

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in clause (b), provided the organization complies with the other requirements and restrictions of section 349.26.

(b) For the purposes of this subdivision, an organization covered by clause (a) is not subject to the membership limitations of subdivisions 9, 11, and 12, nor to the compensation limitations of subdivision 12. Subject to the other requirements of subdivision 13, the person who accounts for gross receipts, expenses, and profits from the conduct of raffles may be the same person who accounts for other revenues of the organization.

Approved March 22, 1982

CHAPTER 571 — S.F.No. 2054

An act relating to the department of economic security; regulating community action programs and agencies; amending Minnesota Statutes 1981 Supplement, Sections 268.52, Subdivisions 1, 2, and 4; 268.53, Subdivisions 1, 2, and by adding subdivisions; 268.54, Subdivision 2.

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

Section 1. Minnesota Statutes 1981 Supplement, Section 268.52, Subdivision 1, is amended to read:

Subdivision 1. **AUTHORIZATION.** The commissioner of economic security may provide financial assistance for community action agencies, Indian reservations and the statewide migrant seasonal farmworker organization known as the Minnesota migrant council to carry out community action programs as described in section 268.54 in accordance with state and federal law and regulation.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 268.52, Subdivision 2, is amended to read:

Subd. 2. **ALLOCATION OF FUNDS AMONG COMMUNITY ACTION AGENCIES.** Funds appropriated for the purpose of subdivision 1 shall be allocated annually to community action agencies under either clause (a) or (b), whichever is more advantageous to the agency, to Indian reservations under clause (c) and to the Minnesota migrant council under clause (d).

If the appropriation is insufficient to fully fund each agency, the insufficiency shall be prorated annually among the agencies.

(a) *In proportion to the size of the poverty level population served by the agency when compared to the size of the poverty level population in the state; or*

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