

CHAPTER 102—S.F.No. 123

An act relating to local government; broadening the joint self-insurance pool regulation exemption; amending Minnesota Statutes 1986, section 471.982, subdivision 3.

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

Section 1. Minnesota Statutes 1986, section 471.982, subdivision 3, is amended to read:

Subd. 3. Self-insurance pools established and open for enrollment on a statewide basis by the Minnesota league of cities insurance trust, the Minnesota school boards association insurance trust, the Minnesota association of townships insurance and bond trust, or the Minnesota association of counties insurance trust and the political subdivisions that belong to them are exempt from the requirements of this section and section 65B.48, subdivision 3. In addition, the Minnesota association of townships insurance and bond trust and the townships that belong to it are exempt from the requirement to hold the certificate of surety authorization issued by the commissioner of commerce as provided in section 574.15.

Sec. 2. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

Approved May 13, 1987

CHAPTER 103—S.F.No. 557

An act relating to Ramsey county; providing for a charter commission to recommend a form of county government and providing for its adoption.

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

Section 1. **[383A.551] RAMSEY COUNTY; CHARTER COMMISSION.**

Subdivision 1. RAMSEY COUNTY LEGISLATIVE DELEGATION. For purposes of this act the Ramsey county legislative delegation means all elected members of the state house of representatives and state senate whose legislative district includes a portion of Ramsey county.

Subd. 2. CHAIR OF DELEGATION. The chair of the Ramsey county state house of representatives delegation and the chair of the Ramsey county state senate delegation shall act as co-chairs of the Ramsey county legislative delegation.

Sec. 2. **[383A.552] CHARTER COMMISSION; NOMINATIONS AND APPOINTMENTS.**

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

Within 30 days of the effective date of this act the Ramsey county legislative delegation shall nominate 41 persons as candidates for appointment to a charter commission to frame a charter to provide for the form of government for Ramsey county. Five persons who reside in the district shall be nominated for each of the county commissioner districts in the county. Six persons who reside in the county shall also be nominated without regard to county commissioner districts. Within 30 days of the selection of nominees the judges of the second judicial district shall appoint the charter commission of 17 members consisting of two appointees for each county commissioner district selected from those nominated from each county commissioner district and three appointees from those nominated at large to serve at large. The commission members must be qualified voters in Ramsey county. No person shall be disqualified from serving on the charter commission because of holding an elective or appointive office.

Sec. 3. [383A.553] CHARTER COMMISSION; TERMS; CHAIR; EXPENSES AND ADMINISTRATION.

Subdivision 1. TERMS. Members of the charter commission shall hold office until a final report has been made as provided in section 4. Vacancies shall be filled by the appointing authority. Appointments shall be made by filing with the board of county commissioners. An appointee shall file acceptance of the appointment with the board of county commissioners within ten days or be considered to have declined the appointment.

Subd. 2. CHAIR; RULES. The charter commission shall meet within 30 days after the initial appointment, elect a chair from their number, and establish rules, including quorum requirements for its operation and procedures.

Subd. 3. EXPENSES AND ADMINISTRATION. The members of the charter commission shall receive no compensation except reimbursement for expenses they actually incur in the course of their duties. The board of county commissioners may make an appropriation to the charter commission to be used to employ research and clerical assistance, for supplies, and to meet expenses considered necessary by the charter commission. Employees of the charter commission shall be in the unclassified service of the county. The charter commission shall have the right to request and receive assistance from any county official. If requested, the personnel director shall assist the charter commission to test and hire employees. The county attorney shall provide legal services as may be requested.

Sec. 4. [383A.554] POWERS AND DUTIES.

Before December 31, 1988, the charter commission shall deliver to the board of county commissioners either (1) its report determining that the present form of county government is adequate for the county and that a charter is not necessary or desirable, or (2) a draft of a proposed charter. The report must be signed by a majority of the members of the charter commission. The proposed charter may provide for any form of government consistent with the constitution of the state of Minnesota. It may provide for the establishment and

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administration of all departments of a county government and for the regulation of all local county functions. It may abolish or consolidate any department or agency. The charter commission is required to hold at least one public hearing in each of the county commissioner districts.

It shall provide for present functions to be assumed by new elective or appointive officers as shall be provided for in the charter and may provide for other powers consistent with other law. It shall provide methods of procedure in respect to the operation of the government created and the duties of all officers. It shall provide for a home rule charter commission consistent with article XII, section 5, of the constitution of the state of Minnesota and may provide for alternative methods for amending or abandoning the charter consistent with the constitution. The county may be authorized to acquire by gift, devise, purchase, or condemnation or sell or lease any property needed for the full discharge of its duties and powers. All special and general laws authorizing the county to incur indebtedness or issue bonds shall be subject to the charter, provided that the charter provisions are not in conflict with general laws relating to public indebtedness. The county shall continue to have all the powers granted by law.

Personnel matters relating to Ramsey county employees shall continue to be governed by Minnesota Statutes, sections 383A.281 to 383A.301 and Minnesota Statutes, sections 197.455 to 197.48. A charter proposed for adoption under this act shall not apply to personnel matters.

Sec. 5. [383A.555] ELECTION; BALLOT.

Subdivision 1. PROCEDURE; NOTICE. Upon delivery of the proposed charter to the board of county commissioners, the board shall submit it to the voters at the general election in 1990. The election shall be conducted as nearly as possible in accordance with Minnesota Statutes, chapter 372, provided that the polls shall remain open until 8:00 p.m. The notice of election must contain the complete charter and must be published once a week for two successive weeks in a qualified newspaper of general circulation within the county.

Subd. 2. BALLOT FORM. The ballot must be in the following form:

“Shall the proposed new county charter be adopted?”

Yes
No”

The voter shall place an “X” after one of the last two words to express the voter’s choice.

Sec. 6. [383A.556] EFFECTIVE DATE.

If a majority of all the voters voting in the county at the election vote in favor of the proposed charter, it shall be adopted. The charter shall take effect two years after the election. At that time the courts shall take judicial notice of the new charter and upon the election or appointment of officers under the

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charter the former officials of Ramsey county shall deliver to them all records, money, and other public property under their control.

Sec. 7. LOCAL APPROVAL.

This act is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the board of county commissioners of Ramsey county.

Approved May 13, 1987

CHAPTER 104—S.F.No. 578

An act relating to business corporations; regulating the organization and operation of business corporations; providing for indemnification; providing voting rights; providing for the value, issuance, pledging, and acquisition of shares; and providing for payment on the return of shares; amending Minnesota Statutes 1986, sections 300.08, subdivision 1; 300.083, subdivisions 1, 4, 8, and by adding a subdivision; 302A.011, subdivision 40; 302A.111, subdivisions 2 and 3; 302A.133; 302A.135, subdivision 4, and by adding a subdivision; 302A.137; 302A.139; 302A.141, by adding a subdivision; 302A.161, subdivision 22; 302A.201, subdivision 2; 302A.255, subdivision 1; 302A.401, subdivision 3; 302A.405, subdivisions 1 and 2; 302A.409, subdivision 3; 302A.413, subdivision 5; 302A.433, subdivision 3; 302A.435, subdivision 2; 302A.437, subdivision 2; 302A.447, subdivision 7; 302A.455; 302A.457, subdivisions 1 and 2; 302A.473, subdivisions 1, 5, 6, and 7; 302A.501, subdivision 1; 302A.521, subdivisions 1, 4, and 8, and by adding a subdivision; 302A.553, subdivision 1; 302A.727; 302A.729; 302A.733, subdivisions 1 and 2; and 302A.781; proposing coding for new law in Minnesota Statutes, chapter 302A.

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

Section 1. Minnesota Statutes 1986, section 300.08, subdivision 1, is amended to read:

Subdivision 1. **ENUMERATED POWERS.** (a) A corporation formed under the provisions of this chapter may:

(1) be known by its corporate name for the time stated in its certificate of incorporation;

(2) sue and be sued in any court;

(3) have, use, and alter a common seal;

(4) acquire, by purchase or otherwise, and hold, enjoy, improve, lease, encumber, and convey all real and personal property necessary for the purposes of its organization, subject to the limitations hereafter declared;

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