

## CHAPTER 261—H.F.No. 1274

*An act relating to crimes; taxes; providing for collection from convicted person's tax refund of court-ordered restitution to crime victims; providing for priority of claims against refunds; amending Minnesota Statutes 1986, sections 270A.03, subdivisions 2, 5, and by adding a subdivision; and 270A.10; repealing Minnesota Statutes 1986, section 270A.02.*

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

Section 1. Minnesota Statutes 1986, section 270A.03, subdivision 2, is amended to read:

Subd. 2. "Claimant agency" means any state agency, as defined by section 14.02, subdivision 2, the regents of the University of Minnesota, any district court of the state, any county, ~~and~~ any public agency responsible for child support enforcement, and any public agency responsible for the collection of court-ordered criminal restitution.

Sec. 2. Minnesota Statutes 1986, section 270A.03, subdivision 5, is amended to read:

Subd. 5. "Debt" means a legal obligation of a natural person to pay a fixed and certain amount of money, which equals or exceeds \$25 and which is due and payable to a claimant agency. The term includes criminal fines imposed under section 609.10 and restitution. A debt may arise under a contractual or statutory obligation, a court order, or other legal obligation, but need not have been reduced to judgment. A debt does not include (1) any legal obligation of a current recipient of assistance which is based on overpayment of an assistance grant, or (2) any legal obligation to pay a claimant agency for medical care, including hospitalization if the debtor would have qualified for a low income credit equal to tax liability pursuant to Minnesota Statutes 1984, section 290.06, subdivision 3d, clause (1), at the time when the medical care was rendered, provided that, for purposes of this subdivision, the income amounts in that section shall be adjusted for inflation for debts incurred in calendar years 1987 and thereafter. The dollar amount of each income level that applied to debts incurred in the prior year shall be increased in the same manner as provided in section 290.06, subdivision 2d, for the expansion of the tax rate brackets.

Sec. 3. Minnesota Statutes 1986, section 270A.03, is amended by adding a subdivision to read:

Subd. 8. "Restitution" means money due to a crime victim under an order of restitution issued by a court under section 609.10 or 609.125 as part of a sentence or as a condition of probation.

Sec. 4. Minnesota Statutes 1986, section 270A.10, is amended to read:

**270A.10 PRIORITY OF CLAIMS.**

If two or more debts, in a total amount exceeding the debtor's refund, are

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submitted for set-off, the priority of payment shall be as follows: First, any delinquent tax obligations of the debtor which are owed to the department shall be satisfied. Secondly, the refund shall be applied to debts for child support based on the order in time in which the commissioner received the debts. Thirdly, the refund shall be applied to the remaining debts based on the order in time in which the commissioner received the debts.

Sec. 5. **REPEALER.**

Minnesota Statutes 1986, section 270A.02, is repealed.

Approved May 27, 1987

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**CHAPTER 262—H.F.No. 1281**

*An act relating to local government; authorizing Lake county to issue seasonal on-sale liquor licenses; authorizing St. Louis county to set the compensation of certain board and commission members; amending Minnesota Statutes 1986, section 383C.073.*

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

Section 1. **LAKE COUNTY; SEASONAL TERM ON-SALE LIQUOR LICENSES.**

In addition to the number of licenses permitted by law, the county board of Lake county may issue seasonal on-sale licenses for the sale of intoxicating liquor. The fee for such licenses, which shall be valid for a specified period of not to exceed nine months, shall be fixed by the county board. Not more than one license shall be issued for any one premises during any consecutive 12-month period. All other provisions of Minnesota Statutes, chapter 340A, governing the issuance of licenses and the sale of intoxicating liquor apply to a license issued pursuant to this section.

Sec. 2. Minnesota Statutes 1986, section 383C.073, is amended to read:

**383C.073 CERTAIN BOARD MEMBERS; COMPENSATION.**

Notwithstanding the provisions of any law contrary thereto in St. Louis county, the members, except the members who are also members of the board of county commissioners, of all boards and commissions created by law shall receive for attending meetings of said board or commission ~~\$20~~ an amount determined by the board of county commissioners of up to \$50 per day but not to exceed ~~\$600~~ \$1,500 in any one year, and each shall be repaid necessary expenses for such attendance, a certified statement of which shall be filed with and approved by said board or commission.

Sec. 3. **LOCAL APPROVAL.**

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