

permanent school fund. Any excess shall be deposited in the forest suspense account.

Sec. 3. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

Approved May 29, 1987

CHAPTER 324—H.F.No. 3

An act relating to labor; changing the minimum wage; amending Minnesota Statutes 1986, section 177.24, subdivision 1.

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

Section 1. Minnesota Statutes 1986, section 177.24, subdivision 1, is amended to read:

Subdivision 1. **AMOUNT.** (a) For purposes of this subdivision, the terms defined in this paragraph have the meanings given them. "Federal covered employers" means those employers covered by the Federal Fair Labor Standards Act of 1938, as amended, (29 U.S.C. 201 et seq.). "State covered employers" means those employers not covered by the Federal Fair Labor Standards Act of 1938, as amended, and covered by the Minnesota Fair Labor Standards Act, sections 177.21 to 177.35.

(b) Beginning January 1, 1982, Except as otherwise provided in sections 177.21 to 177.35, every federal covered employer must pay each employee who is 18 years of age or older wages at a rate of at least ~~\$3.35~~ \$3.55 an hour and beginning January 1, 1988, \$3.85 an hour beginning January 1, 1989, and \$3.95 an hour beginning January 1, 1990. Every state covered employer must pay each employee who is 18 years of age or older \$3.50 an hour beginning January 1, 1988, \$3.65 an hour beginning January 1, 1989, and \$3.80 an hour beginning January 1, 1990. Every federal covered employer must pay each employee under 18 wages at a rate of at least ~~\$3.02~~ \$3.20 an hour beginning January 1, 1988, \$3.47 an hour beginning January 1, 1989, \$3.56 an hour beginning January 1, 1990. Every state covered employer must pay each employee under 18 wages at a rate of at least \$3.15 an hour beginning January 1, 1988, \$3.29 an hour beginning January 1, 1989, and \$3.42 an hour beginning January 1, 1990.

(c) Notwithstanding paragraph (b), the minimum hourly wage for federal or state covered employees who receive \$35 or more in gratuities per month shall be \$3.35 an hour for those employees who are 18 years of age or older and \$3.02 an hour for those employees who are under 18 years of age. This paragraph applies only until January 1, 1989.

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

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective January 1, 1988.

Approved May 29, 1987

CHAPTER 325—H.F.No. 123

An act relating to probate; providing for an increased sum payable to a surviving spouse by affidavit; allowing nursing home care costs to be a claim of the same class as medical and hospital expenses; amending Minnesota Statutes 1986, sections 181.58; and 524.3-805.

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

Section 1. Minnesota Statutes 1986, section 181.58, is amended to read:

181.58 SURVIVING SPOUSE PAID WAGES DUE.

For the purposes of this section the word "employer" includes every person, firm, partnership, corporation, the state of Minnesota, all political subdivisions, and all municipal corporations.

If, at the time of the death of any person, an employer is indebted to the person for work, labor, or services performed, and no ~~executor or administrator~~ personal representative of the person's estate has been appointed, such employer shall, upon the request of the surviving spouse, forthwith pay this indebtedness, in such an amount as may be due, not exceeding the sum of ~~\$3,000~~ \$10,000, to the surviving spouse. The employer may in the same manner provide for payment to the surviving spouse of accumulated credits under the vacation or overtime plan or system maintained by the employer. The employer shall require proof of claimant's relationship to decedent by affidavit, and require claimant to acknowledge receipt of such payment in writing. Any payments made by the employer pursuant to the provisions of this section shall operate as a full and complete discharge of the employer's indebtedness to the extent of the payment, and no employer shall thereafter be liable therefor to the decedent's estate or the decedent's ~~executor or administrator~~ personal representative thereafter appointed. Any amounts so received by a spouse shall be considered in diminution of the allowance to the spouse under section 525.15.

Sec. 2. Minnesota Statutes 1986, section 524.3-805, is amended to read:

524.3-805 CLASSIFICATION OF CLAIMS.

(a) If the applicable assets of the estate are insufficient to pay all claims in full, the personal representative shall make payment in the following order:

- (1) costs and expenses of administration;

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