

Sec. 13. **CONTRACTS VALIDATED.**

Notwithstanding any law to the contrary, the terms of a contract or personnel policy in effect before the effective date of this section providing for severance pay for the purposes described in section 465.72, subdivision 2, or providing for employer payment of some or all of the costs of health care benefits or insurance for retired employees, and all payments made under those policies or contracts, are valid, subject to section 7.

Sec. 14. **REPEALER.**

Minnesota Statutes 1986, section 465.72, subdivision 2, is repealed.

Sec. 15. **EFFECTIVE DATES.**

Sections 1 to 14 are effective the day following final enactment. Section 13 applies retroactively to August 1, 1986.

Section 12 applies only to employees who retire after the effective date of the section.

Approved April 24, 1988

**CHAPTER 606—H.F.No. 1656**

*An act relating to traffic regulations; providing for allocation of civil fines for motor vehicle maximum weight violations in Hennepin county; amending Minnesota Statutes 1986, section 169.871, subdivisions 3 and 5.*

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

Section 1. Minnesota Statutes 1986, section 169.871, subdivision 3, is amended to read:

Subd. 3. **APPEARANCES.** Notwithstanding the provisions of section 8.01, county or city attorneys may appear ~~for the commissioner of public safety~~ in civil actions commenced under this section at the request of the attorney general.

Sec. 2. Minnesota Statutes 1986, section 169.871, subdivision 5, is amended to read:

Subd. 5. **FINES.** Any penalty imposed and fines collected pursuant to this section shall be disposed of as provided in section 299D.03, subdivision 5, with the following exceptions:

(a) If the violation occurs in the county, and the county attorney appears in the action, the remaining five-eighths shall be credited to the highway user tax distribution fund.

New language is indicated by underline, deletions by ~~strikeout~~.

(b) If the violation occurs within the municipality, and the city attorney appears in the action, the remaining one-third shall be paid to the highway user tax distribution fund.

(c) ~~In all cases~~ Except as provided in paragraph (d), when the attorney general appears in the action, all penalties imposed and fines collected shall be credited to the highway user tax distribution fund.

(d) If the violation occurs in Hennepin county, and the arrest or apprehension is made by the county sheriff, three-eighths of the civil penalty shall be credited to the general revenue fund of the county and the remaining five-eighths shall be credited to the highway user tax distribution fund.

### Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective the day following final enactment.

Approved April 24, 1988

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## CHAPTER 607—H.F.No. 1681

*An act relating to civil actions; clarifying the statute of limitations for damages based on services or construction to improve real property; clarifying the statute of limitations for asbestos actions; amending Minnesota Statutes 1986, section 541.051, subdivision 1; and Minnesota Statutes 1987 Supplement, section 541.22, subdivision 2.*

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

Section 1. Minnesota Statutes 1986, section 541.051, subdivision 1, is amended to read:

Subdivision 1. (a) Except where fraud is involved, no action by any person in contract, tort, or otherwise to recover damages for any injury to property, real or personal, or for bodily injury or wrongful death, arising out of the defective and unsafe condition of an improvement to real property, nor any action for contribution or indemnity for damages sustained on account of the injury, shall be brought against any person performing or furnishing the design, planning, supervision, materials, or observation of construction or construction of the improvement to real property or against the owner of the real property more than two years after discovery ~~thereof~~ of the injury or, in the case of an action for contribution or indemnity, accrual of the cause of action, nor, in any event shall such a cause of action accrue more than ten years after substantial completion of the construction. Date of substantial completion shall be determined by the date when construction is sufficiently completed so that the owner or the owner's representative can occupy or use the improvement for the intended purpose.

New language is indicated by underline, deletions by ~~strikeout~~.