

If we are not paid by your contractor, we can file a claim against your property for the price of our services ~~unless, prior to your receipt of this notice, you have paid to your contractor the full amount of all improvements furnished.~~

To protect yourself, Minnesota law permits you, as the owner, to withhold from your contractor as much of the contract price as may be necessary to meet our demands; You have the right to pay us directly and deduct the cost of them this amount from the contract price, or withhold the amount of our claim due us from your contractor until the expiration of 120 days from the after completion of the improvement unless your contractor furnishes to gives you a lien waiver of claim for mechanics' liens signed by me (us).²

We may not file a lien if you paid your contractor in full before receiving this notice."

(b) A person entitled to a lien does not lose the right to the lien for failure to strictly comply with this subdivision if a good faith effort is made to comply, unless the owner or another lien claimant proves damage as a direct result of the failure to comply.

Sec. 3. Minnesota Statutes 1988, section 514.011, is amended by adding a subdivision to read:

Subd. 6. USE OF FORMER NOTICE PERMITTED. Until August 1, 1990, a notice given in conformity with subdivisions 1 and 2 of Minnesota Statutes 1988 is valid.

Sec. 4. REPEALER.

Section 3 is repealed effective August 1, 1990.

Sec. 5. EFFECTIVE DATE.

Sections 1 to 3 are effective August 1, 1989, and apply to notices given on or after that date.

Presented to the governor May 16, 1989

Signed by the governor May 17, 1989, 6:17 p.m.

CHAPTER 161—H.F.No. 1027

An act relating to state employees; authorizing the donation of accrued vacation time by state employees in 1989 to pay unreimbursed medical costs incurred by other state employees.

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

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

Section 1. UNREIMBURSED MEDICAL COSTS VACATION DONATION PROGRAM.

Subdivision 1. DONATION OF VACATION TIME. A state employee may donate up to eight hours of accrued vacation time in calendar year 1989 to the account established by subdivision 2 for the benefit of another state employee. The employee must notify the employee's agency head of the amount of accrued vacation time the employee wishes to donate and the name of the other state employee who is to benefit from the donation. The agency head shall determine the monetary value of the donated time, using the gross salary of the employee making the donation. The agency head shall transfer that amount, less deductions for applicable taxes and retirement contributions, to the account established by subdivision 2. A donation of accrued vacation time is irrevocable once its monetary value has been transferred to the account.

Subd. 2. BENEFIT ACCOUNT. The vacation benefit account, consisting of money transferred under subdivision 1, is administered by the commissioner of employee relations. Money in the account is appropriated to the commissioner for purposes of this section until January 1, 1991. Any appropriation remaining in the account on that date is transferred to the commissioner of commerce to cover costs of the study required by subdivision 4.

Subd. 3. USE OF ACCOUNT ASSETS. Expenditures from the account may be made only to pay unreimbursed medical expenses when the total of those expenses is at least \$10,000 and the expenses are incurred because of the illness of or injury to a state employee or the employee's spouse or dependent. An expenditure on behalf of an employee may not exceed the total transferred into the account established by subdivision 2 because of a donation or donations of vacation time for the benefit of that employee.

Subd. 4. STUDY; TRANSPLANT SURGERY. The commissioner of commerce shall study the feasibility of:

(1) requiring all policies or plans of health, medical, hospitalization, or accident and sickness insurance, and all health maintenance organizations providing coverage of or reimbursement for inpatient hospital and medical expenses to cover the costs of nonexperimental transplant surgery; and

(2) defining experimental and nonexperimental transplant surgery for purposes of this subdivision.

The commissioner shall report the results of the study and any recommendations resulting from the study to the legislature by January 15, 1991.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day following final enactment.

Presented to the governor May 16, 1989

New language is indicated by underline, deletions by strikeout.

Signed by the governor May 19, 1989, 4:40 p.m.

CHAPTER 162—H.F.No. 1104

An act relating to Ramsey county; increasing the size of the personnel board; permitting the personnel director to issue certain subpoenas; amending Minnesota Statutes 1988, sections 383A.287, subdivision 2; and 383A.294, by adding a subdivision.

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

Section 1. Minnesota Statutes 1988, section 383A.287, subdivision 2, is amended to read:

Subd. 2. **ORGANIZATION.** The county board, by a majority vote, shall appoint ~~five~~ seven persons to the personnel review board to serve four-year staggered terms. Any vacancies shall be filled by a majority vote of the county board for the unexpired term. Each member shall hold office until a successor has been appointed. Membership on the personnel review board shall be limited as follows:

(a) each member shall take an oath of office before assuming the duties of office;

(b) no person shall be a member of the personnel review board while holding a public office, or while holding office in a political party above the state legislative district level, nor for two years after having held that kind of public or political office; and

(c) each member shall be a resident of the county and if a member becomes a nonresident, the member forfeits the office.

Sec. 2. Minnesota Statutes 1988, section 383A.294, is amended by adding a subdivision to read:

Subd. 6. PRODUCTION OF DOCUMENTS. The personnel director may make a written request to an employee to produce relevant documents or to a person to appear for the purpose of giving relevant oral statements or testimony relating to a disciplinary action of an employee. An employee who is the subject of a disciplinary action may make a written request to the personnel director for the production of relevant documents or for the appearance of a person to give relevant oral statements or testimony relating to the disciplinary action. The request for the appearance of a person may be to appear and testify at a hearing of the personnel review board or to appear at a specified place to give an oral statement prior to a hearing of the personnel review board. The personnel director, or the employee upon receipt of a request for production of relevant documents, shall furnish the requesting party the documents within ten days of receipt of the written request. A person to whom a request for an

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