

Section 2 takes effect the day after the Ramsey county board complies with Minnesota Statutes, section 645.021, subdivision 3.

Presented to the governor April 19, 1990

Signed by the governor April 20, 1990, 10:35 a.m.

### CHAPTER 471—S.F.No. 2090

*An act relating to towns; regulating town meetings; providing for town deputy treasurer; amending Minnesota Statutes 1988, sections 365.51, subdivision 1; and 365.58; proposing coding for new law in Minnesota Statutes, chapter 367.*

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

Sec. 1. Minnesota Statutes 1988, section 365.51, subdivision 1, is amended to read:

Subdivision 1. **WHEN; BAD WEATHER.** A town's annual town meeting must be held on the second Tuesday of March at the place named by the last annual town meeting. If no place was named then, the meeting must be held at the place named by the town board. The place may be outside the town if the place is within five miles of a town boundary. If there is bad weather on meeting the day of the meeting and election, the town board shall set the meeting and election for ~~another day~~ the third Tuesday in March. If there is bad weather on the third Tuesday in March, the town board shall set another date for the meeting and election within 30 days of the third Tuesday in March. If the meeting and election are postponed, the notice requirements in subdivision 2 shall apply to the postponed meeting and election.

The balloting of the town election must be concluded on the same day the election is commenced.

Sec. 2. Minnesota Statutes 1988, section 365.58, is amended to read:

**365.58 MAY ADJOURN MEETING EXCEPT TO ELECT OFFICERS.**

A town meeting may be adjourned to any other day, or later the same day, to transact any business of the town ~~except the election of officers~~.

Sec. 3. **[367.161] DEPUTY.**

Each town treasurer may appoint a deputy not currently serving as an elected official of the town for whose acts the treasurer is responsible, and who, in case of the treasurer's absence or disability, shall perform the treasurer's duties.

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

Presented to the governor April 24, 1990

Signed by the governor April 24, 1990, 9:17 p.m.

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CHAPTER 472—S.F.No. 2224

*An act relating to health; granting an exception to the nursing home moratorium; amending Minnesota Statutes 1989 Supplement, section 144A.071, subdivision 3.*

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

Section 1. Minnesota Statutes 1989 Supplement, section 144A.071, subdivision 3, is amended to read:

Subd. 3. **EXCEPTIONS.** The commissioner of health, in coordination with the commissioner of human services, may approve the addition of a new certified bed or the addition of a new licensed nursing home bed, under the following conditions:

(a) to replace a bed decertified after May 23, 1983, or to address an extreme hardship situation, in a particular county that, together with all contiguous Minnesota counties, has fewer nursing home beds per 1,000 elderly than the number that is ten percent higher than the national average of nursing home beds per 1,000 elderly individuals. For the purposes of this section, the national average of nursing home beds shall be the most recent figure that can be supplied by the federal health care financing administration and the number of elderly in the county or the nation shall be determined by the most recent federal census or the most recent estimate of the state demographer as of July 1, of each year of persons age 65 and older, whichever is the most recent at the time of the request for replacement. In allowing replacement of a decertified bed, the commissioners shall ensure that the number of added or recertified beds does not exceed the total number of decertified beds in the state in that level of care. An extreme hardship situation can only be found after the county documents the existence of unmet medical needs that cannot be addressed by any other alternatives;

(b) to certify a new bed in a facility that commenced construction before May 23, 1983. For the purposes of this section, "commenced construction" means that all of the following conditions were met: the final working drawings and specifications were approved by the commissioner of health; the construction contracts were let; a timely construction schedule was developed, stipulating dates for beginning, achieving various stages, and completing construction; and all zoning and building permits were secured;

(c) to certify beds in a new nursing home that is needed in order to meet the

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