

section 1, subdivision 2, may commence an action and file a notice of lis pendens on or before March 1, 1992.

Sec. 4. **REPEALER.**

Minnesota Statutes 1990, section 519.09, is repealed.

Sec. 5. **EFFECTIVE DATE.**

Sections 1 to 4 are effective the day following final enactment. Section 1 applies to all inchoate or vested interests or estates existing on or created on or after the effective date.

Presented to the governor May 20, 1991

Signed by the governor May 22, 1991, 5:46 p.m.

CHAPTER 145—H.F.No. 1405

An act relating to charitable organizations; changing distribution requirements for charitable organizations; amending Minnesota Statutes 1990, section 309.501, subdivision 1.

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

Section 1. Minnesota Statutes 1990, section 309.501, subdivision 1, is amended to read:

Subdivision 1. **DEFINITIONS.** As used in this section, the following terms have the meanings given them.

“Registered combined charitable organization” means an organization

(1) which is tax exempt under section 501(c)3 of the Internal Revenue Code of ~~1954~~ 1986, as amended through December 31, ~~1980~~ 1990 (hereinafter “Internal Revenue Code”), and to which contributions are deductible under section 170 of the Internal Revenue Code;

(2) which secures funds for distribution to ten or more charitable agencies in a single, annual consolidated effort;

(3) which is governed by a voluntary board of directors which represents the broad interests of the public;

(4) which distributes at least 70 percent of its total ~~collected~~ campaign income and revenue to the designated agencies it supports and expends no more

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

than 30 percent of its total income and revenue for management and general costs and fund raising costs;

(5) and each designated agency supported by the recipient institution devotes substantially all of its activities directly to providing health, welfare, social, or other human services to individuals;

(6) and each designated agency supported by the recipient institution provides health, welfare, social, or other human services, in the community and surrounding area in which the recipient institution's fund drive takes place; and

(7) which has been registered with the commissioner of commerce in accordance with this section.

"Charitable agency" means a governmental agency or an organization (1) which is tax exempt under section 501(c)3 of the Internal Revenue Code; (2) to which contributions are deductible under section 170 of the Internal Revenue Code; and (3) which is in compliance with the provisions of this chapter.

Presented to the governor May 20, 1991

Became law without the governor's signature May 24, 1991

[Revisor's Note: While the governor attempted to veto this chapter, the Ramsey County District Court found the attempted veto to be invalid.]

CHAPTER 146—H.F.No. 200

An act relating to courts; recognizing adequate access to the courts as a factor in determining whether a judicial position should remain or be abolished or transferred; amending Minnesota Statutes 1990, section 2.722, subdivision 4.

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

Section 1. Minnesota Statutes 1990, section 2.722, subdivision 4, is amended to read:

Subd. 4. **DETERMINATION OF A JUDICIAL VACANCY.** (a) When a judge of the district; ~~county; or county municipal~~ court dies, resigns, retires, or is removed from office, the supreme court, in consultation with judges and attorneys in the affected district, shall determine within 90 days of receiving notice of a vacancy from the governor whether the vacant office is necessary for effective judicial administration or is necessary for adequate access to the courts. In determining whether the position is necessary for adequate access to the courts, the supreme court shall consider whether abolition or transfer of the position would result in a county having no chambered judge. The supreme court may continue the position, may order the position abolished, or may transfer the position to a judicial district where need for additional judges exists, designating the position as either a county, county/municipal or district court judgeship. The supreme court shall certify any vacancy to the governor, who shall fill it in the manner provided by law.

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