

(5) debt service, including principal and interest, on general obligation bonds and certificates issued pursuant to section 458D.14, obligations assumed under section 458D.06, subdivision 3, and any money judgments entered by a court of competent jurisdiction. Expenses within these general categories, and such others as the board may from time to time determine, shall be itemized in such detail as the board shall prescribe. The board and its officers, agents and employees shall not incur an expense for any purpose other than debt service without having set forth such expense in the budget nor in excess of the amount set forth in the budget therefor, and no obligation to incur such an expense shall be enforceable except as the obligation of the person or persons incurring it; providing that the board may amend the budget at any time by transferring from one purpose to another any revenue except for debt service and bond proceeds and by increasing expenses in any amount by which revenue during the budget year is estimated to exceed the total amounts designated in the original budget. The creation of any obligation pursuant to section 458D.14 or the award of any federal or state grant is a sufficient budget designation of the proceeds for the purpose for which it is authorized, and of the tax or other revenue pledged to pay the obligation and interest on it, whether or not specifically included in any annual budget. The budget shall contain, in addition to the provisions above, the estimated revenue from income earned in the operation of solid waste disposal sites or facilities and estimated expenses for the operation of such solid waste disposal sites or facilities. Revenues from the operation of disposal sites or facilities shall not be used to fund in whole or in part the maintenance or operation of the district disposal system as that term is defined in section 458D.02.

### Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the sanitary board of the Western Lake Superior sanitary district.

Presented to the governor May 2, 1991

Signed by the governor May 6, 1991, 3:30 p.m.

## CHAPTER 56—S.F.No. 368

*An act relating to motor vehicles; requiring the appointment of officers of statutory and home rule charter cities as deputy registrars in certain circumstances; amending Minnesota Statutes 1990, section 168.33, subdivision 2.*

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

Section 1. Minnesota Statutes 1990, section 168.33, subdivision 2, is amended to read:

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

Subd. 2. **POWERS.** The registrar ~~shall have the power to~~ may appoint, hire, and discharge and fix the compensation of the necessary employees, in the manner provided by law, as may be required to enable the registrar to properly carry out the duties imposed by ~~the provisions of~~ this chapter. The registrar may appoint, and for cause discontinue, a deputy registrar for any statutory or home rule charter city as the public interest and convenience may require, without regard to whether the county auditor of the county in which the city is situated has been appointed as the deputy registrar for the county or has been discontinued as the deputy registrar for the county, and without regard to whether the county in which the city is situated has established a county license bureau which issues motor vehicle licenses as provided in section 373.32.

The registrar may appoint, and for cause discontinue, a deputy registrar for any statutory or home rule charter city as the public interest and convenience may require, if the auditor for the county in which the city is situated chooses not to accept appointment as the deputy registrar for the county or is discontinued as a deputy registrar, or if the county in which the city is situated has not established a county license bureau which issues motor vehicle licenses as provided in section 373.32. ~~Any~~ A person appointed by the registrar as a deputy registrar for any statutory or home rule charter city ~~shall~~ must be a resident of the county in which the city is situated.

The registrar may appoint, and for cause discontinue, the county auditor of each county as a deputy registrar. Upon approval of the county board, the auditor, with the approval of the director of motor vehicles, may appoint, and for cause discontinue, the clerk or equivalent officer of each statutory or home rule charter city or any other person as a deputy registrar as public interest and convenience may require, regardless of the appointee's county of residence. At the request of the governing body of a statutory or home rule charter city, the auditor shall appoint, and may for cause discontinue, the clerk or equivalent officer of a city, or another officer or employee of the city designated by the governing body, as a deputy registrar:

(1) if the city is a county seat or, if not, is larger than the seat of the county in which it is situated; and

(2) no office of a deputy registrar is situated within the city or within 15 miles of the city by the most direct public route.

Notwithstanding any other provision, a person other than a county auditor or a director of a county license bureau, who was appointed by the registrar before August 1, 1976, as a deputy registrar for any statutory or home rule charter city, may continue to serve as deputy registrar and may be discontinued for cause only by the registrar. The county auditor who appointed the deputy registrars ~~shall be~~ is responsible for the acts of deputy registrars appointed by the auditor. Each ~~such~~ deputy, before entering upon the discharge of duties, shall take and subscribe an oath to faithfully discharge the duties and to uphold the laws of the state. If a deputy registrar appointed ~~hereunder~~ under this subdivi-

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sion is not an officer or employee of a county or statutory or home rule charter city, ~~such the~~ deputy shall in addition give bond to the state in the sum of \$10,000, or ~~such a~~ larger sum as may be required by the registrar, conditioned upon the faithful discharge of duties as deputy registrar. A corporation governed by chapter 302A may be appointed a deputy registrar. Upon application by an individual serving as a deputy registrar and the giving of the requisite bond as provided in this subdivision, personally assured by the individual or another individual approved by the commissioner of public safety, a corporation named in an application shall become the duly appointed and qualified successor to the deputy registrar. Each deputy registrar appointed ~~hereunder~~ under this subdivision shall keep and maintain, in a convenient public place within or in close proximity to the place for which appointed, a registration and motor vehicle tax collection bureau, to be approved by the registrar, for the registration of motor vehicles and the collection of ~~motor vehicle taxes thereon~~ on motor vehicles. The deputy registrar shall keep ~~such~~ records and make ~~such~~ reports to the registrar as ~~that officer the registrar~~, from time to time, may require. ~~Such~~ The records ~~shall~~ must be maintained at the facility of the deputy registrar. The records and facilities of the deputy registrar ~~shall~~ must at all times be open to the inspection of the registrar or the registrar's agents. The deputy registrar shall report to the registrar by the next working day following receipt all registrations made and taxes and fees collected by the deputy registrar. The filing fee imposed ~~pursuant to~~ under subdivision 7 ~~shall~~ must be deposited in the treasury of the place for which appointed; or, if not a public official, ~~such a~~ deputy shall retain the filing fee, but the registration tax and any additional fees for delayed registration the deputy registrar has collected the deputy registrar shall deposit by the next working day following receipt in an approved state depository to the credit of the state through the state treasurer. The place for which the deputy registrar is appointed through its governing body ~~shall~~ must provide the deputy registrar with facilities and personnel to carry out the duties imposed by this subdivision if ~~such the~~ deputy is a public official. In all other cases, the deputy shall maintain a suitable facility for serving the public.

Presented to the governor May 2, 1991

Signed by the governor May 6, 1991; 3:07 p.m.

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#### CHAPTER 57—H.F.No. 230

*An act relating to education; authorizing the Elgin-Millville and Plainview school districts to combine according to the cooperation and combination program without a time period of cooperation; authorizing the districts to conduct the referendum on the combination and to issue bonds; providing a schedule for cooperation and combination revenue.*

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

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