

CHAPTER 364—S.F.No. 663

An act relating to elections; authorizing the filing officer to keep from the ballot the name of a person who is a convicted felon, under guardianship, or found incompetent; amending Minnesota Statutes 1992, section 204B.10, by adding a subdivision.

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

Section 1. Minnesota Statutes 1992, section 204B.10, is amended by adding a subdivision to read:

Subd. 6. INELIGIBLE VOTER. Upon receipt of a certified copy of a final judgment or order of a court of competent jurisdiction that a person who has filed an affidavit of candidacy or who has been nominated by petition:

(1) has been convicted of treason or a felony and the person's civil rights have not been restored;

(2) is under guardianship of the person; or

(3) has been found by a court of law to be legally incompetent;

the filing officer shall notify the person by certified mail at the address shown on the affidavit or petition, and shall not certify the person's name to be placed on the ballot. The actions of a filing officer under this subdivision are subject to judicial review under section 204B.44.

Presented to the governor May 20, 1993

Signed by the governor May 24, 1993, 12:08 p.m.

CHAPTER 365—S.F.No. 1368

An act relating to the environment; imposing criminal penalties for knowing violations of air pollution requirements; amending Minnesota Statutes 1992, section 609.671, subdivisions 9 and 12.

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

Section 1. Minnesota Statutes 1992, section 609.671, subdivision 9, is amended to read:

Subd. 9. FALSE STATEMENTS; TAMPERING. (a) A person is guilty of a felony who knowingly:

(1) makes any false material statement, representation, or certification in; omits material information from; or alters, conceals, or fails to file or maintain

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a notice, application, record, report, plan, manifest, permit, license, or other document required under sections 103F.701 to 103F.761; chapter 115 or 116; ~~or~~ the hazardous waste transportation requirements of chapter 221; or rules adopted under these laws; or

(2) falsifies, tampers with, renders inaccurate, or fails to install any monitoring device or method required to be maintained or followed for the purpose of compliance with sections 103F.701 to 103F.761 ~~or~~, chapter 115 or 116, or rules adopted under these laws.

(b) Except as provided in paragraph (c), a person convicted under this subdivision may be sentenced to imprisonment for not more than two years, or to payment of a fine of not more than \$10,000, or both.

(c) A person convicted under this subdivision for a violation related to a notice or report required by an air permit issued by the agency as provided in United States Code, title 42, section 7661a(a), as amended through January 1, 1991, may be sentenced to payment of a fine of not more than \$10,000 per day of violation.

Sec. 2. Minnesota Statutes 1992, section 609.671, subdivision 12, is amended to read:

Subd. 12. AIR POLLUTION. (a) A person is guilty of a felony who knowingly:

(1) causes a violation of a national emission standard for a hazardous air pollutant adopted under United States Code, title 42, section 7412; or

(2) causes a violation of an emission standard, limitation, or operational limitation for a hazardous air pollutant established in a permit issued by the pollution control agency.

~~(b)~~ A person convicted under this ~~subdivision~~ paragraph may be sentenced to imprisonment for not more than three years, or to payment of a fine of not more than \$50,000 per day of violation, or both.

(b) A person is guilty of a misdemeanor who knowingly violates:

(1) a requirement of chapter 116, or a rule adopted under that chapter, that is an applicable requirement of the federal Clean Air Act, as defined in Federal Register, volume 57, page 32295;

(2) a condition of an air emission permit issued by the agency under chapter 116 or a rule adopted under that chapter; or

(3) a requirement to pay a fee based on air emissions under chapter 116 or a rule adopted under that chapter.

A person convicted under this paragraph may be sentenced to imprisonment for not more than 90 days, or to payment of a fine of not more than \$10,000 per day of violation, or both.

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Sec. 3. AGENCY REPORT.

By January 15, 1994, the commissioner of the pollution control agency must report to the environment and natural resources policy committees of the legislature on the feasibility of promulgating rules to establish health-based standards to control emissions of toxic air contaminants into the ambient air.

Sec. 4. EFFECTIVE DATE.

Sections 1 and 2 are effective August 1, 1993, and apply to violations occurring on or after that date.

Presented to the governor May 20, 1993

Signed by the governor May 24, 1993, 12:12 p.m.

CHAPTER 366—S.F.No. 1642

An act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors of a noncontroversial nature; amending Minnesota Statutes 1992, sections 115A.9651, as amended; 116J.70, subdivision 2a, as amended; 124C.62, subdivision 1, as amended; 148.181, subdivision 1, as amended; 256.9353, subdivision 1, as amended; 256B.0625, subdivision 32, as amended; 256B.0913, subdivision 5, as amended; 256D.02, subdivision 5, as amended; 256D.051, subdivision 6, as amended; 326.83, subdivision 6, as amended; 609.605, subdivision 1, as amended; 609.67, subdivision 1, as amended; 624.713, subdivision 1, as amended; Laws 1993, chapters 138, section 3; 145, section 5; 207, section 1, subdivision 1; 225, article 9, section 76; Senate File 1105, section 33; Senate File 1570, sections 2, subdivision 7; and 75, subdivision 1; and by adding a section; Senate File 1620, section 79, subdivision 6; House File 574, article 4, section 55; House File 1585, article 1, sections 3; 13, subdivision 1; and 35; and article 4, section 41.

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

Section 1. **CORRECTION 1.** Minnesota Statutes 1992, section 148.181, subdivision 1, as amended by Laws 1993, chapter 88, section 1, and Laws 1993, chapter 105, section 1, is amended to read:

Subdivision 1. **MEMBERSHIP.** The board of nursing consists of 16 members appointed by the governor, each of whom must be a resident of this state. Eight members must be registered nurses, each of whom must have graduated from an approved school of nursing, must be licensed and currently registered as a registered nurse in this state, and must have had at least five years experience in nursing practice, nursing administration, or nursing education immediately preceding appointment. One of the eight must have had at least two years executive or teaching experience in a baccalaureate degree nursing program approved

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