

the pension plan then in effect and the actuarial assumptions then in effect for calculating optional annuity forms by the pension plan or for calculating the funding requirements of the pension plan if no optional annuity forms are provided by the pension plan.

(c) If more than one spouse or former spouse is entitled to a surviving spouse benefit, the pension plan shall pay each spouse a portion of the benefit based on the ratio of the number of years the spouse was married to the plan member to the total number of years the plan member was married to spouses who are entitled to the benefit.

Sec. 2. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

Presented to the governor April 5, 1994

Signed by the governor April 7, 1994, 11:20 a.m.

CHAPTER 387—S.F.No. 2383

An act relating to Koochiching county; permitting the appointment of the recorder; authorizing the reorganization of the office.

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

Section 1. **RECORDER MAY BE APPOINTED.**

Upon adoption of a resolution by the Koochiching county board of commissioners, the office of county recorder in the county is not elective but must be filled by appointment by the county board as provided in this act, unless the office is abolished by reorganization or consolidation under section 2.

Sec. 2. **BOARD CONTROLS, MAY CHANGE, AS LONG AS DUTIES DONE.**

Upon adoption of a resolution by the Koochiching county board of commissioners and subject to sections 3 and 4, the duties of the elected recorder required by statute whose office is made appointive by this act must be discharged by the board of commissioners of Koochiching county acting through a department head appointed by the board for that purpose. The appointed department head serves at the pleasure of the board. The board may reorganize, consolidate, reallocate, or delegate the duties to promote efficiency in county government. It may make other administrative changes, including abolishing the office of recorder. A reorganization, reallocation, or delegation or other administrative change or transfer does not diminish, prohibit, or avoid the discharge of duties required by statute.

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

Sec. 3. INCUMBENT TO COMPLETE TERM.

The person elected at the November 1990 general election to the position of recorder shall serve in that capacity and perform the duties, functions, and responsibilities required by statute, until the completion of the term of office to which elected, or until a vacancy occurs in the office, whichever occurs earlier.

Sec. 4. PUBLISHING RESOLUTIONS, PETITION, REFERENDUM.

The county board, before acting as permitted by section 2 and before making an appointment as permitted by section 1 or 2, but after adopting a resolution permitted by section 1 or 2, must publish the resolution once each week for two consecutive weeks in the official publication of the county. The resolution may be implemented without the submission of the question to the voters of the county, unless within 21 days after the second publication of the resolution, a petition requesting a referendum, signed by at least ten percent of the registered voters of the county, is filed with the county auditor. If a petition is filed, the resolution may be implemented unless disapproved by a majority of the voters of the county voting on the question at a regular or special election.

Sec. 5. EFFECTIVE DATE.

This act takes effect the day after the filing of a certificate of local approval by the Koochiching county board in compliance with Minnesota Statutes, section 645.021, subdivision 3.

Presented to the governor April 5, 1994

Signed by the governor April 6, 1994, 11:22 a.m.

CHAPTER 388—S.F.No. 1691

An act relating to real property; clarifying and making technical corrections to statutory provisions relating to real property; allowing the examiner of titles in Olmsted county to be compensated as are examiners in counties of fewer than 75,000 population; amending Minnesota Statutes 1992, sections 14.03, subdivision 3; 83.26, subdivision 2; 500.19, subdivision 4; 507.09; 507.332; 508.12, subdivision 1; 508.13; 508.23, subdivision 1; 508.35; 508.37, subdivision 1a; 508.38; 508.45; 508.47, subdivision 5; 508.51; 508.52; 508.55; 508.58, subdivision 2; 508.68; 508.70; 508.71, subdivision 4; 508A.22, subdivision 1; 508A.35; 508A.38; 508A.45; 508A.47, subdivision 5; 508A.51; 508A.52; 508A.55; 508A.68; 508A.71, subdivision 4; 559.21, subdivisions 3, 4, and 8; and 580.12; Minnesota Statutes 1993 Supplement, section 256B.0595, by adding a subdivision; 508.71, subdivision 7; 515B.1-102; 515B.1-103; 515B.1-105; 515B.1-116; 515B.2-104; 515B.2-105; 515B.2-110; 515B.2-118; 515B.2-119; 515B.3-113; 515B.3-116; and 515B.3-117; proposing coding for new law in Minnesota Statutes, chapters 508; and 508A.

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