CHAPTER 588-H.F.No. 2411

An act relating to retirement; providing for coverage of employees of lessee of Itasca Medical Center facilities by the public employees retirement association.

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

Section 1. DEFINITIONS.

<u>Subdivision 1.</u> CONVERSION. <u>"Conversion" means the lease of Itasca</u> medical center facilities to a nonprofit or public corporation under Minnesota Statutes, section 447.47, with the resulting employment transfer of Itasca medical center employees to that nonprofit or public corporation.

<u>Subd.</u> <u>2.</u> LESSEE. <u>"Lessee" means the nonprofit or public corporation</u> which leases the Itasca medical center facilities under the conversion.

Sec. 2. EMPLOYEES OF ITASCA MEDICAL CENTER LESSEE.

Under an Itasca medical center conversion, employees who were members of the public employees retirement association due to employment at the Itasca medical center as of the day before the conversion, retain PERA membership under the conversion.

Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective the day following final enactment.

Presented to the governor May 4, 1994

Signed by the governor May 6, 1994, 11:40 a.m.

CHAPTER 589-S.F.No. 2354

An act relating to transportation; regulating the transportation of hazardous material and hazardous waste; making technical changes; specifying that certain federal regulations do not apply to cargo tanks under 3,500 gallons used in the intrastate transportation of gasoline; establishing a uniform registration and permitting program for transporters of hazardous material and hazardous waste; defining terms; establishing requirements for applications; describing methods for calculating fees; specifying treatment of application data; establishing enforcement authority and administrative penalties; providing for suspension or revocation of registration and permits; providing for base state agreements; preempting and suspending conflicting programs; providing for the deposit and use of fees and grants; establishing exemptions; appropriating money; amending Minnesota Statutes 1992, sections 13.99, by adding a subdivision; and 221.033, subdivisions 1 and 2b; Minnesota Statutes 1993 Supplement, sections 115E.045, subdivision 2; and 221.036, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 221; repealing Minnesota Statutes 1992, section 221.033, subdivision 4.

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

Section 1. Minnesota Statutes 1992, section 13.99, is amended by adding a subdivision to read:

<u>Subd. 65a.</u> TRANSPORTING HAZARDOUS MATERIAL OR WASTE; PERMIT APPLICATION. <u>Data submitted under section 5, subdivision 9, and</u> received by the commissioner of transportation on applications for permits to transport hazardous material or hazardous waste are classified under section 221.0355, subdivision 9.

Sec. 2. Minnesota Statutes 1993 Supplement, section 115E.045, subdivision 2, is amended to read:

Subd. 2. RESPONSE PLAN FOR TANK FACILITIES WITH BETWEEN 10,000 AND 1,000,000 GALLONS OF STORAGE. (a) By June 1, 1994, a person who owns or operates a facility that stores more than 10,000 gallons but less than 1,000,000 gallons of oil or hazardous substances in <u>aboveground tanks</u> shall prepare and maintain a prevention and response plan in accordance with this subdivision. The abbreviated plan must include:

(1) the name and business and nonbusiness telephone numbers of the individual or individuals having full authority to implement response action;

(2) the telephone number of the local emergency response organizations, as defined in section 299K.01, subdivision 3, if the organizations cannot be reached by calling 911;

(3) a description of the facility, tank capacities, spill prevention and secondary containment measures at the facility, and the maximum potential discharge that could occur at the facility;

(4) the telephone number of the single answering point system established under section 115E.09;

(5) documentation that adequate personnel and equipment will be available to respond to a discharge, along with evidence that prearrangements for such response have been made;

(6) a description of the training employees at the facility receive in handling hazardous materials and in emergency response information; and

(7) a description of the action that will be taken by the facility owner or operator in response to a discharge.

(b) The response plan must be retained on file at the person's principal place of business.

Sec. 3. Minnesota Statutes 1992, section 221.033, subdivision 1, is amended to read:

Subdivision 1. **REQUIREMENTS.** Except as provided in subdivisions 2 to 4 $\underline{3}$, no person may transport or offer or accept for transportation within the state of Minnesota a hazardous material, hazardous substance, or hazardous waste except in compliance with United States Code, title 49, sections 1801 to 1811 and the provisions of Code of Federal Regulations, title 49, parts 171 to 199. Those provisions apply to transportation in intrastate commerce to the same extent they apply to transportation in interstate commerce.

Sec. 4. Minnesota Statutes 1992, section 221.033, subdivision 2b, is amended to read:

Subd. 2b. CARGO TANKS. (a) The leakage test requirement requirements in Code of Federal Regulations, title 49, section sections 180.405, paragraphs (b), (c), (g), (h), and (j) and 180.407, paragraph paragraphs (c), (d), clause (1), (e), (f), (g), (h), and (i) does do not apply to cargo tanks of up to 3,000 3,500 gallons capacity that transport gasoline in intrastate commerce if before providing transportation under this subdivision:

(1) the owner or operator of the cargo tank provides the commissioner with evidence that the cargo tank was manufactured according to the cargo tank specification regulations in Code of Federal Regulations, title 49, section 178.340 to 178.341-7, as amended through November 1, 1985;

(2) a copy of the evidence described in clause (1) is kept in the vehicle to which the cargo tank is attached; and

(3) the manufacturer's metal certification plate is removed from the cargo tank or covered.

(b) A cargo tank operated under this subdivision must:

(1) be visually inspected annually by a person authorized to perform such inspections under Code of Federal Regulations, title 49, section 180.409, and a copy of the annual inspection must be kept in the vehicle; and

(2) be visually inspected monthly by the operator in a manner prescribed by the commissioner, and a copy of each monthly inspection must be kept at the operator's principal place of business for at least one year beyond the date of the inspection.

(c) No person may operate a cargo tank described in this subdivision that (1) violates paragraph (a) or (b), or (2) leaks gasoline from any portion of the tank that regularly contains gasoline.

(d) The commissioner shall keep a record of persons who provide the evidence described in this subdivision.

Sec. 5. [221.0355] UNIFORM HAZARDOUS MATERIAL AND HAZ-ARDOUS WASTE REGISTRATION AND PERMIT REQUIREMENTS.

New language is indicated by underline, deletions by strikeout.

Subdivision 1. PURPOSE. The purpose of this section is to enable Minnesota to participate in establishing, implementing, and administering a uniform registration and permitting program for persons who transport or ship hazardous material or hazardous waste by motor vehicle on the public highways in interstate or intrastate commerce. The program's procedures and requirements must conform to those contained in the report submitted to the secretary of transportation pursuant to the "Hazardous Materials Transportation Uniform Safety Act of 1990," United States Code, title 49 appendix, section 1819, subsection (c).

Subd. 2. DEFINITIONS. For purposes of this section, the following words and phrases have the meanings given them in this subdivision:

(a) "Base state" means the state selected by a carrier according to the procedures established by the uniform program.

(b) "Base state agreement" means the agreement between participating states electing to register or permit carriers of hazardous material or hazardous waste.

(c) "Carrier" means a person who operates a motor vehicle used to transport hazardous material or hazardous waste.

(d) "Designated hazardous material" means a hazardous material described in Code of Federal Regulations, title 49, section 107.601, which is incorporated by reference.

(e) "Hazardous material" means:

(1) a hazardous material when the hazardous material is of a type or in a quantity that requires the transport vehicle to be placarded in accordance with Code of Federal Regulations, title 49, part 172; or

(2) a hazardous substance or marine pollutant when transported in bulk packaging as defined in Code of Federal Regulations, title 49, section 171.8, which is incorporated by reference.

(f) "Hazardous material transportation" means the transportation of hazardous material or hazardous waste, or both, on the public highways.

(g) "Hazardous waste" means hazardous waste of a type and amount that requires the shipment to be accompanied by a uniform hazardous waste manifest described in Code of Federal Regulations, title 40, part 262, including state-designated hazardous wastes when a list of state-designated hazardous wastes has been filed by the state with the national repository under the uniform program.

(h) "Participating state" means a state electing to participate in the uniform program by entering a base state agreement.

New language is indicated by underline, deletions by strikeout.

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(i) "Person" means an individual, firm, copartnership, cooperative, company, association, limited liability company, corporation, or public entity.

(j) "Public entity" means a carrier who is a federal or state agency or political subdivision.

(k) "Shipper" means a person who offers a designated hazardous material for shipment or who causes a designated hazardous material to be transported or shipped.

(1) "Uniform application" means the uniform motor carrier registration and permit application form established under the uniform program.

(m) "Uniform program" means the Uniform State Hazardous Materials Transportation Motor Carrier Registration and Permit Program established in the report submitted to the secretary of transportation pursuant to the "Hazardous Materials Transportation Uniform Safety Act of 1990," United States Code, title 49 appendix, section 1819, subsection (c).

Subd. 3. GENERAL REQUIREMENTS. Except as provided in subdivision 17, after October 1, 1994:

(a) No carrier, other than a public entity, may transport a hazardous material by motor vehicle in Minnesota unless it has complied with subdivision 4.

(b) No carrier, other than a public entity, may transport a hazardous waste in Minnesota unless it has complied with subdivisions 4 and 5.

(c) No shipper may offer a designated hazardous material for shipment or cause a designated hazardous material to be transported or shipped in Minnesota unless it has complied with subdivision 7.

(d) No public entity may transport a hazardous material or hazardous waste by motor vehicle in Minnesota unless it has complied with subdivision 8.

<u>Subd.</u> <u>4.</u> HAZARDOUS MATERIAL REGISTRATION AND PERMIT. (a) A carrier with its principal place of business in Minnesota or that designates Minnesota as its base state, shall register its hazardous material transportation with and obtain a permit from the commissioner before transporting a hazardous material or hazardous waste in Minnesota. A carrier that designates another participating state as its base state shall register its hazardous material transportation with and obtain a permit from that state before transporting a hazardous material or hazardous waste in Minnesota.

(b) A carrier who is required to register its hazardous material transportation in Minnesota shall file parts I and II of the uniform application with the commissioner and pay an administrative processing fee of \$50 and an apportioned vehicle registration fee. The amount of the apportioned vehicle registration fee must be calculated under subdivision 6.

New language is indicated by underline, deletions by strikeout.

(c) Upon a carrier's compliance with this subdivision, the commissioner shall issue a notice of registration form and a permit to the carrier. A notice of registration form must include a company registration number. A registration is valid for one year from the date a notice of registration form is issued and a permit is valid for three years from the date issued or until a carrier fails to renew its registration, whichever occurs first.

(d) <u>A registered carrier shall maintain a copy of the notice of registration</u> form and the permit in each vehicle it uses to transport a hazardous material or hazardous waste.

(e) A carrier with a permit shall annually certify that its current operations are not substantially different from its operations on the date it obtained its permit and shall recertify its compliance with applicable laws and regulations in part II of the uniform application when it renews its registration under this subdivision. Failure to comply with the certifications in part II is prohibited.

<u>Subd. 5.</u> HAZARDOUS WASTE TRANSPORTERS. (a) <u>A carrier with its</u> principal place of business in Minnesota or who designates Minnesota as its base state shall file a disclosure statement with and obtain a permit from the commissioner that specifically authorizes the transportation of hazardous waste before transporting a hazardous waste in Minnesota. A carrier that designates another participating state as its base state shall file a disclosure statement with and obtain a permit from that state that specifically authorizes the transportation of hazardous waste before transporting a hazardous waste in Minnesota. A registration is valid for one year from the date a notice of registration form is issued and a permit is valid for three years from the date issued or until a carrier fails to renew its registration, whichever occurs first.

(b) A disclosure statement must include the information contained in part III of the uniform application. The commissioner shall not issue a notice of registration or permit to a hazardous waste transporter who has not made a full and accurate disclosure of the required information. Making a materially false or misleading statement in a disclosure statement is prohibited.

(c) The commissioner shall assess a carrier the actual costs charged the commissioner by a person for conducting the uniform program's required investigation of the information contained in a disclosure statement.

(d) A permit under this subdivision becomes a license under section 221.035, subdivision 1, on August 1, 1996, and is subject to the provisions of section 221.035 until it expires.

<u>Subd. 6.</u> APPORTIONED VEHICLE REGISTRATION FEE CALCULA-TION. (a) <u>An apportioned vehicle registration fee shall be equal to the percent-</u> age of <u>Minnesota transportation multiplied</u> by the percentage of <u>hazardous</u> material transportation <u>multiplied</u> by the total <u>number of vehicles</u> the carrier operates <u>multiplied</u> by a per-vehicle fee of \$30.

(b) A carrier shall calculate its percentage of Minnesota transportation and its percentage of hazardous material transportation as follows:

(1) A carrier shall determine its percentage of Minnesota transportation by dividing the number of miles it traveled in Minnesota under the international registration plan, pursuant to section 168.187, during the previous year, by the number of miles it traveled nationwide under the international registration plan during the previous year. If a carrier operated only in Minnesota, it must use 100 percent of the miles traveled as its percentage of Minnesota transportation. If a carrier does not register its vehicles through the international registration plan, it must calculate the number of miles traveled in the manner required under the international registration plan. If a carrier operates more than one fleet under the international registration plan the carrier must add all miles traveled by all vehicles in all fleets to calculate its mileage. A Minnesota carrier who operates in an adjacent state under a reciprocal agreement with that state must include the miles operated under the agreement as miles traveled in Minnesota in calculating mileage under this clause.

(2) A carrier shall determine its percentage of hazardous material transportation as follows:

(i) for less-than-truckload shipments, it must divide the weight of the carrier's hazardous material and hazardous waste shipments transported during the previous year by the total weight of all shipments transported during the previous year; or

(ii) for truckload shipments, it must divide the number of shipments transported during the previous year for which placarding, marking, or manifesting, was required by Code of Federal Regulations, title 49, part 172, by the total number of all shipments transported during the previous year.

(c) A carrier that transports both truckload and less-than-truckload shipments of hazardous material or hazardous waste must determine its percentage of hazardous material transportation by calculating the percentage of business that is hazardous material transportation on a proportional basis with the percentage of business that is not hazardous material transportation. If a method of determining a carrier's percentage of hazardous material transportation based on general percentage ranges, instead of actual percentages, becomes allowed under the uniform program, a carrier shall use that method to determine its percentage of hazardous material transportation.

(d) The definitions of <u>"truckload freight"</u> and <u>"less-than-truckload freight"</u> in section 221.011, do not apply to this subdivision.

(e) <u>A carrier may use data from its most recent complete fiscal year or the</u> <u>most recent complete calendar year in calculating the percentages required in</u> <u>this subdivision for transportation conducted during the previous year.</u>

Subd. 7. SHIPPER REGISTRATION. (a) A shipper who maintains a dis-

New language is indicated by <u>underline</u>, deletions by strikeout.

tribution, terminal, warehouse, or other facility in Minnesota used to ship hazardous material or hazardous waste and who is required to comply with Code of Federal Regulation, title 49, sections 107.601 to 107.620, shall file, with the commissioner, a complete and accurate copy of its current registration statement, on the form described in Code of Federal Regulations, title 49, section 107.608, and a copy of its current federal certificate of registration. The fee for filing a shipper registration statement is \$250. If a shipper is required to pay a fee under section 299K.095, the commissioner shall credit the actual amount paid by the shipper during the previous 12 months toward payment of the fee required in this subdivision, not to exceed \$250 annually.

(b) Upon a shipper's compliance with this subdivision, the commissioner shall issue a certificate of registration to the shipper. A certificate of registration must bear an effective date and show the shipper's Minnesota hazardous material transportation registration number. A certificate of registration is valid for one year from the date it is issued and must be kept at the shipper's principal place of business.

(c) A shipper whose name, principal place of business, or business telephone number has changed during the time a certificate of registration is effective, shall notify the commissioner of the change by submitting an amended registration statement not later than 30 days after the change. Upon receiving an amended registration statement, the commissioner shall issue an amended certificate of registration. There is no fee for filing an amended registration statement or for issuing an amended certificate of registration.

<u>Subd.</u> 7a. RAIL AND WATER CARRIERS. (a) <u>A carrier of hazardous</u> material by rail or water who is required to comply with Code of Federal Regulations, title 49, sections 107.601 to 107.620, shall file with the commissioner a complete and accurate copy of its current registration statement, on the form described in Code of Federal Regulations, title 49, section 107.608, and a copy of its current federal certificate of registration. The fee for filing the registration statement is \$250. If the carrier is required to pay a fee under section 299K.095, the commissioner shall credit the actual amount paid by carrier during the previous 12 months toward payment of the fee required in this subdivision, not to exceed \$250 annually.

(b) Upon a carrier's compliance with this subdivision, the commissioner shall issue a certificate of registration to the carrier. A certificate of registration must bear an effective date and show the carrier's Minnesota hazardous material transportation registration number. A certificate of registration is valid for one year from the date it is issued and must be kept at the carrier's principal place of business.

(c) <u>A carrier whose name, principal place of business, or business telephone</u> <u>number has changed during the time a certificate of registration is effective, shall</u> <u>notify the commissioner of the change by submitting an amended registration</u> <u>statement not later than 30 days after the change. Upon receiving an amended</u> <u>registration statement, the commissioner shall issue an amended certificate of</u> <u>registration. There is no fee for filing an amended registration statement or for</u> <u>issuing an amended certificate of registration.</u>

New language is indicated by underline, deletions by strikeout.

<u>Subd.</u> 8. PUBLIC ENTITY REGISTRATION. (a) <u>A public entity with its</u> principal place of business in <u>Minnesota</u> or that designates <u>Minnesota</u> as its base state, shall register its hazardous material transportation with the commissioner before transporting a hazardous material or hazardous waste in <u>Minnesota</u>. A public entity that designates another participating state as its base state shall register its hazardous material transportation with that state before transporting a hazardous material or hazardous waste in <u>Minnesota</u>.

(b) <u>A public entity that is required to register its hazardous material trans-</u> portation in <u>Minnesota shall file part I of the uniform application with the com-</u> missioner. There is no fee for the registration required in this subdivision.

(c) Upon a public entity's compliance with this subdivision, the commissioner shall issue a notice of registration form to the public entity. The notice of registration form must include a registration number. A registration is valid for one year from the date a notice of registration form is issued.

(d) A registered public entity shall maintain a copy of the notice of registration form in each vehicle it uses to transport hazardous material or hazardous waste.

<u>Subd.</u> 9. APPLICATION DATA. The following data submitted to the commissioner under subdivisions 4 and 5 are private data, with respect to data on individuals, and nonpublic data, with respect to data not on individuals: information contained in parts II and III of the uniform application relating to a carrier's customers and service provided to specific customers, financial balance sheet and income statement data, ownership and debt liability data, and information relating to a carrier's parent companies, affiliates, and subsidiaries. For the purpose of administering or enforcing the uniform program, the commissioner may disclose any information classified as private data on individuals or nonpublic data by this subdivision to the United States Department of Transportation, any other participating state or state agency, or to the national repository established under the uniform program.

<u>Subd.</u> 10. ENFORCEMENT. The commissioner may inspect or examine any motor vehicle or facility operated by a carrier or any facility operated by a person who ships, or offers for shipment, hazardous material or hazardous waste and may require the production of papers, books, records, documents, or other evidentiary material necessary to determine if a carrier or shipper is accurately reporting its hazardous material transportation operations and is otherwise complying with this section and the uniform program. The commissioner also may conduct investigations and audits necessary to determine if a carrier is entitled to a permit or to make suspension or revocation determinations.

<u>Subd. 11.</u> ADMINISTRATIVE PENALTIES. The commissioner may issue an order requiring violations of this section to be corrected. An order may include the administrative assessment of a monetary penalty up to a maximum of \$10,000 for all violations of this section identified during a single inspection, investigation, or audit. Section 221.036 applies to administrative penalty orders

issued under this section. Penalties collected under this section must be deposited in the state treasury and credited to the trunk highway fund.

<u>Subd. 12.</u> SUSPENSION, REVOCATION, AND DENIAL. The commissioner may suspend or revoke a registration and permit issued under this section or order the suspension of the transportation of hazardous material or hazardous waste in Minnesota by a carrier who has obtained a notice of registration and permit from another participating state under the uniform program if the commissioner determines that a carrier made a materially false or misleading statement in a uniform application or that a carrier's conduct constitutes a serious or repeated violation of statutes or rules governing the transportation of hazardous material or hazardous waste. The commissioner may not issue a notice of registration and permit to a carrier if the commissioner determines that a carrier's conduct would constitute grounds for suspension or revocation under this subdivision. A carrier who wishes to contest a denial, suspension, or revocation is entitled to a hearing under chapter 14.

<u>Subd. 13.</u> BASE STATE AGREEMENTS. The commissioner may enter into agreements with federal agencies, a national repository, or other participating states as necessary to allow the reciprocal registration and permitting of carriers transporting hazardous material or hazardous waste. The agreements may include procedures for determining a base state, the collection and distribution of registration fees, dispute resolution, the exchange of information for reporting and enforcement purposes, and other provisions necessary to fully implement, administer, and enforce the uniform program.

Subd. 14. PREEMPTION. This section preempts and supersedes any hazardous material or hazardous waste transportation registration or permitting program administered or enforced by any state agency, city, county, or other political subdivision of the state.

<u>Subd. 15.</u> HAZARDOUS WASTE LICENSES. From October 1, 1994, until August 1, 1996, the commissioner shall not register hazardous material transporters under section 221.0335 or license hazardous waste transporters under section 221.035. A person who is licensed under section 221.035 need not obtain a permit under subdivision 4 or 5 until the person's license has expired.

Subd. 16. REVOLVING ACCOUNT. (a) The commissioner shall deposit in a separate account in the trunk highway fund all federal funds received for implementing, administering, and enforcing this section. Money in the account is appropriated to the commissioner for those purposes.

(b) The commissioner shall accept and disburse federal funds available for the purpose of implementing, administering, and enforcing the uniform program.

Subd. <u>17.</u> EXEMPTIONS. <u>This section does not apply to the intrastate</u> transportation described as follows:

(1) the transportation of hazardous material in a vehicle controlled by a farmer and operated by a farmer or farm employee when the hazardous material is to be used on the farm to which it is transported;

(2) the transportation of a hazardous waste jointly designated as a "special waste" by the commissioner of transportation and the commissioner of the Minnesota pollution control agency; or

(3) transportation by fertilizer and agricultural chemical retailers while exclusively engaged in the delivery of fertilizer and agricultural chemicals when:

(i) the delivery is from the retailer's place of business directly to a farm within a 50-mile radius of the retailer's place of business; and

(ii) the fertilizer and agricultural chemicals are for use on the farm to which they are delivered.

Sec. 6. Minnesota Statutes 1993 Supplement, section 221.036, subdivision 1, is amended to read:

Subdivision 1. **ORDERS.** The commissioner may issue an order requiring violations to be corrected and administratively assessing monetary penalties for a violation of (1) section 221.021; (2) section 221.033, subdivision 2b; (3) section 221.041, subdivision 3; (3) (4) section 221.081; (4) (5) section 221.151; (5) (6) section 221.171; (6) (7) section 221.141; (7) (8) section 221.035, a material term or condition of a license issued under that section; or rules of the board or commissioner relating to the transportation of hazardous waste, motor carrier operations, insurance, or tariffs and accounting. An order must be issued as provided in this section.

Sec. 7. Minnesota Statutes 1993 Supplement, section 221.036, subdivision 3, is amended to read:

Subd. 3. AMOUNT OF PENALTY; CONSIDERATIONS. (a) The commissioner may issue an order assessing a penalty of up to \$5,000 for all violations of section 221.021; 221.041, subdivision 3; 221.081; 221.141; 221.151; or 221.171, or rules of the board or commissioner relating to motor carrier operations, insurance, or tariffs and accounting, identified during a single inspection, audit, or investigation.

(b) The commissioner may issue an order assessing a penalty up to a maximum of \$10,000 for all violations of section 221.033, subdivision 2b, or section 221.035, and rules adopted under that section those sections, identified during a single inspection or audit.

(c) In determining the amount of a penalty, the commissioner shall consider:

(1) the willfulness of the violation;

New language is indicated by underline, deletions by strikeout.

(2) the gravity of the violation, including damage to humans, animals, air, water, land, or other natural resources of the state;

(3) the history of past violations, including the similarity of the most recent violation and the violation to be penalized, the time elapsed since the last violation, the number of previous violations, and the response of the person to the most recent violation identified;

(4) the economic benefit gained by the person by allowing or committing the violation; and

(5) other factors as justice may require, if the commissioner specifically identifies the additional factors in the commissioner's order.

Sec. 8. REPEALER.

Minnesota Statutes 1992, section 221.033, subdivision 4, is repealed. Section 5 is repealed effective August 1, 1996.

Sec. 9. EFFECTIVE DATE.

Sections 1 to 8 are effective the day following final enactment.

Presented to the governor May 5, 1994

Signed by the governor May 6, 1994, 11:55 a.m.

CHAPTER 590-H.F.No. 2512

An act relating to retirement; providing for level benefits for the Minneapolis police relief association; changing the definition of surviving spouses eligible for benefits; amending Minnesota Statutes 1992, sections 353B.11, subdivision 1; 423B.09, subdivision 1; Minnesota Statutes 1993 Supplement, sections 353B.07, subdivision 3; and 423B.10, subdivision 1.

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

ARTICLE 1

MINNEAPOLIS POLICE RELIEF ASSOCIATION

BENEFIT MODIFICATIONS

Section 1. Minnesota Statutes 1992, section 423B.09, subdivision 1, is amended to read:

Subdivision 1. MINNEAPOLIS POLICE; PERSONS ENTITLED TO