

**ARTICLE 5**  
**APPROPRIATIONS**

Section 1. **APPROPRIATION.**

Subdivision 1. The sums set forth in this section are appropriated from the state government special revenue fund to the agencies named in this section to implement articles 1 and 3 and is available for the fiscal year ending June 30 in the years indicated.

	<u>1996</u>	<u>1997</u>
<u>Subd. 2. COMMISSIONER OF HEALTH</u>	<u>\$1,043,000</u>	<u>\$1,088,000</u>
<u>Subd. 3. COMMISSIONER OF HUMAN SERVICES</u>	<u>445,000</u>	<u>445,000</u>
<u>Subd. 4. ATTORNEY GENERAL</u>	<u>20,000</u>	<u>20,000</u>
<u>Subd. 5. COMMISSIONER OF PUBLIC SAFETY</u>	<u>14,000</u>	<u>7,000</u>

Presented to the governor May 23, 1995

Signed by the governor May 25, 1995, 8:40 a.m.

**CHAPTER 230—S.F.No. 399**

*An act relating to motor vehicles; driving while intoxicated; providing for forfeiture of snowmobiles, all-terrain vehicles, and motorboats for designated, DWI-related offenses; extending vehicle forfeiture law by expanding the definition of prior conviction to include other types of vehicles; restricting issuance of limited driver's license; imposing penalties; amending Minnesota Statutes 1994, sections 84.83, subdivision 2, and by adding a subdivision; 84.91, subdivision 5; 84.927, subdivision 1; 86B.331, subdivision 5; 169.1217, subdivisions 1 and 7; and 171.30, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 84; and 86B.*

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

Section 1. Minnesota Statutes 1994, section 84.83, subdivision 2, is amended to read:

Subd. 2. **MONEY DEPOSITED IN THE ACCOUNT.** Fees from the registration of snowmobiles and the unrefunded gasoline tax attributable to snowmobile use pursuant to section 296.16, as well as the net proceeds from the sale of snowmobiles forfeited pursuant to section 84.912, shall be deposited in the state treasury and credited to the snowmobile trails and enforcement account.

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

Sec. 2. Minnesota Statutes 1994, section 84.83, is amended by adding a subdivision to read:

Subd. 5. FINES AND FORFEITED BAIL. The disposition of fines and forfeited bail collected from prosecutions of violations of sections 84.81 to 84.91 are governed by section 97A.065.

Sec. 3. Minnesota Statutes 1994, section 84.91, subdivision 5, is amended to read:

Subd. 5. **PENALTIES.** (a) A person who violates any prohibition contained in subdivision 1, or an ordinance in conformity with it, is guilty of a misdemeanor.

(b) A person is guilty of a gross misdemeanor who violates any prohibition contained in subdivision 1:

(1) within five years of a prior:

(i) impaired driving conviction under subdivision 1, sections 86B.331, subdivision 1, 169.121, 169.129, or 609.21, subdivision 1, clauses (2) to (4), 2, clauses (2) to (4), 3, clauses (2) to (4), or 4, clauses (2) to (4), as defined in section 169.121, subdivision 3, paragraph (a), clause (1);

(ii) civil liability under section 84.911, subdivision 2, or 86B.335, subdivision 2; or

(iii) conviction under an ordinance of this state or a statute or ordinance from another state in conformity with any of them; or

(2) within ten years of the first of two or more prior:

(i) impaired driving convictions under subdivision 1, sections 86B.331, subdivision 1, 169.121, 169.129, or 609.21, subdivision 1, clauses (2) to (4), 2, clauses (2) to (4), 3, clauses (2) to (4), or 4, clauses (2) to (4), as defined in section 169.121, subdivision 3, paragraph (a), clause (1);

(ii) civil liabilities under section 84.911, subdivision 2, or 86B.335, subdivision 2;

(iii) convictions of ordinances in conformity with any of them; or

(iv) convictions or liabilities under any combination of items (i) to (iii).

(c) The attorney in the jurisdiction where the violation occurred who is responsible for prosecuting misdemeanor violations of this section is also responsible for prosecuting gross misdemeanor violations of this section. When an attorney responsible for prosecuting gross misdemeanors under this section requests criminal history information relating to prior convictions from a court, the court must furnish the information without charge.

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

(d) A person who operates a snowmobile or all-terrain vehicle during the period the person is prohibited from operating the vehicle under subdivision 6 is guilty of a misdemeanor.

**Sec. 4. [84.912] FORFEITURE OF SNOWMOBILES AND ALL-TERRAIN VEHICLES.**

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

(a) "All-terrain vehicle" has the meaning given in section 84.92, subdivision 8.

(b) "Appropriate agency" means a law enforcement agency that has the authority to make an arrest for a violation of a designated offense.

(c) "Designated offense" means a violation of section 84.91 or an ordinance in conformity with it:

(1) occurring within five years of the first of three prior impaired driving convictions or the first of three prior license revocations based on separate impaired driving incidents;

(2) occurring within 15 years of the first of four or more prior impaired driving convictions or the first of four or more prior license revocations based on separate impaired driving incidents;

(3) by a person whose driver's license or driving privileges have been canceled under section 171.04, subdivision 1, clause (8); or

(4) by a person who is subject to a restriction on the person's driver's license under section 171.09 that provides that the person may not use or consume any amount of alcohol or a controlled substance.

(d) "Owner" means the registered owner of the snowmobile or all-terrain vehicle according to records of the department of natural resources and includes a lessee of a snowmobile or all-terrain vehicle if the lease agreement has a term of 180 days or more.

(e) "Prior impaired driving conviction" has the meaning given in section 169.121, subdivision 3.

(f) "Prior license revocation" has the meaning given in section 169.121, subdivision 3.

(g) "Prosecuting authority" means the attorney in the jurisdiction in which the designated offense occurred who is responsible for prosecuting violations of a designated offense.

(h) "Snowmobile" has the meaning given in section 84.81, subdivision 3.

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

(i) "Vehicle" means a snowmobile or an all-terrain vehicle.

Subd. 2. SEIZURE. (a) A vehicle subject to forfeiture under this section may be seized by the appropriate agency upon process issued by any court having jurisdiction over the vehicle.

(b) Property may be seized without process if:

(1) the seizure is incident to a lawful arrest or a lawful search;

(2) the vehicle subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding under this section; or

(3) the appropriate agency has probable cause to believe that the delay occasioned by the necessity to obtain process would result in the removal or destruction of the vehicle.

(c) If property is seized without process under paragraph (b), clause (3), the prosecuting authority must institute a forfeiture action under this section as soon as is reasonably possible.

Subd. 3. RIGHT TO POSSESSION; CUSTODY. All right, title, and interest in a vehicle subject to forfeiture under this section vests in the appropriate agency upon commission of the designated offense giving rise to the forfeiture. A vehicle seized under this section is not subject to replevin, but is deemed to be in the custody of the appropriate agency subject to the orders and decrees of the court having jurisdiction over the forfeiture proceedings. When the vehicle is seized, the appropriate agency may:

(1) place the vehicle under seal;

(2) remove the vehicle to a place designated by it;

(3) place a disabling device on the vehicle; and

(4) take other steps reasonable and necessary to secure the vehicle and prevent waste.

Subd. 4. BOND BY OWNER FOR POSSESSION. If the owner of a vehicle that has been seized under this section seeks possession of the vehicle before the forfeiture action is determined, the owner may, subject to the approval of the appropriate agency, give security or post bond payable to the appropriate agency in an amount equal to the retail value of the seized vehicle. On posting the security or bond, the seized vehicle may be returned to the owner only if a disabling device is attached to the vehicle. The forfeiture action shall proceed against the security as if it were the seized vehicle.

Subd. 5. EVIDENCE. Certified copies of driver's license records concerning prior license revocations are admissible as substantive evidence when necessary to prove the commission of a designated offense.

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

**Subd. 6. FORFEITURE FOR COMMITTING DESIGNATED OFFENSE.** A vehicle is subject to forfeiture under this section if it was used in the commission of a designated offense.

**Subd. 7. LIMITATIONS ON FORFEITURE.** (a) A vehicle is subject to forfeiture under this section only if the driver is convicted of the designated offense upon which the forfeiture is based.

(b) A vehicle encumbered by a bona fide security interest, or subject to a lease that has a term of 180 days or more, is subject to the interest of the secured party or lessor unless the party or lessor had knowledge of or consented to the act upon which the forfeiture is based.

(c) Notwithstanding paragraph (b), the secured party's or lessor's interest in a vehicle is not subject to forfeiture based solely on the secured party's or lessor's knowledge of the act or omission upon which the forfeiture is based if the secured party or lessor took reasonable steps to terminate use of the vehicle by the offender.

(d) A vehicle is subject to forfeiture under this section only if the owner was privy to the act or omission upon which the forfeiture is based, or the act or omission occurred with the owner's knowledge or consent.

(e) A vehicle subject to a security interest, based upon a loan or other financing arranged by a financial institution, is subject to the interest of the financial institution.

**Subd. 8. FORFEITURE PROCEDURE.** (a) A vehicle used to commit a designated offense is subject to forfeiture under this subdivision.

(b) A separate complaint must be filed against the vehicle, describing it, and specifying that it was used in the commission of a designated offense and specifying the time and place of its unlawful use. If the person charged with a designated offense is not convicted of the offense, the court shall dismiss the complaint against the vehicle and order the property returned to the person legally entitled to it. If the lawful ownership of the vehicle used in the commission of a designated offense can be determined and it is found the owner was not privy to commission of a designated offense, the vehicle must be returned immediately.

**Subd. 9. DISPOSITION OF FORFEITED VEHICLES; PROCEEDS ALLOCATED.** (a) On finding under subdivision 8 that the vehicle is subject to forfeiture, the court shall order the appropriate agency to:

- (1) sell the vehicle and distribute the proceeds under paragraph (b); or
- (2) keep the vehicle for official use.

(b) The proceeds from the sale of forfeited vehicles, after payment of seizure, storage, forfeiture, and sale expenses, and satisfaction of valid liens against the property, must be forwarded to the treasury of the political subdivision that

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employs the appropriate agency responsible for the forfeiture for use in DWI-related enforcement, training, and education. If the appropriate agency making the arrest leading to the forfeiture is an agency of state government, the net proceeds must be deposited in the state treasury and credited to the snowmobile trails and enforcement account in the natural resources fund created in section 84.83, subdivision 1, if the vehicle was a snowmobile, or to the all-terrain vehicle account in the natural resources fund under section 84.927, subdivision 1.

**Subd. 10. REPORTING REQUIREMENT.** The appropriate agency shall provide to the state auditor, on an annual basis and in a manner prescribed by the state auditor, a written record of each forfeiture incident. The record must include a brief description of the vehicle forfeited, its estimated market value, the actual or estimated amount of net proceeds from the sale of the vehicle, the dates of the incident and the forfeiture, and a brief description of the circumstances of the impaired driving incident giving rise to the forfeiture. The state auditor shall report annually to the legislature on the nature and extent of forfeitures pursuant to this section.

Sec. 5. Minnesota Statutes 1994, section 84.927, subdivision 1, is amended to read:

Subdivision 1. **REGISTRATION REVENUE.** Fees from the registration of all-terrain vehicles and the unrefunded gasoline tax attributable to all-terrain vehicle use under section 296.16, as well as the net proceeds from the sale of all-terrain vehicles forfeited pursuant to section 84.912, shall be deposited in the state treasury and credited to the all-terrain vehicle account in the natural resources fund.

Sec. 6. Minnesota Statutes 1994, section 86B.331, subdivision 5, is amended to read:

Subd. 5. **PENALTIES.** (a) A person who violates a prohibition contained in subdivision 1, or an ordinance in conformity with it, is guilty of a misdemeanor.

(b) A person is guilty of a gross misdemeanor who violates a prohibition contained in subdivision 1:

(1) within five years of a prior:

(i) impaired driving conviction under subdivision 1, sections 84.91, subdivision 1, 169.121, 169.129, or 609.21, subdivision 1, clauses (2) to (4); 2, clauses (2) to (4); 3, clauses (2) to (4); or 4, clauses (2) to (4), as defined in section 169.121, subdivision 3, paragraph (a), clause (1);

(ii) civil liability under section 84.911, subdivision 2, or 86B.335, subdivision 2; or

(iii) conviction under an ordinance of this state or a statute or ordinance from another state in conformity with any of them; or

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(2) within ten years of the first of two or more prior:

(i) impaired driving convictions under subdivision 1, sections 84.91, subdivision 1, 169.121, 169.129, or 609.21, subdivision 1, clauses (2) to (4); 2, clauses (2) to (4); 3, clauses (2) to (4); or 4, clauses (2) to (4), as defined in section 169.121, subdivision 3, paragraph (a), clause (1);

(ii) civil liabilities under section 84.911, subdivision 2, or 86B.335, subdivision 2;

(iii) convictions of ordinances in conformity with any of them; or

(iv) convictions or liabilities under any combination of items (i) to (iii).

(c) The attorney in the jurisdiction where the violation occurred who is responsible for prosecution of misdemeanor violations of this section is also responsible for prosecution of gross misdemeanor violations of this section. When an attorney responsible for prosecuting gross misdemeanors under this section requests criminal history information relating to prior convictions from a court, the court must furnish the information without charge.

(d) A person who operates a motorboat on the waters of this state during the period the person is prohibited from operating any motorboat or after the person's watercraft operator's permit has been revoked, as provided under subdivision 6, is guilty of a misdemeanor.

#### Sec. 7. **[86B.337] FORFEITURE OF MOTORBOATS.**

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

(a) "Appropriate agency" means a law enforcement agency that has the authority to make an arrest for a violation of a designated offense.

(b) "Designated offense" means a violation of section 86B.331 or an ordinance in conformity with it:

(1) occurring within five years of the first of three prior impaired driving convictions or the first of three prior license revocations based on separate impaired driving incidents;

(2) occurring within 15 years of the first of four or more prior impaired driving convictions or the first of four or more prior license revocations based on separate impaired driving incidents;

(3) by a person whose driver's license or driving privileges have been canceled under section 171.04, subdivision 1, clause (8); or

(4) by a person who is subject to a restriction on the person's driver's license under section 171.09 that provides that the person may not use or consume any amount of alcohol or a controlled substance.

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

(c) "Motorboat" has the meaning given in section 86B.005, subdivision 9.

(d) "Owner" means the registered owner of the motorboat according to records of the department of natural resources and includes a lessee of a motorboat if the lease agreement has a term of 180 days or more.

(e) "Prior impaired driving conviction" has the meaning given in section 169.121, subdivision 3.

(f) "Prior license revocation" has the meaning given in section 169.121, subdivision 3.

(g) "Prosecuting authority" means the attorney in the jurisdiction in which the designated offense occurred who is responsible for prosecuting violations of a designated offense.

**Subd. 2. SEIZURE.** (a) A motorboat subject to forfeiture under this section may be seized by the appropriate agency upon process issued by any court having jurisdiction over the motorboat.

(b) Property may be seized without process if:

(1) the seizure is incident to a lawful arrest or a lawful search;

(2) the motorboat subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding under this section; or

(3) the appropriate agency has probable cause to believe that the delay occasioned by the necessity to obtain process would result in the removal or destruction of the motorboat.

(c) If property is seized without process under paragraph (b), clause (3), the prosecuting authority must institute a forfeiture action under this section as soon as is reasonably possible.

**Subd. 3. RIGHT TO POSSESSION; CUSTODY.** All right, title, and interest in a motorboat subject to forfeiture under this section vests in the appropriate agency upon commission of the designated offense giving rise to the forfeiture. A motorboat seized under this section is not subject to replevin, but is deemed to be in the custody of the appropriate agency subject to the orders and decrees of the court having jurisdiction over the forfeiture proceedings. When the motorboat is seized, the appropriate agency may:

(1) place the motorboat under seal;

(2) remove the motorboat to a place designated by it;

(3) place a disabling device on the motorboat; and

(4) take other steps reasonable and necessary to secure the motorboat and prevent waste.

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



Subd. 4. BOND BY OWNER FOR POSSESSION. If the owner of a motorboat that has been seized under this section seeks possession of the motorboat before the forfeiture action is determined, the owner may, subject to the approval of the appropriate agency, give security or post bond payable to the appropriate agency in an amount equal to the retail value of the seized motorboat. On posting the security or bond, the seized motorboat may be returned to the owner only if a disabling device is attached to the motorboat. The forfeiture action shall proceed against the security as if it were the seized motorboat.

Subd. 5. EVIDENCE. Certified copies of driver's license records concerning prior license revocations are admissible as substantive evidence when necessary to prove the commission of a designated offense.

Subd. 6. FORFEITURE FOR COMMITTING DESIGNATED OFFENSE. A motorboat is subject to forfeiture under this section if it was used in the commission of a designated offense.

Subd. 7. LIMITATIONS ON FORFEITURE. (a) A motorboat is subject to forfeiture under this section only if the driver is convicted of the designated offense upon which the forfeiture is based.

(b) A motorboat encumbered by a bona fide security interest, or subject to a lease that has a term of 180 days or more, is subject to the interest of the secured party or lessor unless the party or lessor had knowledge of or consented to the act upon which the forfeiture is based.

(c) Notwithstanding paragraph (b), the secured party's or lessor's interest in a motorboat is not subject to forfeiture based solely on the secured party's or lessor's knowledge of the act or omission upon which the forfeiture is based if the secured party or lessor took reasonable steps to terminate use of the motorboat by the offender.

(d) A motorboat is subject to forfeiture under this section only if the owner was privy to the act or omission upon which the forfeiture is based, or the act or omission occurred with the owner's knowledge or consent.

(e) A motorboat subject to a security interest, based upon a loan or other financing arranged by a financial institution, is subject to the interest of the financial institution.

Subd. 8. FORFEITURE PROCEDURE. (a) A motorboat used to commit a designated offense is subject to forfeiture under this subdivision.

(b) A separate complaint must be filed against the motorboat, describing it, and specifying that it was used in the commission of a designated offense and specifying the time and place of its unlawful use. If the person charged with a designated offense is not convicted of the offense, the court shall dismiss the complaint against the motorboat and order the property returned to the person legally entitled to it. If the lawful ownership of the motorboat used in the com-

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mission of a designated offense can be determined and it is found the owner was not privy to commission of a designated offense, the motorboat must be returned immediately.

**Subd. 9. DISPOSITION OF FORFEITED MOTORBOATS; PROCEEDS ALLOCATED.** (a) On finding under subdivision 8 that the motorboat is subject to forfeiture, the court shall order the appropriate agency to:

- (1) sell the motorboat and distribute the proceeds under paragraph (b); or
- (2) keep the motorboat for official use.

(b) The proceeds from the sale of forfeited motorboats, after payment of seizure, storage, forfeiture, and sale expenses, and satisfaction of valid liens against the property, must be forwarded to the treasury of the political subdivision that employs the appropriate agency responsible for the forfeiture for use in DWI-related enforcement, training, and education. If the appropriate agency making the arrest leading to the forfeiture is an agency of state government, the net proceeds must be deposited in the state treasury and credited to the water recreation account in the natural resources fund.

**Subd. 10. REPORTING REQUIREMENT.** The appropriate agency shall provide to the state auditor, on an annual basis and in a manner prescribed by the state auditor, a written record of each forfeiture incident. The record must include a brief description of the vehicle forfeited, its estimated market value, the actual or estimated amount of net proceeds from the sale of the vehicle, the dates of the incident and the forfeiture, and a brief description of the circumstances of the impaired driving incident giving rise to the forfeiture. The state auditor shall report annually to the legislature on the nature and extent of forfeitures pursuant to this section.

Sec. 8. Minnesota Statutes 1994, section 169.1217, subdivision 1, is amended to read:

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

(a) "Appropriate ~~authority~~ agency" means a law enforcement agency that has the authority to make an arrest for a violation of a designated offense.

(b) "Designated offense" includes a violation of section 169.121, an ordinance in conformity with it, or 169.129:

(1) within five years of three prior impaired driving ~~under the influence~~ convictions or three prior license revocations based on separate incidents;

(2) within 15 years of the first of four or more prior impaired driving ~~under the influence~~ convictions or the first of four or more prior license revocations based on separate incidents;

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(3) by a person whose driver's license or driving privileges have been canceled under section 171.04, subdivision 1, clause (8); or

(4) by a person who is subject to a restriction on the person's driver's license under section 171.09 which provides that the person may not use or consume any amount of alcohol or a controlled substance.

"Designated offense" also includes a violation of section 169.121, subdivision 3, paragraph (c), clause (4):

(1) within five years of two prior impaired driving under the influence convictions or two prior license revocations based on separate incidents; or

(2) within 15 years of the first of three or more prior impaired driving under the influence convictions or the first of three or more prior license revocations based on separate incidents.

(c) "Motor vehicle" and "vehicle" have the meaning given "motor vehicle" in section 169.121, subdivision 11. The terms do not include a vehicle which is stolen or taken in violation of the law.

(d) "Owner" means the registered owner of the motor vehicle according to records of the department of public safety and includes a lessee of a motor vehicle if the lease agreement has a term of 180 days or more.

(e) "Prior impaired driving under the influence conviction" means a prior conviction under section 169.121, 169.129, or ~~609.21~~, subdivision 1, clauses (2) to (4); 2, clauses (2) to (4); 2a, clauses (2) to (4); 3, clauses (2) to (4); or 4, clauses (2) to (4); or an ordinance from this state, or a statute or ordinance from another state in conformity with any of them has the meaning given it in section 169.121, subdivision 3. A prior impaired driving under the influence conviction also includes a prior juvenile adjudication that would have been a prior impaired driving under the influence conviction if committed by an adult.

(f) "Prior license revocation" has the meaning given it in section 169.121, subdivision 3.

(g) "Prosecuting authority" means the attorney in the jurisdiction in which the designated offense occurred who is responsible for prosecuting violations of a designated offense.

Sec. 9. Minnesota Statutes 1994, section 169.1217, subdivision 7, is amended to read:

**Subd. 7. LIMITATIONS ON FORFEITURE OF MOTOR VEHICLES.**

(a) A vehicle is subject to forfeiture under this section only if the driver is convicted of the designated offense upon which the forfeiture is based.

(b) A vehicle encumbered by a bona fide security interest, or subject to a lease that has a term of 180 days or more, is subject to the interest of the

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secured party or lessor unless the party or lessor had knowledge of or consented to the act upon which the forfeiture is based.

(c) Notwithstanding paragraph (b), the secured party's or lessor's interest in a vehicle is not subject to forfeiture based solely on the secured party's or lessor's knowledge of the act or omission upon which the forfeiture is based if the secured party or lessor took reasonable steps to terminate use of the vehicle by the offender.

(d) A motor vehicle is subject to forfeiture under this section only if its owner knew or should have known of the unlawful use or intended use.

(e) A vehicle subject to a security interest, based upon a loan or other financing arranged by a financial institution, is subject to the interest of the financial institution.

Sec. 10. Minnesota Statutes 1994, section 171.30, subdivision 3, is amended to read:

Subd. 3. **CONDITIONS ON ISSUANCE.** The commissioner shall issue a limited license restricted to the vehicles whose operation is permitted only under a Class A, Class B, or Class CC license whenever a Class A, Class B, or Class CC license has been suspended under section 171.18, or revoked under section 171.17, for violation of the highway traffic regulation act committed in a private passenger motor vehicle. This subdivision shall not apply to any persons described in section 171.04, subdivision 1, clauses (4), (5), (6), (8), (9), and (11), or any person whose license or privilege has been suspended or revoked for a violation of section 169.121 or 169.123, or a statute or ordinance from another state in conformity with either of those sections.

Sec. 11. **EFFECTIVE DATE.**

Sections 1 to 8, and 10 are effective August 1, 1995, and apply to designated offenses committed on or after that date.

Presented to the governor May 23, 1995

Signed by the governor May 25, 1995, 8:44 a.m.

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#### CHAPTER 231—H.F.No. 642

*An act relating to workers' compensation; modifying provisions relating to insurance, procedures and benefits; providing penalties; appropriating money; amending Minnesota Statutes 1994, sections 13.69, subdivision 1; 13.82, subdivision 1; 79.074, subdivision 2; 79.085; 79.211, subdivision 1; 79.251, subdivision 2, and by adding a subdivision; 79.253, by adding a subdivision; 79.34, subdivision 2; 79.35; 79.50; 79.51, subdivisions 1 and 3; 79.52, by adding subdivisions; 79.53, subdivision 1; 79.55, subdivisions 2, 5, and by adding subdivi-*

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