

town. If the service charge remains unpaid 30 days after a notice of delinquency is sent to the recipient of the service or the recipient's representative or estate, the town or its contractor on behalf of the town may use any lawful means allowed to a private party for the collection of an unsecured delinquent debt. The town may also use the authority of section 366.012 to collect unpaid service charges of this kind from delinquent recipients of services who are owners of taxable real property in the town.

The powers conferred by this section are in addition and supplemental to the powers conferred by any other law for a town to impose a service charge or assessment for a service provided by the town or contracted for by the town.

Presented to the governor March 25, 1997

Signed by the governor March 26, 1997, 10:21 a.m.

CHAPTER 17—S.F.No. 85

An act relating to claims; providing for payment of certain claims against the state; increasing a limit on settlements; adding claims to the Revenue Recapture Act; appropriating money; amending Minnesota Statutes 1996, sections 3.732, subdivision 2; and 270A.03, subdivision 7.

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

Section 1. DEPARTMENT OF CORRECTIONS.

Subdivision 1. SENTENCING TO SERVICE AND COMMUNITY SERVICE.

The amounts in this subdivision are appropriated from the general fund to the commissioner of corrections for payment under Minnesota Statutes, section 3.739, to service providers as indicated in this section in full and final payment of claims against the state for medical services provided to individuals who were injured while performing community service or sentencing to service work for correctional purposes. These appropriations are available until June 30, 1998.

(a) For claims under \$500 each and other claims already paid by the department.....\$5,059.44.

(b) For medical services provided to Daniel Fena, who suffered injuries while performing sentencing to service work in St. Louis county.....\$1,522.20.

(c) For medical services provided to Jamie Greene, who suffered injuries while performing sentencing to service work in Beltrami county.....\$8,934.13.

(d) For medical services provided to Laurens Matton, who suffered injuries while performing sentencing to service work in Ramsey county.....\$1,613.17.

(e) For medical services provided to Pierre Selvog, who suffered injuries while performing sentencing to service work in Chisago county.....\$3,087.80.

Subd. 2. INMATE INJURIES. The amounts in this subdivision are appropriated from the general fund to the commissioner of corrections for payment under Minnesota

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Statutes, section 3.738, to persons as indicated in this section in full and final payment of their claims against the state for injuries while performing assigned duties as inmates in correctional facilities. These appropriations are available until June 30, 1998.

(a) Ronald Alstrup, for permanent injuries to his right hand while incarcerated at MCF-Stillwater.....\$8,250.

(b) Marion Calhoun, for permanent injuries to his left hand while incarcerated at MCF-Stillwater.....\$5,531.25.

Subd. 3. **BRAHAM PRISON SITE.** \$24,000 is appropriated from the general fund to the commissioner of corrections for payment to Braham Area Community Development, Inc., in full and final payment of all its claims against the state for costs of preparing for location of a correctional facility in the Braham area. This appropriation is available until June 30, 1998.

Sec. 2. DEPARTMENT OF PUBLIC SAFETY.

From its existing appropriations, the department of public safety shall make full and final payments to the following claimants.

(a) Highway Patrol Officer Curt Karges, to pay legal fees related to actions in the line of duty.....\$2,712.50.

(b) Jeffrey Sutherland of Brooklyn Park, Minnesota, to pay for towing costs related to incorrect information about the status of his driver's license.....\$68.25.

Sec. 3. Minnesota Statutes 1996, section 3.732, subdivision 2, is amended to read:

Subd. 2. CLAIMS OF \$2,500 \$7,000 OR LESS. The head of each department or agency of the state, or a designee, acting on behalf of the state, shall attempt to determine, adjust and settle, at any time, any claim for money damages of \$2,500 \$7,000 or less against the state for injury to or loss of property or personal injury or death caused by an act or omission of any employee of the state while acting within the scope of office or employment, under circumstances where the state, if a private person, would be liable to the claimant. The settlement is final and conclusive on all officers of the state, unless procured by fraud. The acceptance by the claimant of a settlement is final and conclusive on the claimant and constitutes a complete release of any claim against the state and the employee of the state whose act or omission gave rise to the claim, by reason of the same subject matter.

Sec. 4. Minnesota Statutes 1996, section 270A.03, subdivision 7, is amended to read:

Subd. 7. REFUND. "Refund" means an individual income tax refund or political contribution refund, pursuant to chapter 290, or a property tax credit or refund, pursuant to chapter 290A.

For purposes of this chapter, lottery prizes, as set forth in section 349A.08, subdivision 8, and amounts granted to persons by the legislature on the recommendation of the joint senate-house of representatives subcommittee on claims shall be treated as refunds.

In the case of a joint property tax refund payable to spouses under chapter 290A, the refund shall be considered as belonging to each spouse in the proportion of the total re-

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fund that equals each spouse's proportion of the total income determined under section 290A.03, subdivision 3. In the case of a joint income tax refund under chapter 289A, the refund shall be considered as belonging to each spouse in the proportion of the total refund that equals each spouse's proportion of the total taxable income determined under section 290.01, subdivision 29. The commissioner shall remit the entire refund to the claimant agency, which shall, upon the request of the spouse who does not owe the debt, determine the amount of the refund belonging to that spouse and refund the amount to that spouse.

Sec. 5. EFFECTIVE DATE.

This act is effective the day following final enactment.

Presented to the governor April 2, 1997

Signed by the governor April 3, 1997, 2:20 p.m.

CHAPTER 18—H.F.No. 1088

An act relating to elections; allowing towns to rotate names of candidates on town ballots; amending Minnesota Statutes 1996, section 205.17, subdivision 1.

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

Section 1. Minnesota Statutes 1996, section 205.17, subdivision 1, is amended to read:

Subdivision 1. **SECOND, THIRD, AND FOURTH CLASS CITIES; TOWNS.** In all statutory and home rule charter cities of the second, third and fourth class, and in all towns, for the municipal general election, the municipal clerk shall have printed on light green paper the official ballot containing the names of all candidates for municipal offices. The ballot shall be printed in blocks of 50, shall be headed "City or Town Election Ballot," shall state the name of the city or town and the date of the election, and shall conform in other respects to the white ballot used at the state general election. The names shall be arranged on city ballots in the manner provided for the state elections. On town ballots names of the candidates for each office shall be arranged either:

- (1) alphabetically according to the candidates' surnames; or
- (2) in the manner provided for state elections if the town electors chose at the town's annual meeting to arrange the names in that way for at least two consecutive years.

Presented to the governor April 3, 1997

Signed by the governor April 4, 1997, 11:00 a.m.

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