

personnel actions throughout the civil service to meet the requirements. The commissioner shall permit appointing authorities to use eligible lists in making appointments to positions in the unclassified service and shall provide recruiting assistance.

The head of each agency in the executive branch shall designate an agency personnel officer. The agency personnel officer shall be accountable to the agency head for all personnel functions prescribed by laws, rules, collective bargaining agreements, the commissioner and the agency head. Except when otherwise prescribed by the agency head in a specific instance, the personnel officer shall be assumed to be the authority accountable to the agency head over any other officer or employee in the agency for personnel functions.

The head of each agency in the executive branch shall designate an affirmative action officer who shall have primary responsibility for the administration of the agency's affirmative action plan. The officer shall report directly to the head of the agency on affirmative action matters.

Sec. 19. Minnesota Statutes 1996, section 43A.36, subdivision 2, is amended to read:

Subd. 2. **SERVICES AVAILABLE TO POLITICAL SUBDIVISIONS.** The services and facilities of the department and its staff may be made available upon request to political subdivisions of the state. Enforcement and administration of other provisions of Laws 1981, this chapter 210 shall take precedence over the provision of the services and facilities. Political subdivisions shall reimburse the state for the reasonable cost of services and facilities.

Presented to the governor April 29, 1997

Signed by the governor May 1, 1997, 4:10 p.m.

CHAPTER 80—H.F.No. 1880

An act relating to reemployment compensation; providing less frequent payment schedules for certain employers; providing for noncharging of benefits in certain situations; proposing coding for new law in Minnesota Statutes, chapter 268.

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

Section 1. [268.048] **BENEFITS NOT CHARGED IN WELFARE-TO-WORK.**

(a) The commissioner shall, prior to computing a contribution rate, remove benefit charges from the account of a contributing employer if the claimant to whom those benefits were paid was:

(1) a primary wage earner who was a recipient of cash benefits under a Minnesota welfare program in the calendar quarter or immediately preceding calendar quarter that wages were first paid by that employer;

New language is indicated by underline, deletions by strikeout.

(2) paid wages by that employer in no more than two calendar quarters; and

(3) paid wages by that employer of less than \$3,000.

(b) This section shall only apply to benefit charges accruing after July 1, 1997.

(c) If the commissioner finds that an employer discharged the claimant, or engaged in the employment practice of discharging workers, in order to meet the requirements of paragraph (a), clauses (2) and (3), this section shall not apply. In addition, the employer's action shall constitute employer misconduct and the penalties under section 268.18, subdivision 6, shall be assessed.

Sec. 2. [268.051] ANNUAL PAYMENT OF SMALL LIABILITIES.

(a) An employer may file contribution reports and pay contributions and assessments for any calendar year on an annual basis if the employer:

(1) has an experience rating of zero for that calendar year;

(2) had total taxable wages paid in the 12-month period ending the prior June 30 of less than five times the state's taxable wage base; and

(3) has no outstanding contribution or assessment liability, including penalties and interest.

(b) Contribution reports and contributions and assessments due under this section for any calendar year shall be paid on or before the following January 31.

Sec. 3. SUNSET.

Section 1 expires July 1, 1999.

Sec. 4. EFFECTIVE DATE.

Section 1 is effective July 1, 1997. Section 2 is effective January 1, 1999.

Presented to the governor May 1, 1997

Signed by the governor May 2, 1997, 3:00 p.m.

CHAPTER 81—H.F.No. 1383

An act relating to occupational safety and health; providing that certain notices are filed when placed in the United States mail; amending Minnesota Statutes 1996, section 182.661, subdivision 3b.

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

Section 1. Minnesota Statutes 1996, section 182.661, subdivision 3b, is amended to read:

Subd. 3b. **SERVICE OF NOTICES.** The contesting party shall serve a copy of the notice of contest and notice to employees, on forms provided by the commissioner, upon

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