

**CHAPTER 368—H.F.No. 2736**

*An act relating to counties; authorizing gifts to certain food distribution organizations; amending Minnesota Statutes 1996, section 465.039.*

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

Section 1. Minnesota Statutes 1996, section 465.039, is amended to read:

**465.039 GIFTS TO ORGANIZATIONS DISTRIBUTING FOOD.**

The governing body of a county, or of a home rule charter or statutory city, may appropriate each year out of the its general fund of the city, or other unrestricted money, an amount to be determined by the governing body to provide grants to nonprofit organizations operating community food shelves that provide food to the needy without charge.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective the day after its final enactment.

Presented to the governor April 6, 1998

Signed by the governor April 9, 1998, 10:35 a.m.

**CHAPTER 369—S.F.No. 2751**

*An act relating to employment; requiring an accommodation to certain nursing mothers; providing that breast feeding is excepted from the crime of indecent exposure; amending Minnesota Statutes 1996, section 617.23; proposing coding for new law in Minnesota Statutes, chapter 181.*

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

**Section 1. [181.939] NURSING MOTHER.**

An employer must provide reasonable unpaid break time each day to an employee who needs to express breast milk for her infant child. The break time must, if possible, run concurrently with any break time already provided to the employee. An employer is not required to provide break time under this section if to do so would unduly disrupt the operations of the employer.

The employer must make reasonable efforts to provide a room or other location, in close proximity to the work area, other than a toilet stall, where the employee can express her milk in privacy. The employer would be held harmless if reasonable effort has been made.

For the purposes of this section, "employer" means a person or entity that employs one or more employees and includes the state and its political subdivisions.

Sec. 2. Minnesota Statutes 1996, section 617.23, is amended to read:

**617.23 INDECENT EXPOSURE; PENALTIES.**

(a) A person is guilty of a misdemeanor who in any public place, or in any place where others are present:

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

- (1) willfully and lewdly exposes the person's body, or the private parts thereof;
- (2) procures another to expose private parts; or
- (3) engages in any open or gross lewdness or lascivious behavior, or any public indecency other than behavior specified in clause (1) or (2) or this clause.

(b) A person is guilty of a gross misdemeanor if:

- (1) the person violates this section in the presence of a minor under the age of 16; or
- (2) the person violates this section after having been previously convicted of violating this section, sections 609.342 to 609.3451, or a statute from another state in conformity with any of those sections.

(c) A person is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if the person violates paragraph (b), clause (1), after having been previously convicted of or adjudicated delinquent for violating paragraph (b), clause (1); section 609.3451, subdivision 1, clause (2); or a statute from another state in conformity with paragraph (b), clause (1), or section 609.3451, subdivision 1, clause (2).

(d) It is not a violation of this section for a woman to breast feed.

Presented to the governor April 6, 1998

Signed by the governor April 9, 1998, 10:45 a.m.

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#### CHAPTER 370—S.F.No. 2118

#### VETOED

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#### CHAPTER 371—S.F.No. 1378

*An act relating to government data practices; providing for the classification of and access to government data; providing for data privacy for certain audit information; classifying certain law enforcement data; providing that certain documents may be classified as nonpublic data until negotiations with vendors and best and final offers are received; making technical and clarifying changes to tax disclosure provisions; amending Minnesota Statutes 1996, sections 13.794, subdivision 1; 13.82, by adding a subdivision; 13.85, subdivision 2; 13.99, by adding subdivisions; 168.346; 171.12, subdivision 1; 270B.02, subdivision 3; 270B.03, subdivision 6; 270B.12, subdivision 6; and 629.341, subdivision 4; Minnesota Statutes 1997 Supplement, sections 13.37, subdivision 1; 13.46, subdivision 2; 260.161, subdivision 1; 268.19; 270B.01, subdivision 8; 299C.095, subdivision 2; and 471A.03, subdivision 3; repealing Minnesota Statutes 1996, section 270.10, subdivision 3.*

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

Section 1. Minnesota Statutes 1997 Supplement, section 13.37, subdivision 1, is amended to read:

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

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