

be punished by a fine not exceeding \$3,000 or by imprisonment not exceeding one year or by both such fine and imprisonment.

Each violation of the provisions of this chapter, or of any order, decision, rule, direction, or requirement of the department, or any part or portion thereof, by any warehouse operator or household goods warehouse operator is a separate and distinct offense.

In construing and enforcing the provisions of this chapter relating to penalties, the act, omission, or failure of any officer, agent, or employee of any warehouse operator or household goods warehouse operator, acting within the scope of official duties or employment, shall in each case be and be deemed to be the act, omission, or failure of such warehouse operator or household goods warehouse operator.

Sec. 22. REPEALER.

Minnesota Statutes 1998, sections 231.02; 231.03; 231.05; 231.06; 231.07; 231.10; 231.15; and 231.35, are repealed.

Presented to the governor April 26, 1999

Signed by the governor April 27, 1999, 11:25 a.m.

CHAPTER 111—H.F.No. 1125

An act relating to crime prevention; authorizing local correctional agencies rather than courts to impose local correctional fees for offenders under the supervision and control of the local agency; requiring a report; amending Minnesota Statutes 1998, sections 244.18, subdivisions 3, 4, and 5; and 609.102, subdivision 2; repealing Minnesota Statutes 1998, section 609.102, subdivisions 3 and 4.

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

Section 1. Minnesota Statutes 1998, section 244.18, subdivision 3, is amended to read:

Subd. 3. **FEE COLLECTION.** The chief executive officer of a local correctional agency may impose and collect local correctional fees ~~assessed under section 609.102.~~ The local correctional agency may collect the fee at any time while the offender is under sentence or after the sentence has been discharged. The agency may use any available civil means of debt collection in collecting a local correctional fee.

Sec. 2. Minnesota Statutes 1998, section 244.18, subdivision 4, is amended to read:

Subd. 4. **EXEMPTION FROM FEE.** ~~The local correctional agency shall waive payment of a local correctional fee if so ordered by the court under section 609.102. If the court fails to waive the fee,~~ The chief executive officer of the local correctional agency may waive payment of the fee if the officer determines that the offender does not have the ability to pay the fee, the prospects for payment are poor, or there are extenuating circumstances justifying waiver of the fee. Instead of waiving the fee, the local correctional agency may require the offender to perform community work service as a means of paying the fee.

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

Sec. 3. Minnesota Statutes 1998, section 244.18, subdivision 5, is amended to read:

Subd. 5. **RESTITUTION PAYMENT PRIORITY.** If a defendant has been ordered by a court to pay restitution and a local correctional fee, the defendant shall be obligated to pay the restitution ordered before paying the local correctional fee. However, if the defendant is making reasonable payments to satisfy the restitution obligation, the local correctional agency may also collect a local correctional fee.

Sec. 4. Minnesota Statutes 1998, section 609.102, subdivision 2, is amended to read:

Subd. 2. **IMPOSITION OF FEE.** When a court sentences a person convicted of a crime, and places the person under the supervision and control of a local correctional agency, the court shall impose that agency may collect a local correctional fee based on the local correctional agency's fee schedule adopted under section 244.18.

Sec. 5. **REPORT REQUIRED.**

(a) The chief executive officer of each local correctional agency shall cooperate to develop a statewide uniform schedule of local correctional fees. The schedule must be reasonably related to the ability of defendants to pay and the actual costs of correctional services. The schedule must include clear standards that describe the circumstances justifying or requiring waiver or reduction of the fee based upon a defendant's ability to pay or other extenuating circumstances.

(b) By January 15, 2000, the chief executive officers shall report to the chairs of the senate and house committees having jurisdiction over criminal justice policy on their recommendations.

Sec. 6. **REPEALER.**

Minnesota Statutes 1998, section 609.102, subdivisions 3 and 4, are repealed.

Sec. 7. **EFFECTIVE DATE.**

Sections 1 to 6 are effective August 1, 1999, and apply to crimes committed on or after that date.

Presented to the governor April 26, 1999

Signed by the governor April 27, 1999, 11:28 a.m.

CHAPTER 112—H.F.No. 1

An act relating to agricultural relief; providing for a payment to farmers at risk based on the acreage of agricultural use land; providing for an agricultural property tax refund for certain livestock producers; appropriating money.

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

Section 1. **AGRICULTURAL ASSISTANCE IN 1999.**

Subdivision 1. **DEFINITIONS.** (a) The definitions in this subdivision apply to this section.

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