

- (i) (9) chief deputy or principal assistant and secretary for each elected official;
- (j) (10) examiner of titles and deputy examiners;
- (k) (11) chief criminal deputy sheriff, a chief civil deputy sheriff, a chief administrative deputy sheriff, and a chief financial services deputy sheriff;
- (l) (12) public defender;
- ~~(m) Administrative assistant to the district court administrator.~~
- ~~(n) Temporary judicial appointments performing a special function.~~
- (o) (13) county medical examiner;
- (p) (14) office staff appointed by the county administrator pursuant to sections 383B.101 to 383B.103; and
- (q) (15) county administrator.

(b) Notwithstanding any contrary provision of other law, any person coming within paragraph (a), clause (8), who, on the effective date of this section, is in the classified service, remains in the classified service until vacating the position. After that, an appointee to a position described in paragraph (a), clause (8), is in the unclassified service.

Sec. 10. Minnesota Statutes 1998, section 383B.32, subdivision 3, is amended to read:

Subd. 3. **UNCLASSIFIED SERVICE, COMPENSATION.** The human resources director shall establish a compensation plan in accordance with section 383B.31, clause (e) paragraph (c), clause (2), for those employees in the unclassified service identified in subdivision 2, clauses (e), (d), (f), (h), (i), (j), (k), (m), and (p) (3), (4), (6), (8), (9), (10), (11), (13), and (14).

Sec. 11. **REPEALER.**

Minnesota Statutes 1998, section 383B.35, is repealed.

Presented to the governor April 13, 2000

Signed by the governor April 17, 2000, 3:56 p.m.

**CHAPTER 417—S.F.No. 3272**

*An act relating to the building code; modifying requirements of bleacher safety; amending Minnesota Statutes 1999 Supplement, section 16B.616, subdivisions 3 and 4.*

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

Section 1. Minnesota Statutes 1999 Supplement, section 16B.616, subdivision 3, is amended to read:

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

Subd. 3. **SAFETY REQUIREMENTS.** In places of public accommodation using bleacher seating, all bleachers or bleacher open spaces over ~~30~~ 55 inches above grade or the floor below, and all bleacher guardrails if any part of the guardrail is over 30 inches above grade or the floor below must conform to the following safety requirements:

(1) the open space between bleacher footboards, seats, and guardrails must not exceed four inches, unless approved safety nets are installed, except that retractable bleachers already in place as of January 1, 2001, with open spaces not exceeding nine inches, are exempt from the requirement of this clause;

(2) bleachers must have vertical perimeter guardrails with no more than four-inch rail spacing between vertical rails or other approved guardrails that address climbability and are designed to prevent accidents; and

(3) the state building official shall determine whether the safety nets and guardrail climbability meet the requirements of the alternate design section of the State Building Code. All new bleachers manufactured, installed, sold, or distributed after January 1, 2001, must comply with the State Building Code in effect and ~~clauses (1), (2), and (3)~~ this subdivision.

Sec. 2. Minnesota Statutes 1999 Supplement, section 16B.616, subdivision 4, is amended to read:

Subd. 4. **ENFORCEMENT.** (a) A statutory or home rule charter city that is not covered by the code because of action taken under section 16B.72 or 16B.73 is responsible for enforcement in the city of the code's requirements for bleacher safety. In all other areas where the code does not apply because of action taken under section 16B.72 or 16B.73, the county is responsible for enforcement of those requirements.

(b) Municipalities that have not adopted the code may enforce the code requirements for bleacher safety by either entering into a joint powers agreement for enforcement with another municipality that has adopted the code or contracting for enforcement with a qualified and certified building official or state licensed design professional to enforce the code.

(c) Municipalities, school districts, organizations, individuals, and other persons operating or owning places of public accommodation with bleachers that are subject to the safety requirements in subdivision 3 shall provide a signed certification of compliance to the commissioner by January 1, ~~2001~~ 2002. For bleachers exempted by subdivision 3, clause (1), entities covered by this paragraph must have on file a bleacher safety management plan and amortization schedule. The certification shall be prepared by a qualified and certified building official or state licensed design professional and shall certify that the bleachers have been inspected and are in compliance with the requirements of this section and are structurally sound. For bleachers owned by a school district, the person the district designates to be responsible for buildings and grounds may make the certification.

Presented to the governor April 13, 2000

Signed by the governor April 17, 2000, 3:56 p.m.

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