

expiration of the maximum period prescribed for the person's probation but may do so only if the full amount of any arrearages has been brought current.

Subd. 5. DISMISSAL; RECORD. (a) For purposes of this subdivision, "not public" has the meaning given in section 13.02, subdivision 8a.

(b) If during the period of probation the person does not violate any of the conditions of the probation, then upon expiration of the period the court shall discharge the person and dismiss the proceedings against that person. Discharge and dismissal under this subdivision shall be without court adjudication of guilt, but a not public record of it shall be retained by the bureau of criminal apprehension for the purpose of use by the courts in determining the merits of subsequent proceedings against the person. The not public record may also be opened only upon court order for purposes of a criminal investigation, prosecution, or sentencing. Upon request by law enforcement, prosecution, or corrections authorities, the bureau shall notify the requesting party of the existence of the not public record and the right to seek a court order to open it pursuant to this section. The court shall forward a record of any discharge and dismissal under this section to the bureau which shall make and maintain the not public record of it as provided under this section. The discharge or dismissal shall not be deemed a conviction for purposes of disqualifications or disabilities imposed by law upon conviction of a crime or for any other purpose.

Sec. 13. **EFFECTIVE DATE.**

Sections 6 to 12 are effective August 1, 2001, and apply to all crimes committed on or after that date.

Presented to the governor May 18, 2001

Signed by the governor May 22, 2001, 10:22 a.m.

CHAPTER 159—S.F.No. 1614

An act relating to civil law; providing for civil actions against the state under the federal Age Discrimination in Employment Act, the federal Fair Labor Standards Act, the federal Family and Medical Leave Act, and the federal Americans With Disabilities Act; proposing coding for new law in Minnesota Statutes, chapter 1.

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

Section 1. **[1.05] WAIVER OF IMMUNITY FOR VIOLATIONS OF CERTAIN FEDERAL STATUTES.**

Subdivision 1. AGE DISCRIMINATION IN EMPLOYMENT ACT. An employee, former employee, or prospective employee of the state who is aggrieved by the state's violation of the Age Discrimination in Employment Act of 1967, United States Code, title 29, section 621, et seq., as amended, may bring a civil action against

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

the state in any court of competent jurisdiction for such legal or equitable relief as will effectuate the purposes of the act.

Subd. 2. FAIR LABOR STANDARDS ACT. An employee of the state who is aggrieved by the state's violation of the Fair Labor Standards Act of 1938, United States Code, title 29, section 201, et seq., as amended, may bring a civil action against the state in any court of competent jurisdiction for such legal or equitable relief as will effectuate the purposes of the act.

Subd. 3. FAMILY AND MEDICAL LEAVE ACT. An employee, former employee, or prospective employee of the state who is aggrieved by the state's violation of the Family and Medical Leave Act, United States Code, title 29, sections 2601 to 2654, as amended, may bring a civil action against the state in any court of competent jurisdiction for such legal or equitable relief as will effectuate the purposes of the act.

Subd. 4. AMERICANS WITH DISABILITIES ACT. An employee, former employee, or prospective employee of the state who is aggrieved by the state's violation of the Americans with Disabilities Act of 1990, United States Code, title 42, section 12101, as amended, may bring a civil action against the state in any court of competent jurisdiction for such legal or equitable relief as will effectuate the purposes of the act.

Presented to the governor May 18, 2001

Signed by the governor May 22, 2001, 10:25 a.m.

CHAPTER 160—S.F.No. 1434

An act relating to waters; modifying water appropriation permit provisions; establishing fees; requiring cooperation with a dam inventory; amending Minnesota Statutes 2000, sections 103G.271, subdivisions 1, 5, and 5a; and 103G.301, subdivision 2.

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

Section 1. Minnesota Statutes 2000, section 103G.271, subdivision 1, is amended to read:

Subdivision 1. **PERMIT REQUIRED.** (a) Except as provided in paragraph (b), the state, a person, partnership, or association, private or public corporation, county, municipality, or other political subdivision of the state may not appropriate or use waters of the state without a water use permit from the commissioner.

(b) This section does not apply to use for a water supply by less than 25 persons for domestic purposes.

(c) The commissioner may issue a state general permit for ~~temporary~~ appropriation of water to a governmental subdivision or to the general public for classes of

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