

Quarter; the chord bears North 52 degrees 07 minutes 36 seconds West 1088.82; thence South 89 degrees 35 minutes 46 seconds West along said north line 123.38 feet to the northeasterly right-of-way line of county state-aid highway No. 82; thence South 56 degrees 48 minutes 26 seconds East along said right-of-way line 168.76 feet; thence continuing along said right-of-way line on a tangential curve concave to the southwest, central angle 09 degrees 17 minutes 00 seconds, an arc distance of 914.57 feet; thence continuing along said right-of-way line tangent to said curve South 47 degrees 31 minutes 26 seconds East 577.91 feet; thence North 42 degrees 28 minutes 34 seconds East 110.00 feet; thence North 47 degrees 31 minutes 26 seconds West 516.37 feet to the point of beginning.

Containing 2.72 acres more or less.

(d) The land conveyed to the state in paragraph (c) shall become part of the state rail bank and shall be administered according to Minnesota Statutes, section 222.63.

Presented to the governor March 20, 2002

Signed by the governor March 22, 2002, 2:01 p.m.

CHAPTER 258—S.F.No. 2434

An act relating to Polk county; providing a process for making certain offices appointive in Polk county.

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

Section 1. **POLK COUNTY OFFICERS MAY BE APPOINTED.**

Subdivision 1. **AUTHORITY TO MAKE OFFICE APPOINTIVE.** Notwithstanding Minnesota Statutes, section 382.01, upon adoption of a resolution by the Polk county board of commissioners, the offices of county recorder and county auditor-treasurer are not elective but must be filled by appointment by the county board as provided in the resolution.

Subd. 2. **BOARD CONTROLS; MAY CHANGE AS LONG AS DUTIES DONE.** Upon adoption of a resolution by the Polk county board of commissioners and subject to subdivisions 3 and 4, the duties of an elected official required by statute whose office is made appointive as authorized by this section must be discharged by the board of commissioners of Polk county acting through a department head appointed by the board for that purpose. A reorganization, reallocation, or delegation or other administrative change or transfer does not diminish, prohibit, or avoid the discharge of duties required by statute.

Subd. 3. **INCUMBENTS TO COMPLETE TERM.** The person elected at the last general election to an office made appointive under this section must serve in that

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

capacity and perform the duties, functions, and responsibilities required by statute until the completion of the term of office to which the person was elected or until a vacancy occurs in the office, whichever occurs earlier.

Subd. 4. PUBLISHING RESOLUTION; PETITION, REFERENDUM. The county board may provide for the appointment of a county office as permitted in this section if the resolution to make the office appointive is approved by at least 80 percent of the members of the county board. Before the adoption of the resolution, the county board must publish a resolution notifying the public of its intent to consider the option once each week for two consecutive weeks in the official publication of the county. Following the publication, the county board shall provide an opportunity at its next regular meeting for public comment relating to the option, prior to formally adopting the option. The resolution may be implemented without the submission of the question to the voters of the county unless, within 30 days after the second publication of the resolution, a petition requesting a referendum, signed by at least ten percent of the registered voters of the county, is filed with the county auditor. If a petition is filed, the resolution may be implemented unless disapproved by a majority of the voters of the county voting on the question at a regular or special election.

Subd. 5. EFFECTIVE DATE; LOCAL APPROVAL. This section is effective the day after the governing body of Polk county and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Presented to the governor March 20, 2002

Signed by the governor March 22, 2002, 2:11 p.m.

CHAPTER 259—S.F.No. 2627

An act relating to health; requiring optometrists and ophthalmologists to give patients copies of their prescriptions for contact lenses; establishing other requirements for access to and the content of prescriptions for contact lenses; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Section 1. [145.711] DEFINITIONS.

Subdivision 1. APPLICATION. For purposes of sections 145.711 to 145.714, the following definitions apply.

Subd. 2. DISPENSING. “Dispensing” means the retail delivery of ophthalmic goods to a patient.

Subd. 3. FITTING. “Fitting” means the performance of mechanical procedures and measurements necessary to adapt and fit contact lenses after an eye examination

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