

CHAPTER 182—H.F.No. 2270

An act relating to official publications; changing provisions for publication of public notices in newspapers; requiring a report; amending Minnesota Statutes 2002, sections 279.09; 279.092; 331A.01, subdivisions 2, 3, 6, 9, 10; 331A.02, subdivisions 1, 3, 4, by adding a subdivision; 331A.03, subdivision 1, by adding a subdivision; 331A.04, as amended; 331A.05, subdivisions 3, 4, 5, 7, by adding a subdivision; 331A.06, subdivision 3, by adding a subdivision; 331A.07; 331A.08, by adding a subdivision; 331A.09; 331A.10, subdivision 1; 331A.11, subdivisions 1, 2; 375.12, subdivision 2; 375.17, subdivision 1; 412.191, subdivision 3; 471.698, subdivision 1; repealing Minnesota Statutes 2002, sections 331A.01, subdivision 5; 331A.02, subdivision 2.

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

Section 1. Minnesota Statutes 2002, section 279.09, is amended to read:

279.09 PUBLICATION OF NOTICE AND LIST.

The county auditor shall cause the notice and list of delinquent real property to be published once in each of two consecutive weeks in the newspaper designated, the first publication of which shall be made on or before March 20 immediately following the filing of such list with the court administrator of the district court, and the second not less than two weeks later. The auditor county shall deliver ~~such~~ the list to the publisher of the newspaper designated, at least ~~20~~ ten days before the date upon which the list shall is to be published for the first time. Not less than five days before the second publication, the county shall submit a revised list to the newspaper. A taxpayer who has paid delinquent taxes since the first publication must be removed by the county from the second publication.

Sec. 2. Minnesota Statutes 2002, section 279.092, is amended to read:

279.092 PUBLICATION AND RELATED COSTS.

The county auditor shall assess a service fee of the ~~greater of~~ (a) \$10.00, or (b) the amount determined by the county board as reasonably necessary to recover all costs incurred, against each parcel included in the delinquent tax list filed pursuant to section 279.05. The unpaid fees shall constitute a lien against the property in the manner provided in section 272.31 for unpaid taxes. When the fee is collected, the general revenue fund of the county shall be credited to defray costs incurred by the county auditor and the court administrator of district court to prepare and publish the delinquent tax list and to enter judgment if no answer is filed.

Sec. 3. Minnesota Statutes 2002, section 331A.01, subdivision 2, is amended to read:

Subd. 2. **KNOWN OFFICE OF ISSUE.** "Known office of issue" means the newspaper's principal office maintained by the publisher or managing officer during a newspaper's regular business hours to gather news and sell advertisements and subscriptions, whether or not printing or any other operations of the newspaper are conducted at or from the office, and devoted primarily to business related to the newspaper devoted primarily to business related to the newspaper, whether or not printing or any other operations of the newspaper are conducted at or from the office. A newspaper may have only one known office of issue.

Sec. 4. Minnesota Statutes 2002, section 331A.01, subdivision 3, is amended to read:

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Subd. 3. **LOCAL PUBLIC CORPORATION POLITICAL SUBDIVISION.** “Local public corporation” “Political subdivision” means a county, municipality, school district, or any other local political subdivision or local or area district, commission, board, or authority.

Sec. 5. Minnesota Statutes 2002, section 331A.01, subdivision 6, is amended to read:

Subd. 6. **PROCEEDINGS.** “Proceedings” means the substance of all official actions taken by the governing body of a ~~local public corporation~~ political subdivision at any regular or special meeting, and at minimum includes the subject matter of a motion, the persons making and seconding a motion, the roll call vote on a motion, the character of resolutions or ordinances offered, including a brief description of their subject matter, and whether defeated or adopted.

Sec. 6. Minnesota Statutes 2002, section 331A.01, subdivision 9, is amended to read:

Subd. 9. **SECONDARY OFFICE.** “Secondary office” means an office established by a newspaper in a community other than that in which its known office of issue is located, in the same or an adjoining county, ~~to enhance its coverage of and service to that community,~~ open on a regular basis to gather news and sell advertisements and subscriptions, whether or not printing or any other operations of the newspaper are conducted at or from the office, and ~~devoted primarily to business related to the newspaper.~~

Sec. 7. Minnesota Statutes 2002, section 331A.01, subdivision 10, is amended to read:

Subd. 10. **SUMMARY.** “Summary” means an accurate and intelligible abstract or synopsis of the essential elements of proceedings, ordinances, resolutions, financial statements, and other official actions. It shall be written in a clear and coherent manner, and shall, to the extent possible, avoid the use of technical or legal terms not generally familiar to the public. When a summary is published, the publication shall clearly indicate that the published material is only a summary and that the full text is available for public inspection at a designated location or by standard or electronic mail. A summary published in conformity with this section shall be deemed to fulfill all legal publication requirements as completely as if the entire matter which was summarized had been published. No liability shall be asserted against ~~the local public corporation~~ a political subdivision in connection with the publication of a summary or agenda.

Sec. 8. Minnesota Statutes 2002, section 331A.02, subdivision 1, is amended to read:

Subdivision 1. **QUALIFICATION.** No newspaper in this state shall be entitled to any compensation or fee for publishing any public notice unless it is qualified as a medium of official and legal publication ~~newspaper.~~ A newspaper that is not qualified must inform a public body that presents a public notice for publication that it is not qualified. To be qualified as a ~~medium of official and legal publication,~~ a newspaper shall:

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(a) be printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 1,000 square inches, or 800 square inches if the ~~local public corporation~~ political subdivision the newspaper purports to serve has a population of under 1,300 and the newspaper does not receive a public subsidy;

(b) if a daily, be distributed at least five days each week, or, if not a daily, the newspaper may be distributed at least once each week, twice a month for 50 weeks each year with respect to the publishing of government public notices. In any week in which a legal holiday is included, not more than four issues of a daily paper are necessary;

(c) in at least half of its issues each year, have no more than 75 percent of its printed space comprised of advertising material and paid public notices. In all of its issues each year, have 25 percent, if published more often than weekly, or 50 percent, if weekly, of its news columns devoted to news of local interest to the community which it purports to serve. Not more than 25 percent of its total nonadvertising column inches in any issue may wholly duplicate any other publication unless the duplicated material is from recognized general news services;

(d) be circulated in the ~~local public corporation~~ political subdivision which it purports to serve, and either have at least 500 copies regularly delivered to paying subscribers, or 250 copies delivered to paying subscribers if the ~~local public corporation~~ political subdivision it purports to serve has a population of under 1,300, or have at least 500 copies regularly distributed without charge to local residents, or 250 copies distributed without charge to local residents if the ~~local public corporation~~ political subdivision it purports to serve has a population of under 1,300;

(e) have its known office of issue established in either the county in which lies, in whole or in part, the ~~local public corporation~~ political subdivision which the newspaper purports to serve, or in an adjoining county;

(f) file a copy of each issue immediately with the State Historical Society;

(g) be made available at single or subscription prices to any person, ~~corporation,~~ partnership, or ~~other unincorporated association~~ entity requesting the newspaper and making the applicable payment, or be distributed without charge to local residents;

(h) have complied with all the foregoing conditions of this subdivision for at least one year immediately preceding the date of the notice publication;

(i) between September 1 and December 31 of each year publish a sworn United States Post Office periodicals-class statement of ownership and circulation or a statement of ownership and circulation verified by a recognized independent circulation auditing agency covering a period of at least one year ending no earlier than the June 30 preceding the publication deadline. When publication occurs after December 31 and before July 1, qualification shall be effective from the date of the filing described in paragraph (j) through December 31 of that year; and

(j) after publication, submit to the secretary of state by December 31 a filing containing the newspaper's name, address of its known office of issue, telephone

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number, and a statement that it has complied with all of the requirements of this section. The filing must be accompanied by a fee of \$25. The secretary of state shall make available for public inspection a list of newspapers that have filed. Acceptance of a filing does not constitute a guarantee by the state that any other qualification has been met.

Sec. 9. Minnesota Statutes 2002, section 331A.02, subdivision 3, is amended to read:

Subd. 3. **PUBLICATION; SUSPENSION; CHANGES.** The following circumstances shall not affect the qualification of a newspaper, invalidate an otherwise valid publication, or invalidate a designation as official newspaper for publication of county board proceedings.

(a) Suspension of publication for a period of not more than three consecutive months resulting from the destruction of its known office of issue, equipment, or other facility by the elements, unforeseen accident, or acts of God or by reason of a labor dispute.

(b) The consolidation of one newspaper with another published in the same county, or a change in its name or ownership, or a temporary change in its known office of issue.

(c) Change of the day of publication, the frequency of publication, or the change of the known office of issue from one place to another within the same county. Except as provided in this subdivision, suspension of publication, or a change of known office of issue from one county to another, or failure to maintain its known office of issue in the county, shall deprive a newspaper of its standing as a medium of official and legal publication qualified newspaper until the newspaper it again becomes qualified pursuant to subdivision 1.

Sec. 10. Minnesota Statutes 2002, section 331A.02, subdivision 4, is amended to read:

Subd. 4. **DECLARATORY JUDGMENT OF LEGALITY.** Any A person interested in the standing as a medium of official and legal publication of a newspaper, newspaper's qualification under this section may petition the district court in the county in which the newspaper has its known office of issue for a declaratory judgment to determine whether the newspaper is qualified as a medium of official and legal publication. Unless filed by the publisher, the petition and summons shall be served on the publisher as in other civil actions. Service in other cases shall be made by publication of the petition and summons once each week for three successive weeks in the newspaper or newspapers the court may order and upon the persons as the court may direct. Publications made in a newspaper after a judgment that it is qualified but before the judgment is vacated or set aside shall be valid. Except as provided in this subdivision, the Uniform Declaratory Judgments Act and the Rules of Civil Procedure shall apply to the action.

Sec. 11. Minnesota Statutes 2002, section 331A.02, is amended by adding a subdivision to read:

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Subd. 5. POSTING NOTICES ON WEB SITE. If, in the normal course of its business, a qualified newspaper maintains a Web site, then as a condition of accepting and publishing public notices, the newspaper must agree to post all the notices on its Web site at no additional cost. The notice must remain on the Web site during the notice's full publication period. Failure to post or maintain a public notice on the newspaper's Web site does not affect the validity of the public notice.

Sec. 12. Minnesota Statutes 2002, section 331A.03, subdivision 1, is amended to read:

Subdivision 1. **GENERALLY.** Except as provided in subdivision 2, a public notice shall be published in a qualified newspaper, and except as otherwise provided by law, in one that is likely to give notice in the affected area or to whom it is directed. When a statute or other law requires publication in a newspaper located in a designated ~~municipality~~ political subdivision or area and no qualified newspaper is located there, publication shall be made in a qualified newspaper likely to give notice unless the particular statute or law expressly provides otherwise. If no qualified newspaper exists, then publication is not required.

Sec. 13. Minnesota Statutes 2002, section 331A.03, is amended by adding a subdivision to read:

Subd. 3. ALTERNATIVE DISSEMINATION OF BIDS AND REQUESTS. (a) In addition to or as an alternative to the statutory requirements for newspaper publication, a political subdivision may disseminate solicitations of bids, requests for information, and requests for proposals by a means authorized in paragraph (b), if the political subdivision simultaneously publishes, either as part of the minutes of a regular meeting of the governing body or in a separate notice published in the official newspaper, a description of all solicitations or requests so disseminated, along with the means by which the dissemination occurred.

(b) A political subdivision may use its Web site or recognized industry trade journals as an alternative means of dissemination. A dissemination by alternative means must be in substantially the same format and for the same period of time as a publication required by this chapter.

(c) For the first six months after a political subdivision designates an alternative means of dissemination, it must continue to publish solicitation of bids, requests for information, and requests for proposals in the official newspaper in addition to the alternative method. The publication in the official newspaper must indicate where to find the designated alternative method. After the expiration of the six-month period, an alternative means of dissemination satisfies the publication requirements of law for solicitation of bids, requests for information, and requests for proposals.

Sec. 14. Minnesota Statutes 2002, section 331A.04, as amended by Laws 2003, chapter 59, section 1, is amended to read:

331A.04 DESIGNATION OF A NEWSPAPER FOR OFFICIAL PUBLICATIONS.

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Subdivision 1. **PRIORITY.** The governing body of any local public corporation a political subdivision, when authorized or required by statute or charter to designate a newspaper for publication of its official proceedings and public notices, shall designate a qualified newspaper which is a qualified medium of official and legal publication in the following priority.

Subd. 2. **KNOWN OFFICE IN LOCALITY.** If there are one or more qualified newspapers, the known office of issue of which are located within the local public corporation political subdivision, one of them shall be designated.

Subd. 3. **SECONDARY OFFICE IN LOCALITY.** When no qualified newspaper has a known office of issue located in the local public corporation political subdivision, but one or more qualified newspapers maintain a secondary office there, one of them shall be designated.

Subd. 4. **GENERAL CIRCULATION IN LOCALITY.** When no qualified newspaper has its known office of issue or a secondary office located within the local public corporation political subdivision, then a qualified newspaper of general circulation there shall be designated.

Subd. 5. **OTHER SITUATIONS.** If a local public corporation political subdivision is without an official newspaper, or if the publisher refuses to publish a particular public notice, matters required to be published shall be published in a newspaper designated as provided in subdivision 4. The governing body of a local public corporation political subdivision with territory in two or more counties may, if deemed in the public interest, designate a separate qualified newspaper for each county.

Subd. 6. **EXCEPTION TO DESIGNATION PRIORITY.** (a) Notwithstanding subdivisions 1 to 3, the governing body of a local public corporation political subdivision may designate any newspaper for publication of its official proceedings and public notices, if the following conditions are met:

(1) the newspaper is a qualified medium of official and legal publication;

(2) the publisher of the newspaper furnishes a sworn statement, verified by a recognized independent circulation auditing agency, covering a period of at least one year ending no earlier than 60 days before designation of the newspaper, stating that the newspaper's circulation reaches not fewer than 75 percent of the households within the public corporation political subdivision;

(3) the newspaper has provided regular coverage of the proceedings of the governing body of the local public corporation political subdivision and will continue to do so; and

(4) the governing body votes unanimously to designate the newspaper.

(b) If the circulation of a newspaper designated under this subdivision falls below 75 percent of the households within the public local corporation political subdivision at any time within the term of its designation as official newspaper, its qualification to publish public notices for the local public corporation political subdivision terminates.

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Subd. 7. **JOINT BIDDING.** A bid submitted jointly by two or more newspapers for the publication of public notices must not be considered anticompetitive or otherwise unlawful if the following conditions are met:

(1) all of the qualified newspapers in the political subdivision participate in the joint bid;

(2) the existence of the joint bid arrangement is disclosed to the governing body of the political subdivision before or at the time of submission of the joint bid; and

(3) the board is free to reject the joint bid and, if it does, individual qualified newspapers do not refuse to submit separate bids owing to the rejection of the joint bid.

Sec. 15. Minnesota Statutes 2002, section 331A.05, subdivision 3, is amended to read:

Subd. 3. **TYPE FACE.** Except as otherwise directed by a particular statute requiring publication of a public notice or by order of a court, a public notice shall be printed in a type face no smaller than six point with a lowercase alphabet of at least 90 point points. Larger type faces may be used.

Sec. 16. Minnesota Statutes 2002, section 331A.05, subdivision 4, is amended to read:

Subd. 4. **TITLE OR CAPTION.** Every public notice shall include a bold face title or caption in a body type no smaller than brevier or eight point referring to the content of the notice. Larger type faces may be used.

Sec. 17. Minnesota Statutes 2002, section 331A.05, subdivision 5, is amended to read:

Subd. 5. **LOCAL OPTIONS.** The governing body of a ~~local public corporation~~ political subdivision may, to better inform the public, increase the frequency of publication of a public notice beyond the minimum required by a particular statute. It may use forms and styles for the notice as it deems appropriate, including the use of display advertisements and graphics. ~~It may publish or disseminate the notice in other newspapers in addition to the newspaper required to be designated under section 331A.04. In addition to publication in the newspaper required to be designated under section 331A.04, it may publish or disseminate the notice in other newspapers and by means of standard and electronic mail.~~ Regardless of whether a particular statute specifies "legal notice," "public notice," "notice," or uses similar terms, the governing body may use whatever form for the published notice that it deems appropriate in order to adequately inform the public, subject to the requirements of sections 331A.01 to 331A.11. Nothing in the foregoing provisions of this subdivision shall require the governing body of a ~~local public corporation~~ political subdivision to use the options described.

Sec. 18. Minnesota Statutes 2002, section 331A.05, subdivision 7, is amended to read:

Subd. 7. **ERRORS IN PUBLICATION.** If through no fault of the ~~local public corporation~~ political subdivision, an error occurs in the publication of a public notice,

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the error shall have no effect on the validity of the event, action, or proceeding to which the public notice relates.

Sec. 19. Minnesota Statutes 2002, section 331A.05, is amended by adding a subdivision to read:

Subd. 8. NOTICE REGARDING PUBLISHED SUMMARIES. If a political subdivision elects to publish a summary of the political subdivision's financial statement or proceedings as authorized by other law, it must include with the published summary a notice stating that a copy of the full version of the financial statement or proceedings other than attachments to the minutes is available without cost at the offices of the political subdivision or by means of standard or electronic mail.

Sec. 20. Minnesota Statutes 2002, section 331A.06, subdivision 3, is amended to read:

Subd. 3. When the governing board of a local public corporation political subdivision awards a contract for the publication of public notices based on competitive bidding, the rate established by the competitive bidding shall be the rate charged for publication of the public notices.

Sec. 21. Minnesota Statutes 2002, section 331A.06, is amended by adding a subdivision to read:

Subd. 5. MULTIYEAR PUBLICATION CONTRACTS. Notwithstanding other law, a political subdivision may enter into multiyear contracts with a qualified newspaper for publication of the political subdivision's public notices. No multiyear contract may be for a term longer than three years.

Sec. 22. Minnesota Statutes 2002, section 331A.07, is amended to read:

331A.07 AFFIDAVIT OF PUBLICATION.

No compensation shall be recoverable for publishing legal or official matter in any newspaper not qualified, until there is filed with the county auditor the affidavit of a person having knowledge of the facts, showing the name and location of the newspaper and the existence of conditions constituting its qualifications as a qualified newspaper as set forth in section 331A.02. If the matter published relates to proceedings in another county, a like affidavit must be filed with its auditor. The affidavit, if it states the required facts, shall be prima facie evidence of them and of the qualification. No compensation shall be recoverable for publishing legal or official matter a public notice in any newspaper unless the bill is accompanied by an affidavit of the publisher of the newspaper or the publisher's designated agent, having knowledge of the facts, setting forth the fact stating that the newspaper has complied with all the requirements to constitute a legal qualified newspaper. The affidavit must set forth the dates of the month and year and the day of the week upon which the legal or official matter public notice was published in the newspaper. The affidavit must also include the publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to section 331A.06, the maximum charge allowable by

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law for the publication of the specific legal or official matter in question, and the rate actually charged for that publication.

Sec. 23. Minnesota Statutes 2002, section 331A.08, is amended by adding a subdivision to read:

Subd. 3. PUBLICATION OF PROCEEDINGS. Notwithstanding other statutory publication requirements, if the governing body of a political subdivision conducts regular meetings not more than once every 30 days, the governing body need not publish the meeting minutes in the official newspaper until ten days after the proceedings have been approved by the governing body.

Sec. 24. Minnesota Statutes 2002, section 331A.09, is amended to read:

331A.09 PUBLICATION ON SUNDAY OR HOLIDAY.

Any public notice may lawfully be printed in a newspaper published on a Sunday, and the publication is a lawful publication and a full compliance with the order of the court or officer ordering the publication or holiday. Any notice that, by law or the order of any court, is required to be published for any given number of weeks may be published on any day in each week or of the term, and if published as many weeks and as many times in each week as required by the law or order, it is a lawful publication.

Sec. 25. Minnesota Statutes 2002, section 331A.10, subdivision 1, is amended to read:

Subdivision 1. **CHANGE OF NAME.** When a legal public notice is required or ordered to be published in a particular newspaper and the name of the newspaper is changed before the publication is completed, the publication shall be made or continued in the newspaper under its new name with the same effect as if the name had not been changed. The proof of the publication, in addition to other requirements, shall state the change of name and specify the period of publication in the newspaper under each name.

Sec. 26. Minnesota Statutes 2002, section 331A.11, subdivision 1, is amended to read:

Subdivision 1. ~~APPLY APPLICATION.~~ Sections 331A.01 to 331A.11 apply to all municipalities and local public corporations political subdivisions of the state.

Sec. 27. Minnesota Statutes 2002, section 331A.11, subdivision 2, is amended to read:

Subd. 2. ~~DO NOT APPLY NOTICES EXCLUDED.~~ Sections 331A.01 to 331A.11 do not apply to notices required by private agreements or local laws to be published in newspapers, unless they refer expressly or by implication to sections 331A.01 to 331A.11, this chapter or to particular provisions of sections 331A.01 to 331A.11 this chapter.

Sec. 28. Minnesota Statutes 2002, section 375.12, subdivision 2, is amended to read:

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Subd. 2. **SMALL CLAIMS TOTALED.** Individualized itemized accounts, claims or demands allowed by the county board pursuant to section 471.38, subdivision 1, need not be published pursuant to subdivision 1, if the amount allowed from each claim is ~~\$100~~ \$300 or less. The official proceedings following the itemization of accounts ~~required~~ shall contain a statement showing the total number of claims that did not exceed ~~\$100~~ \$300 and their total dollar amount.

Sec. 29. Minnesota Statutes 2002, section 375.17, subdivision 1, is amended to read:

Subdivision 1. **STATEMENT CONTENTS; SUMMARIES.** Annually, not later than the first Tuesday after the first Monday in March, the county board shall make a full and accurate statement of the receipts and expenditures of the preceding year, which shall contain a statement of the assets and liabilities, a summary of receipts, disbursements, and balances of all county funds together with a detailed statement of each fund account, under the form and style prescribed by and on file with the state auditor. The prescribed form and any changes or modifications of it shall so far as practical be uniform for all counties and be approved by the attorney general and the state printer. Annually the board shall publish the statement or a summary of the statement in a form as prescribed by the state auditor, for one issue in a duly qualified legal newspaper in the county.

Sec. 30. Minnesota Statutes 2002, section 412.191, subdivision 3, is amended to read:

Subd. 3. **PUBLICATION OF PROCEEDINGS.** The council, after every regular or special meeting, shall publish the official council proceedings, or a summary conforming to section 331A.01, subdivision 10; ~~or a condensed version of the official minutes which shall include action on motions, resolutions, ordinances, and other official proceedings.~~ As an alternative to publication, the city may mail, at city expense, a copy of the proceedings to any resident upon request. The publication shall occur within 30 days of the meeting to which the proceedings relate. Cities with a population of less than 1,000 according to the latest federal census are not required to comply with this section, but may do so at their discretion.

Sec. 31. Minnesota Statutes 2002, section 471.698, subdivision 1, is amended to read:

Subdivision 1. **ALL OPERATIONS EXCEPT SOME HOSPITALS, NURSING HOMES.** In any city with a population of less than 2,500 according to the latest federal census, the city clerk or chief financial officer shall:

(a) Prepare a detailed statement of the financial affairs of the city including operations of municipal hospitals and nursing homes, liquor stores, and public utility commissions in the style and form prescribed by the state auditor, for the preceding fiscal year showing all money received, with the sources, and respective amounts thereof; all disbursements for which orders have been drawn upon the treasurer; the amount of outstanding and unpaid orders; all accounts payable; all indebtedness; contingent liabilities; all accounts receivable; the amount of money remaining in the

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treasury; and all items necessary to show accurately the revenues and expenditures and financial position of the city;

(b) File the statement in the clerk's or financial officer's office for the public inspection and present it to the city council within 45 days after the close of the fiscal year;

(c) (1) Publish the statement, or a summary of the statement in a form as prescribed by the state auditor, within 90 days after the close of the fiscal year in a qualified newspaper of general circulation in the city; or

(2) If there is no qualified newspaper of general circulation in the city, the clerk shall, at the direction of the city council, post copies in three of the most public places in the city; or

(3) If city council proceedings are published monthly or quarterly, showing to whom and for what purpose orders are drawn upon the treasurer, the annual statement to be published as required by this section may be summarized in such form as the state auditor may prescribe. It is not necessary to publish individual disbursements of less than \$100 ~~\$300~~, if disbursements aggregating \$1,000 or more to any person, firm, or other entity are set forth in a schedule of major disbursements showing amounts paid out, to whom, and for what purpose, and are made a part of and published with the financial statement; and

(d) Submit within 90 days after the close of the fiscal year a copy of the statement to the state auditor in such summary form as the state auditor may prescribe.

A municipal hospital or nursing home established before June 6, 1979 whose fiscal year is not a calendar year on August 1, 1980 is not subject to this subdivision but shall submit to the state auditor a detailed statement of its financial affairs audited by a certified public accountant, a public accountant or the state auditor no later than 120 days after the close of its fiscal year. It may also submit a summary financial report for the calendar year.

Sec. 32. REPORT ON PUBLIC NOTICE STATUTES.

The revisor of statutes shall compile a list of all statutes that require publication of public notices and submit the report to the chairs of the government operations committees of the house and senate by January 1, 2006.

Sec. 33. REPEALER.

Minnesota Statutes 2002, sections 331A.01, subdivision 5; and 331A.02, subdivision 2, are repealed.

Presented to the governor May 7, 2004

Signed by the governor May 10, 2004, 9:00 p.m.

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