

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

Section 1. Minnesota Statutes 2004, section 268.085, subdivision 8, is amended to read:

Subd. 8. **SERVICES FOR SCHOOL CONTRACTORS.** (a) Wage credits from an employer are subject to subdivision 7, if:

(1) the employment was provided pursuant to a contract between the employer and an elementary or secondary school; and

(2) the contract was for services that the elementary or secondary school could have had performed by its employees.

(b) Wage credits from an employer are not subject to subdivision 7 if:

(1) those wage credits were earned by an employee of a private employer performing work pursuant to a contract between the employer and an elementary or secondary school; and

(2) the employment was related to food services provided to the school by the employer.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective retroactively from December 31, 2004.

Presented to the governor May 24, 2005

Signed by the governor May 26, 2005, 8:55 p.m.

CHAPTER 116—S.F.No. 1479

An act relating to spousal maintenance; authorizing the Department of Human Services to collect spousal maintenance; amending Minnesota Statutes 2004, sections 518.54, subdivisions 4a, 14, by adding a subdivision; 518.551, subdivision 1.

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

Section 1. Minnesota Statutes 2004, section 518.54, subdivision 4a, is amended to read:

Subd. 4a. **SUPPORT ORDER.** (a) "Support order" means a judgment, decree, or order, whether temporary, final, or subject to modification, issued by a court or administrative agency of competent jurisdiction;:

(1) for the support and maintenance of a child, including a child who has attained the age of majority under the law of the issuing state; or;

(2) for a child and the parent with whom the child is living, that provides for monetary support, child care, medical support including expenses for confinement and pregnancy, arrearages, or reimbursement; and that; or

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(3) for the maintenance of a spouse.

(b) The support order may include related costs and fees, interest and penalties, income withholding, and other relief. This definition applies to orders issued under this chapter and chapters 256, 257, and 518C.

Sec. 2. Minnesota Statutes 2004, section 518.54, subdivision 14, is amended to read:

Subd. 14. **IV-D CASE.** "IV-D case" means a case where a party has assigned to the state rights to child support because of the receipt of public assistance as defined in section 256.741 or has applied for child support services under title IV-D of the Social Security Act, United States Code, title 42, section 654(4). An obligation for spousal maintenance under section 518.54, subdivision 4a, paragraph (a), clause (3), is not an IV-D case.

Sec. 3. Minnesota Statutes 2004, section 518.54, is amended by adding a subdivision to read:

Subd. 18a. **INCOME WITHHOLDING ONLY SERVICES.** "Income withholding only services" means the services provided by the public authority to collect payments pursuant to a support order but does not include other enforcement services provided by the public authority for IV-D cases. Notices required for income withholding under this section shall be initiated by the applicant for services. An obligation for spousal maintenance under section 518.54, subdivision 4a, paragraph (a), clause (3), is only eligible for income withholding only services.

Sec. 4. Minnesota Statutes 2004, section 518.551, subdivision 1, is amended to read:

Subdivision 1. **SCOPE; PAYMENT TO PUBLIC AGENCY.** (a) This section applies to all proceedings involving a support order, including, but not limited to, a support order establishing an order for past support or reimbursement of public assistance.

(b) The court shall direct that all payments ordered for maintenance and or support be made to the public agency responsible for child support enforcement so long as the obligee is receiving or has applied for public assistance, or has applied for child support and or maintenance collection services. Public authorities responsible for child support enforcement may act on behalf of other public authorities responsible for child support enforcement. This includes the authority to represent the legal interests of or execute documents on behalf of the other public authority in connection with the establishment, enforcement, and collection of child support, maintenance, or medical support, and collection on judgments.

(c) Payments made to the public authority other than payments under section 518.6111 must be credited as of the date the payment is received by the central collections unit.

(d) Amounts received by the public agency responsible for child support enforcement greater than the amount granted to the obligee shall be remitted to the obligee.

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Sec. 5. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

Presented to the governor May 24, 2005

Signed by the governor May 26, 2005, 9:40 p.m.

CHAPTER 117—H.F.No. 436

An act relating to natural resources; requiring commissioner's evaluation before vacating certain roads adjacent to public waters; creating right of intervention; providing an exemption for participants in National Veterans Wheelchair Games; amending Minnesota Statutes 2004, sections 164.07, subdivision 2; 412.851; 505.14.

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

Section 1. Minnesota Statutes 2004, section 164.07, subdivision 2, is amended to read:

Subd. 2. **HEARING; NOTICE.** (a) The petition shall be filed with the town clerk, who shall forthwith present it to the town board. The town board within 30 days thereafter shall make an order describing as nearly as practicable the road proposed to be established, altered, or vacated and the several tracts of land through which it passes, and fixing a time and place when and where it will meet and act upon the petition. The order must also contain a notice to affected landowners that a landowner is entitled to judicial review of damages, need, and purpose under subdivision 7 following a determination to establish or alter a road. The petitioners shall cause personal service of such the order and a copy of the petition to be made upon each occupant of such the land at least ten days before such the meeting and cause ten days' posted notice thereof to be given.

(b) In addition, the petitioners shall serve notice of the order by certified mail upon the commissioner of natural resources at least 30 60 days before such the meeting required under paragraph (a), if the road to be vacated terminates at or, abuts upon, or is adjacent to any public water. The notice under this paragraph is for notification purposes only and does not create a right of intervention by the commissioner of natural resources. At least 15 days prior to convening the meeting required under paragraph (a), the town board or its designee must consult with the commissioner of natural resources to review the proposed vacation. The commissioner must evaluate:

(1) the proposed vacation and the public benefits to do so;

(2) the present and potential use of the land for access to public waters; and

(3) how the vacation would impact conservation of natural resources.

The commissioner must advise the town board or its designee accordingly upon the evaluation.

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