

deceased veterans and to the spouse of a disabled veteran, who because of the disability is unable to qualify.

The fact that an applicant has claimed a veterans preference shall not be made known to the examiners. The preference credit shall be added to the examination rating, and the records shall show the examination rating and the preference credit.

A disabled veteran is one who has a compensable service connected disability as adjudicated by the United States Veterans Administration, or by the retirement boards of the several branches of the armed forces, and which disability is existing at the time preference is claimed. The commissioner may require candidates claiming preference as disabled veterans to submit documentary evidence in support of their claim and may anticipate certification by the veterans administration where necessary to avoid delays in establishing an eligible list. For purposes of the preference to be used by a disabled veteran in securing a promotional position, the term "disabled veteran" means a person who, at the time of election to use his promotional preference, is entitled to disability compensation under laws administered by the veterans administration for a permanent service connected disability rated at 50 percent or more.

In the event of the rejection by the appointing officer of the person so preferred when certified to fill a vacancy or a new position, the appointing officer shall forthwith file in writing with the commissioner the reasons for such rejection and shall furnish to the rejected veteran a copy thereof.

Sec. 2. Minnesota Statutes 1976, Section 197.447, is amended to read:

197.447 **VETERAN, DEFINED.** The word "veteran" as used in sections 196.02, 196.07, 197.59, 197.601, 282.031, and 282.032 means any person ~~honorably discharged from who has been separated under honorable conditions from any branch of the armed~~ forces of the United States who served in the Civil War, Spanish American War, Philippine Insurrection, China Relief Expedition, World War I between April 6, 1917 and November 11, 1918; both dates inclusive; on or after December 7, 1941 until final cessation of all hostilities as determined by the proper state authorities in order to give recognition for service performed in the following hostile actions: World War II; Korean conflict; Lebanon crisis; Berlin crisis; Quemoy and Matsu; Taiwan Straits; Cuban crisis; the Congo; Laos; the Dominican Republic and Vietnam; and to include service therein but not to exclude persons who did not have service in those areas. The word "veteran" does not include a person enlisted and accepted for active training only for a period of six months or less after having served on active duty for 181 consecutive days or by reason of disability incurred while serving on active duty, and who is a citizen of the United States.

Approved May 4, 1977.

CHAPTER 41—H.F.No.380

An act relating to bicycles; registration; administration of the bicycle registration law;

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including unicycles within the definition of bicycle; clarifying provisions relating to bicycle registration; providing for the disposition of certain service fees charged in handling registrations; requiring a report of the commissioner of public safety to the legislature on recommendations for mandatory registration of bicycles; amending Minnesota Statutes 1976, Sections 168C.02, Subdivision 2; 168C.03; 168C.07; 168C.11, Subdivisions 1 and 2; 168C.12; and 168C.13, Subdivision 1.

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

Section 1. Minnesota Statutes 1976, Section 168C.02, Subdivision 2, is amended to read:

Subd. 2. **BICYCLES; REGISTRATION LAW.** "Bicycle" means every device propelled by human power upon which a person may ride, having two tandem wheels either of which is over 14 inches in diameter, ~~and~~ including or any device generally recognized as a bicycle though equipped with two front or rear wheels, or a unicycle.

Sec. 2. Minnesota Statutes 1976, Section 168C.03, is amended to read:

168C.03 APPLICATIONS. On or after March 1, 1977 any owner of a bicycle may apply for registration of the bicycle to the commissioner, to any deputy registrar of motor vehicles acting pursuant to section 168.33 or to any deputy registrar of bicycles appointed by the commissioner pursuant to section 168C.11. Applications shall contain the name and address of the owner, the signature of the owner, the name and address of the person from whom purchased, the date of purchase, the date of registration, the make, serial number, ~~model number~~, and any additional information as the commissioner may require. Applications shall be on a three part form provided by the commissioner. The original shall be retained by or immediately forwarded to the commissioner, the second copy shall be retained by the purchaser and the third copy shall be retained for one year by the deputy registrar, if any, who received the application. The commissioner shall designate a number to be stamped or otherwise permanently affixed on the frames of bicycles on which no serial number can be found, or on which the number is illegible or insufficient for identification purposes.

Sec. 3. Minnesota Statutes 1976, Section 168C.07, is amended to read:

168C.07 LICENSE PLATES. The commissioner shall provide to the registrant a suitable registration card having the registration number stamped thereon and indicating the date of registration, the make; ~~and~~ serial number; ~~and model number~~ of the bicycle, the owner's name and address, and any additional information as the commissioner may require. Information concerning each registration shall be retained by the commissioner. The commissioner shall issue a license plate which shall be securely attached to the bicycle covered by the registration. Upon a satisfactory showing that the license plate or registration card has been lost or destroyed the commissioner shall issue a replacement license plate or registration card upon payment of a fee of \$1. All fees so collected shall be deposited to the general fund.

Sec. 4. Minnesota Statutes 1976, Section 168C.11, Subdivision 1, is amended to

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read:

168C.11 DEPUTY REGISTRARS OF BICYCLES. Subdivision 1. **APPOINTMENT.** Subject to the provisions of subdivision 2, the commissioner shall appoint as deputy registrars of bicycles any bicycle dealer, or agent or employee thereof, or any agent or employee designated by a municipality that sells bicycles at public auction who applies for appointment in a manner prescribed by the commissioner; provided that concurrently there may be no more than one such deputy for each separate place of business of a bicycle dealer. Deputy registrars of bicycles shall act as agents of the commissioner and may accept registrations as provided in Laws 1976, Chapter 199, except that no deputy registrar of bicycles shall be required to register bicycles sold by other bicycle dealers. The commissioner, deputy registrars of motor vehicles, and deputy registrars of bicycles may charge and retain an additional 50 cents per registration granted for their services. In the case of a deputy registrar of motor vehicles, the 50 cents shall be deposited in the treasury of the place for which he is appointed, or if the deputy is not a public official he shall retain the filing fee. All other registration fees collected by such deputies the commissioner, deputy registrars of motor vehicles and deputy registrars of bicycles shall be processed, accounted for and transmitted to the state treasurer as required by the commissioner.

Sec. 5. Minnesota Statutes 1976, Section 168C.11, Subdivision 2, is amended to read:

Subd. 2. DENIAL, SUSPENSION OR REVOCATION OF APPOINTMENTS. The commissioner, without prior notice or hearing, may issue an order denying, suspending or revoking any appointment made or applied for pursuant to this section if he finds that the applicant or deputy registrar of bicycles has violated or failed to comply with any provision of Laws 1976, Chapter 199 or any rule or regulation adopted hereunder. Upon the entry of such an order the commissioner shall promptly serve a copy thereof on the subject applicant or deputy registrar of bicycles. The order shall state the reasons for its issuance and, in the case of a suspension or revocation of appointment, shall specify that upon the written request of the applicant or deputy registrar of bicycles the matter will be set for hearing within 15 days after the receipt of the request, provided that with the consent of the applicant or deputy registrar of bicycles a hearing may be held subsequent to the expiration of the period specified herein. If no hearing is requested, the order will remain in effect until it is modified or vacated by the commissioner. If a hearing is requested, the commissioner, after notice and hearing in accordance with the provisions of chapter 15, shall affirm, modify or vacate the order.

Sec. 6. Minnesota Statutes 1976, Section 168C.12, is amended to read:

168C.12 ADMINISTRATION. The commissioner shall adopt rules and regulations for the implementation and administration of Laws 1976, Chapter 199 no later than January March 1, 1977. The commissioner shall begin to accept registrations and implement Laws 1976, Chapter 199 on January March 1, 1977. Nothing herein shall be construed to prevent the commissioner from contracting any service provided under Laws 1976, Chapter 199 to any private person or entity or other unit of government.

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Sec. 7. Minnesota Statutes 1976, Section 168C.13, Subdivision 1, is amended to read:

168C.13 **REGISTRATION BY POLITICAL SUBDIVISIONS.** Subdivision 1. After ~~March 1~~ February 28, 1977, no political subdivision may license or register bicycles except as a deputy registrar pursuant to section 168C.11, subdivision 1. However, any political subdivision which had such power prior to March 1, 1977, may thereafter require that any or all bicycles used or ridden upon any highway, street, alley, sidewalk or other public property within the boundaries thereof shall be registered. Applications for new registrations required pursuant to this subdivision shall be made to the commissioner in the same manner and subject to the same regulations, fees and penalties as those made voluntarily pursuant to section 168C.03.

Sec. 8. Before January 15, 1978, the commissioner of public safety shall study and report to the legislature its recommendations for the mandatory registration of all bicycles operated in the state.

Sec. 9. **EFFECTIVE DATE.** This act is effective the day following final enactment.

Approved May 4, 1977.

CHAPTER 42—H.F.No.489

An act relating to legal newspapers; simplifying procedures for receiving reimbursement for publication of proposed constitutional amendments; amending Minnesota Statutes 1976, Section 3.22.

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

Section 1. Minnesota Statutes 1976, Section 3.22, is amended to read:

3.22 CONSTITUTIONAL AMENDMENTS; PUBLICATION OF PROPOSALS; FEES. The publisher of any newspaper publishing the proposed amendments shall, before receiving his fees for the publication and prior to the first day of January following an election year, file with the secretary of state an affidavit showing the qualification and legality of the newspaper and stating that the publication of such amendments has have been made published as required by law.

Approved May 4, 1977.

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