
CHAPTER 239—H.F.No.2441
[Coded in Part]

An act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted and obsolete references and text; reenacting certain laws inadvertently repealed; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1974, Chapter 359, by adding a section; Sections 9.031, Subdivision 3; 15.50, Subdivision 2; 16.02, Subdivision 14; 16.13; 16.872, Subdivision 2; 16A.125, Subdivision 6; 30.464, Subdivision 1; 30.467; 30.469; 38.02, Subdivision 2; 43.07, Subdivision 1; 72A.25, Subdivision 3; 86.41; 110.53; 116F.08; 121.85; 121.86; 121.88; 123.32, Subdivision 7; 144.01; 144.63, Subdivision 2; 144.952, Subdivision 1; 151.02; 155.04; 156.11; 176.471, Subdivision 3; 216.25; 239.46; 246.02, Subdivision 4; 248.07, Subdivision 4; 253A.02, Subdivision 18; 256.863; 256.935, Subdivision 1; 256D.21; 268.10, Subdivision 8; 270.10, Subdivision 1; 271.10, Subdivision 2; 275.127; 291.33, Subdivision 1; 298.281, Subdivision 5; 306.38, Subdivision 2; 309.52, Subdivision 1a; 319A.11, Subdivision 2; 341.05, Subdivision 2; 341.06; 341.07; 341.08; 341.09, Subdivisions 2 and 3; 341.12; 341.13; 341.15; 345.38, Subdivision 1; 355.80; 363.10; 366.10; 368.01, Subdivision 25; 375A.09, Subdivision 4; 412.251; 414.07, Subdivision 2; 414.08; 430.031, Subdivision 4; 472.03, Subdivision 2; 481.15, Subdivision 2; 487.03, Subdivision 2; 490.12, Subdivision 5; 490.16, Subdivision 6; 532.38; 546.09; 546.10; 562.04; 617.41; Minnesota Statutes, 1975 Supplement, Sections 15.162, Subdivision 1; 15.163, Subdivision 2; 15.166, Subdivisions 1 and 2; 15.167; 43.12, Subdivision 23; 43.43, Subdivision 2; 82.18; 116A.01, Subdivision 1a; 116A.20, Subdivision 1; 116A.24, Subdivision 1; 121.87, Subdivision 1; 123.36, Subdivision 10; 124.03, Subdivision 1; 124.212, Subdivision 8a; 127.25, Subdivision 3; 136A.233, Subdivision 1; 144.53; 147.01; 148.03; 148.181, Subdivision 1; 148.52; 148.67; 150A.02, Subdivision 1; 153.02; 154.22; 156.01, Subdivision 1; 210A.09; 273.138, Subdivision 3; 298.281, Subdivision 1; 325.942, Subdivision 1; 326.04; 326.17; 326.241, Subdivision 1; 326.541; 341.01; 341.04; 341.05, Subdivision 1; 341.10; 341.11; 354A.12; 386.63, Subdivision 1; 473.204, Subdivision 2; 473.823, Subdivision 4; 488A.01, Subdivision 5; 500.24, Subdivision 2; 501.81, Subdivision 3; Laws 1975, Chapter 271, Section 3; reenacting Laws 1969, Chapters 1123, as amended; 1126, Section 2, as amended; and 1137, as amended; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivision 1a; 123.31, as amended; 239.45; and 366.182; Laws 1975, Chapters 46, Section 11; 162, Section 28; and 342, Section 1; Laws 1976, Chapter 2, Section 152.

REVISOR'S BILL

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

Section 1. REVISOR'S BILL. Minnesota Statutes 1974, Section 9.031, Subdivision 3, is amended in line 25 by deleting "," and inserting in lieu thereof " . ".

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 15.162, Subdivision 1, is amended in line 1 by deleting "15.168" and inserting in lieu "15.1671".

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Sec. 3. Minnesota Statutes, 1975 Supplement, Section 15.163, Subdivision 2, is amended in line 5 by deleting "15.168" and inserting in lieu "15.1671".

Sec. 4. Minnesota Statutes, 1975 Supplement, Section 15.166, Subdivision 1, is amended in lines 3 and 10 by deleting "15.168" and inserting in lieu "15.1671".

Sec. 5. Minnesota Statutes, 1975 Supplement, Section 15.166, Subdivision 2, is amended in lines 2 and 5 by deleting "15.168" and inserting in lieu "15.1671".

Sec. 6. Minnesota Statutes, 1975 Supplement, Section 15.167, is amended in lines 2 and 3 by deleting "15.168" and inserting in lieu "15.1671".

Sec. 7. Minnesota Statutes 1974, Section 15A.081, Subdivision 1a, is repealed.

Sec. 8. Minnesota Statutes 1974, Section 16.02, Subdivision 14, is amended in lines 4 and 5 by deleting "or to property under the jurisdiction of the conservator of rural credit,".

Sec. 9. Minnesota Statutes 1974, Section 16.13, is amended in lines 2 and 3 by deleting "executive head of the department of personnel, if there be such a department" and inserting in lieu thereof "commissioner of personnel".

Sec. 10. Minnesota Statutes 1974, Section 16A.125, Subdivision 6, is amended in line 22 by deleting "(1)".

Sec. 11. Minnesota Statutes 1974, Section 30.464, Subdivision 1, is amended in line 2 after "30.477" and before "the" by inserting "and 30.479".

Sec. 12. Minnesota Statutes 1974, Section 30.467, is amended in line 3 after "30.477" and before the period by inserting "and 30.479".

Sec. 13. Minnesota Statutes 1974, Section 30.469, Clause (c), is amended in line 2 after "30.477" and before "by" by inserting "and 30.479".

Sec. 14. Minnesota Statutes 1974, Section 38.02, Subdivision 2, is amended in lines 1 and 2 by deleting "public examiner" and inserting in lieu thereof "state auditor".

Sec. 15. Minnesota Statutes 1974, Section 43.07, Subdivision 1, is amended in line 6 by deleting "sections 597.01 to 597.18 and 600.09" and inserting in lieu thereof "section 600.09, and the rules of civil procedure".

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Sec. 16. Minnesota Statutes, 1975 Supplement, Section 43.12, Subdivision 23, is amended in line 11 by deleting "clause (2)" and inserting in lieu thereof "subdivision 22".

Sec. 17. Minnesota Statutes, 1975 Supplement, Section 43.43, Subdivision 2, Clause 11, is amended in lines 3 and 4 by deleting "college" and inserting in lieu thereof "university".

Sec. 18. Minnesota Statutes 1974, Section 72A.25, Subdivision 3, is amended in line 7 by deleting "Minnesota Statutes, Section 546.36" and inserting in lieu thereof "Rule 53 of the rules of civil procedure".

Sec. 19. Minnesota Statutes, 1975 Supplement, Section 82.18, Clause (j), is amended in line 2 by deleting "80" and inserting in lieu thereof "80A".

Sec. 20. Minnesota Statutes 1974, Section 86.41, is amended in line 9 by deleting "counsel" and inserting in lieu thereof "commission".

Sec. 21. Minnesota Statutes 1974, Section 110.53, is amended in line 9 by deleting "110.49 (d)" and inserting in lieu thereof "110.49 (e)".

Sec. 22. Minnesota Statutes, 1975 Supplement, Section 116A.01, Subdivision 1a, is amended in line 4 by deleting "3" and inserting in lieu thereof "4".

Sec. 23. Minnesota Statutes, 1975 Supplement, Section 116A.20, Subdivision 1, is amended in line 3, by deleting "3" and inserting in lieu thereof "4".

Sec. 24. Minnesota Statutes, 1975 Supplement, Section 116A.24, Subdivision 1, is amended in line 9 by deleting "3" and inserting in lieu thereof "4" and in line 20 by deleting "3" and inserting in lieu thereof "4".

Sec. 25. Minnesota Statutes 1974, Section 116F.08, is amended in line 3 by deleting "116F.07" and inserting in lieu thereof "116F.06" and in line 6 by deleting "116F.07" and inserting in lieu thereof "116F.06".

Sec. 26. Minnesota Statutes 1974, Section 121.85, is amended in line 1 by deleting "121.89" and inserting in lieu thereof "121.88".

Sec. 27. Minnesota Statutes 1974, Section 121.86, is amended in line 3 by deleting "121.89" and inserting in lieu thereof "121.88" and in line 9 by deleting "121.89" and inserting in lieu thereof "121.88".

Sec. 28. Minnesota Statutes, 1975 Supplement, Section 121.87, Subdivision 1, is amended in line 3 by deleting "121.89" and inserting

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in lieu thereof "121.88".

Sec. 29. Minnesota Statutes 1974, Section 121.88, is amended in line 12 by deleting "121.89" and inserting in lieu thereof "121.88".

Sec. 30. Minnesota Statutes 1974, Section 123.31, as amended by Laws 1975, Chapter 5, Section 127, is repealed.

Sec. 31. Minnesota Statutes 1974, Section 123.32, Subdivision 7, is amended in line 6 by deleting "203.21" and inserting in lieu thereof "204A.17".

Sec. 32. Minnesota Statutes, 1975 Supplement, Section 123.36, Subdivision 10, is amended in line 7 by deleting "subdivision 3, clause (1)" and inserting in lieu thereof "subdivision 4".

Sec. 33. Minnesota Statutes, 1975 Supplement, Section 124.03, Subdivision 1, is amended to read:

124.03 AGRICULTURAL LAND TAX DIFFERENTIAL RATIO.
Subdivision 1. The rate of taxation for school maintenance purposes in districts maintaining a graded elementary or secondary school ~~and for the unorganized territory of counties~~ is limited as follows:

~~(a) In counties containing 20 or more common districts the rate on agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes; but not devoted to commercial purposes; shall not exceed by more than ten percent the average rate for school maintenance purposes on agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes; but not devoted to commercial purposes; in districts not maintaining graded elementary or secondary schools in the same county.~~

~~(b)-(1) In counties containing less than 20 common districts the rate on agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes; but not devoted to commercial purposes; shall not exceed one-half the rate for school maintenance purposes on non-agricultural lands in the same district or unorganized territory.~~

~~(e) in independent districts organized under the reorganization or consolidation statutes or containing at least 18 sections of land the rate on property receiving the homestead credit provided in section 273-13, subdivision 6; shall not exceed 40 percent of the rate for school maintenance on other taxable property in the same district and the rate on other agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, and upon personal property having a taxable situs on farms shall not exceed one-half the rate for school maintenance on other taxable property in the same district.~~

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(d) In independent districts organized under the consolidation or reorganization statutes or which contain at least 18 sections of land, and which district contains a statutory city located entirely within the boundaries of the district, and if the assessed valuation of the statutory city does not exceed ten percent of the total assessed valuation of the property within the district, the rate on agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, in the district shall not exceed the average rate for school maintenance on agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, in common districts of the county in which the district is located by more than 100 percent. (2) In independent districts organized under the reorganization or consolidation statutes or containing at least 18 sections of land the rate on property receiving the homestead credit provided in section 273.13, subdivision 6, shall not exceed 40 percent of the rate for school maintenance on other taxable property in the same district.

Sec. 34. Laws 1975, Chapter 162, Section 28, is repealed.

Sec. 35. Minnesota Statutes, 1975 Supplement, Section 124.212, Subdivision 8a, is amended in line 12 after "other" and before "distributing" by inserting "law".

Sec. 36. Minnesota Statutes, 1975 Supplement, Section 127.25, Subdivision 3, is amended in line 2 by deleting "provisions of chapter 605" and inserting in lieu thereof "rules of civil appellate procedure".

Sec. 37. Minnesota Statutes 1974, Section 176.471, Subdivision 3, is amended in line 5 by deleting "section 605.03" and inserting in lieu thereof "Rule 103.01 of the rules of civil appellate procedure" and in line 6 by deleting "section 605.045" and inserting in lieu thereof "that rule".

Sec. 38. Minnesota Statutes 1974, Section 216.25, is amended in line 29, by deleting "chapter 605" and inserting in lieu thereof "rules of civil appellate procedure".

Sec. 39. Minnesota Statutes 1974, Section 268.10, Subdivision 8, is amended in line 7 by deleting "section 605.03" and inserting in lieu thereof "Rule 103.01 of the rules of civil appellate procedure" and in line 8 by deleting "section 605.045" and inserting in lieu thereof "that rule".

Sec. 40. Minnesota Statutes 1974, Section 271.10, Subdivision 2, is amended in lines 9 and 10 by deleting "section 605.03" and inserting in lieu thereof "Rule 103.01 of the rules of civil appellate procedure" and in line 10 by deleting "section 605.045" and inserting in lieu thereof "that rule".

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Sec. 41. Minnesota Statutes 1974, Section 363.10, is amended in lines 2 and 3 by deleting "section 605.09, clauses (b) and (g)" and inserting in lieu thereof "Rule 103.03, clauses (b) and (g) of the rules of civil appellate procedure".

Sec. 42. Minnesota Statutes 1974, Section 414.07, Subdivision 2, is amended in the final line by deleting "Minnesota Statutes, Chapter 605" and inserting "the rules of civil appellate procedure".

Sec. 43. Minnesota Statutes 1974, Section 414.08, is amended in line 2 by deleting "Minnesota Statutes 1961, Section 605.09, as amended" and inserting "Rule 103.03 of the rules of civil appellate procedure".

Sec. 44. Minnesota Statutes 1974, Section 430.031, Subdivision 4, is amended in line 7 by deleting "Minnesota Statutes, Section 605.08" and inserting "Rule 104 of the rules of civil appellate procedure" and in lines 10 and 11 by deleting "Minnesota Statutes, Section 605.09, and laws amendatory thereof and supplemental thereto" and inserting "Rule 103.03 of the rules of civil appellate procedure".

Sec. 45. Minnesota Statutes 1974, Section 532.38, Clause (3) is amended in line 7 by deleting "section 543.17" and inserting in lieu thereof "Rule 5.02 of the rules of civil procedure".

Sec. 46. Minnesota Statutes 1974, Section 546.09, is amended in lines 11 and 12 by deleting "sections 546.10 and 546.095" and inserting in lieu thereof "section 546.10 and Rule 47.02 of the rules of civil procedure".

Sec. 47. Minnesota Statutes 1974, Section 546.10, is amended in line 9 by deleting "the provisions of section 546.095" and inserting in lieu thereof "Rule 47.02 of the rules of civil procedure".

Sec. 48. Minnesota Statutes 1974, Section 562.04, is amended in line 9 by deleting "section 605.08" and inserting in lieu thereof "Rule 104.01 of the rules of civil appellate procedure" and in lines 12 and 13 by deleting "section 605.09 and laws amendatory thereof and supplemental thereto" and inserting in lieu thereof "Rule 103.03 of the rules of civil appellate procedure".

Sec. 49. Minnesota Statutes 1974, Section 617.41, is amended in lines 8 and 9 by deleting "the provisions of sections 543.11 and 543.12" and inserting in lieu thereof "Rule 4.04 of the rules of civil procedure" and in line 17 by deleting "section 543.11" and inserting in lieu thereof "Rule 4.04 of the rules of civil procedure".

Sec. 50. Minnesota Statutes, 1975 Supplement, Section 136A.233, Subdivision 1, is amended in line 2 by deleting "136A.13" and inserting in lieu thereof "136A.131".

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Sec. 51. Minnesota Statutes 1974, Section 144.01, is amended in lines 5 and 6 by deleting "for purposes of Laws 1973, Chapter 638" and inserting " by section 214.02 ".

Sec. 52. Minnesota Statutes 1974, Section 144.952, Subdivision 1, is amended in clause (g) by deleting "for purposes of Laws 1973, Chapter 638" and inserting " by section 214.02 ".

Sec. 53. Minnesota Statutes, 1975 Supplement, Section 147.01, is amended in line 8 by deleting "for purposes of Laws 1973, Chapter 638" and inserting " by section 214.02 ".

Sec. 54. Minnesota Statutes, 1975 Supplement, Section 148.03, is amended in line 2 by deleting "for purposes of Laws 1973, Chapter 638" and inserting " by section 214.02 ".

Sec. 55. Minnesota Statutes, 1975 Supplement, Section 148.181, Subdivision 1, is amended in line 9 by deleting "for purposes of Laws 1973, Chapter 638" and inserting " by section 214.02 ".

Sec. 56. Minnesota Statutes, 1975 Supplement, Section 148.52, is amended in line 2 by deleting "for purposes of Laws 1973, Chapter 638" and inserting " by section 214.02 ".

Sec. 57. Minnesota Statutes, 1975 Supplement, Section 150A.02, Subdivision 1, is amended in lines 3 and 4 by deleting "for purposes of Laws 1973, Chapter 638" and inserting " by section 214.02 ".

Sec. 58. Minnesota Statutes 1974, Section 151.02, is amended in lines 2 and 3 by deleting "for purposes of Laws 1973, Chapter 638" and inserting " by section 214.02 ".

Sec. 59. Minnesota Statutes, 1975 Supplement, Section 153.02, is amended in lines 2 and 3 by deleting "for purposes of Laws 1973, Chapter 638" and inserting " by section 214.02 ".

Sec. 60. Minnesota Statutes, 1975 Supplement, Section 154.22, is amended in line 8 by deleting "for purposes of Laws 1973, Chapter 638" and inserting " by section 214.02 ".

Sec. 61. Minnesota Statutes 1974, Section 155.04, is amended in lines 4 and 5 by deleting "for purposes of Laws 1973, Chapter 638" and inserting " by section 214.02 ".

Sec. 62. Minnesota Statutes, 1975 Supplement, Section 156.01, Subdivision 1, is amended in lines 2 and 3 by deleting "for purposes of Laws 1973, Chapter 638" and inserting " by section 214.02 ".

Sec. 63. Minnesota Statutes, 1975 Supplement, Section 326.04, is amended in line 7 by deleting "for purposes of Laws 1973, Chapter 638" and inserting " by section 214.02 ".

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Sec. 64. Minnesota Statutes, 1975 Supplement, Section 326.17, is amended in line 4 by deleting "for purposes of Laws 1973, Chapter 638" and inserting "by section 214.02".

Sec. 65. Minnesota Statutes, 1975 Supplement, Section 326.241, Subdivision 1, is amended in lines 5 and 6 by deleting "for purposes of Laws 1973, Chapter 638" and inserting "by section 214.02".

Sec. 66. Minnesota Statutes, 1975 Supplement, Section 326.541, Clause (1), is amended in lines 7 and 8 by deleting "for purposes of Laws 1973, Chapter 638" and inserting "by section 214.02".

Sec. 67. Minnesota Statutes, 1975 Supplement, Section 341.01, is amended in line 3 by deleting "for purposes of Laws 1973, Chapter 638" and inserting "by section 214.02".

Sec. 68. Minnesota Statutes, 1975 Supplement, Section 386.63, Subdivision 1, is amended in lines 9 and 10 by deleting "for purposes of Laws 1973, Chapter 638" and inserting "by section 214.02".

Sec. 69. Minnesota Statutes, 1975 Supplement, Section 144.53, is amended in line 9 by deleting "14.122" and inserting in lieu thereof "144.122".

Sec. 70. Minnesota Statutes 1974, Section 144.63, Subdivision 2, is amended in line 1 by deleting "board" and inserting in lieu thereof "council"; in line 4 by deleting "board" and inserting "council"; in line 10 by deleting "board" and inserting in lieu thereof "council"; and in line 11 by deleting "board" and inserting in lieu thereof "council".

Sec. 71. Minnesota Statutes, 1975 Supplement, Section 148.67, is amended in line 7 by deleting "state".

Sec. 72. Minnesota Statutes 1974, Section 156.11, is amended in lines 2 and 3 by deleting "and for the purposes of sections 319.972 to 319.993" and inserting in lieu thereof "chapter 319A".

Sec. 73. Minnesota Statutes, 1975 Supplement, Section 210A.09, is amended to read:

210A.09 SHALL NOT INDUCE PERSON TO BECOME A CANDIDATE OR REFRAIN THEREFROM. Subdivision 1. No person shall pay, or promise to reward another in any manner or form for the purpose of inducing him to be or refrain from or cease being a candidate, and no person shall solicit or receive any payment, promise, or reward from another for such purpose.

Subd. 2. Any person elected to a public office shall be permitted time off from his regular employment to attend meetings of his public office. No retaliatory action may be taken by the employer for absences necessary for the employee to attend the meetings. Such time

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off may be without pay, with pay, or made up with other hours, as agreed between the employee and employer.

Sec. 74. Laws 1975, Chapter 342, Section 1, is repealed.

Sec. 75. Minnesota Statutes 1974, Section 239.45, is repealed.

Sec. 76. Minnesota Statutes 1974, Section 239.46, is amended in line 2 by deleting "239.40" and inserting in lieu thereof "239.38".

Sec. 77. Minnesota Statutes 1974, Section 246.02, Subdivision 4, is amended in lines 6 and 7 by deleting "subdivisions 2 and 3" and inserting in lieu thereof "subdivision 2".

Sec. 78. Minnesota Statutes 1974, Section 248.07, Subdivision 4, is amended in line 7 by deleting "re-education" and inserting in lieu thereof "vocational rehabilitation".

Sec. 79. Minnesota Statutes 1974, Section 253A.02, Subdivision 18, is amended in line 1 by deleting "Certified" and inserting in lieu thereof "Licensed" and in line 2 by deleting "148.81, subdivision 2" and inserting in lieu thereof "148.91, subdivision 4".

Sec. 80. Minnesota Statutes 1974, Section 256.863, is amended in line 3 by deleting "256.71" and inserting in lieu thereof "256.72".

Sec. 81. Minnesota Statutes 1974, Section 256.935, Subdivision 1, is amended in line 18 by deleting "524.44" and inserting in lieu thereof "524.3-805".

Sec. 82. Minnesota Statutes 1974, Section 256D.21, is amended in lines 5 and 7 of subdivision 1, line 4 of subdivision 2 and line 4 of subdivision 3, by deleting "422" and inserting "422A".

Sec. 83. Minnesota Statutes, 1975 Supplement, Section 273.138, Subdivision 3, Clause (5), is amended in the last line by deleting "422.13" and inserting "422A.08".

Sec. 84. Minnesota Statutes 1974, Section 275.127, is amended in line 3 by deleting "sections 422.01 to 422.54" and inserting "chapter 422A".

Sec. 85. Minnesota Statutes 1974, Section 270.10, Subdivision 1, Clause (2), is deleted.

Sec. 86. Minnesota Statutes 1974, Section 291.33, Subdivision 1, is amended in line 8 by deleting "section 525.82" and inserting in lieu thereof "section 524.3-201".

Sec. 87. Minnesota Statutes, 1975 Supplement, Section 298.281, Subdivision 1, is amended in line 7 by deleting "of different steps in ei-

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ther thereof" and inserting in lieu " or different steps in any thereof ".

Sec. 88. Minnesota Statutes 1974, Section 298.281, Subdivision 5, is amended to read:

Subd. 5. Each producer of taconite or iron sulphides subject to taxation under section 298.241, hereinafter referred to as the "taxpayer", shall file with the commissioner of revenue and with the commissioner of finance as follows: ~~within 15 days after the effective date of Extra Session Laws 1971, Chapter 31, Article 30 by October 10 of each calendar year~~ an estimate of the amount of tax payable by such taxpayer under section 298.241 ~~for 1971 and by October 10 of each calendar year thereafter~~ an estimate for such calendar year; provided such estimate shall be in an amount not less than the amount due on the mining and production of concentrates up to September 30 of each such year plus the amount estimated to become due on estimated production between September 30 and December 31 of each such year less any credit allowable as hereinafter provided. After receipt of such estimates from all such taxpayers, the commissioner of revenue shall determine the estimated total amount of the tax to be paid the next ensuing calendar year under section 298.241 by all such taxpayers. Using such estimated total amount, the commissioner of revenue shall determine the amount estimated to be distributable the next ensuing calendar year respectively to each county under subdivision 1 hereof and to the municipal aid account in the apportionment fund of the state treasury. The commissioner of revenue shall further determine on a pro rata per capita basis the amount estimated to be distributable the next ensuing calendar year to each qualifying municipality, as defined in section 298.282, by dividing the total amount estimated to be available for distribution to said municipal aid account by the total population according to the latest federal census of all qualifying municipalities to arrive at a per capita distributive share for such year and by multiplying the per capita distributive share by the population of each such municipality. Following such determination, the commissioner of revenue shall report to the county auditor of each county to which any part of the proceeds of the tax collected under section 298.241 will be distributable and to the chief clerical officer of each qualifying municipality to which proceeds of the municipal aid account will be distributable the amount estimated to be distributable to each in the next ensuing calendar year. The amount estimated to be distributable to each qualifying municipality in the next ensuing calendar year referred to in such report shall be included in computing all permissible levies of such municipality for such year and shall be deducted first from the permissible general levy and then proportionately from permissible excess levies.

Sec. 89. Minnesota Statutes 1974, Section 306.38, Subdivision 2, is amended in line 2 by deleting "306.30" and inserting in lieu thereof "306.31".

Sec. 90. Minnesota Statutes 1974, Section 309.52, Subdivision 1a,

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is amended in lines 6 and 7 by deleting "section 309.51, subdivision 1(a) or in subdivision 2(a), (b), (c) or (d)" and inserting in lieu "section 309.515, subdivision 1".

Sec. 91. Minnesota Statutes 1974, Section 319A.11, Subdivision 2, is amended in line 1 by deleting "80" and inserting in lieu thereof "80A".

Sec. 92. Minnesota Statutes, 1975 Supplement, Section 325.942, Subdivision 1, is amended in line 1 by deleting "1 to 4" and inserting in lieu thereof "325.942 to 325.944".

Sec. 93. Minnesota Statutes, 1975 Supplement, Section 341.04, is amended to read:

341.04 BOXING BOARD; POWERS; COMPENSATION; PERSONNEL. The ~~state athletic commission~~ board of boxing shall have power to appoint, and at its pleasure remove, ~~a boxing commissioner~~ an executive secretary and prescribe his powers and duties. The ~~boxing commissioner~~ executive secretary shall be the secretary of the ~~state board of boxing commission~~ state board of boxing commission, but shall not be a member of the ~~commission board~~ commission board. The ~~commission board~~ board may employ such other personnel as may be necessary in the performance of its duties.

Sec. 94. Minnesota Statutes, 1975 Supplement, Section 341.05, Subdivision 1, is amended in line 1 by deleting "state athletic commission" and inserting in lieu "board of boxing".

Sec. 95. Minnesota Statutes 1974, Section 341.05, Subdivision 2, is amended in line 1 by deleting "state athletic commission" and inserting in lieu "board of boxing".

Sec. 96. Minnesota Statutes 1974, Section 341.06, is amended in line 1 by deleting "commission" and inserting in lieu "board".

Sec. 97. Minnesota Statutes 1974, Section 341.07, is amended in lines 1 and 5 by deleting "commission" and inserting in lieu "board".

Sec. 98. Minnesota Statutes 1974, Section 341.08, is amended in lines 14 and 16 by deleting "commission" and inserting in lieu thereof "board".

Sec. 99. Minnesota Statutes 1974, Section 341.09, Subdivision 2, is amended in line 2 by deleting "state athletic commission" and inserting in lieu thereof "board of boxing".

Sec. 100. Minnesota Statutes 1974, Section 341.09, Subdivision 3, is amended in lines 1 and 2 by deleting "state athletic commission" and inserting in lieu thereof "board of boxing".

Sec. 101. Minnesota Statutes, 1975 Supplement, Section 341.10, is

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amended in lines 1, 8, 10, 11, and 13 by deleting "commission" and inserting in lieu thereof "board".

Sec. 102. Minnesota Statutes, 1975 Supplement, Section 341.11, is amended in lines 1 and 3 by deleting "commission" and inserting in lieu thereof "board".

Sec. 103. Minnesota Statutes 1974, Section 341.12, is amended in lines 10 and 13 by deleting "commission" and inserting in lieu thereof "board".

Sec. 104. Minnesota Statutes 1974, Section 341.13, is amended in lines 12 and 13 by deleting "state athletic commission" and inserting in lieu thereof "board of boxing".

Sec. 105. Minnesota Statutes 1974, Section 341.15, is amended in line 3 by deleting "state athletic commission" and inserting in lieu thereof "board of boxing".

Sec. 106. Minnesota Statutes 1974, Section 345.38, Subdivision 1, is amended in line 5 by deleting "525.52" and inserting in lieu thereof "524.3-914".

Sec. 107. Minnesota Statutes, 1975 Supplement, Section 354A.12, is amended in clause (2) lines 14 and 15 by deleting "this section" and inserting "Laws 1975, Chapter 306, Section 31".

Sec. 108. Minnesota Statutes 1974, Section 355.80, is amended in line 9 by deleting "355.89" and inserting in lieu thereof "355.81".

Sec. 109. Minnesota Statutes 1974, Chapter 359, is amended by adding a section to read:

[359.061] RECORD OF COMMISSION; CERTIFICATE. The commission of every notary shall be recorded in the office of the clerk of the district court of the county for which he is appointed, in a book kept for that purpose; and thereafter the clerk, when requested, shall certify to his official acts in the same manner and for the same fees allowed by law for similar certificates to authenticate acts of justices of the peace.

Sec. 110. Minnesota Statutes 1974, Section 366.10, is amended to read:

366.10 ZONING REGULATIONS. The board of supervisors of any town in this state located within a county having a population of more than 450,000 and an assessed valuation, exclusive of money and credits, of over \$280,000,000; and the board of supervisors in any town of this state bordering on any city of the first, second, third, fourth class or located within a county bordering on any county containing any city of the first, second, or third class, is hereby authorized and empowered

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~~to may~~ submit to the legal voters of the town for their approval or rejection at any annual town meeting or at any special town meeting called for that purpose, the question as to whether or not such board shall adopt building and zoning regulations and restrictions in the town. The board of supervisors in any town of this state which has within its borders a hospital established in accordance with Laws 1955, Chapter 227, is hereby authorized and empowered to submit to the legal voters of the town for their approval or rejection at any annual town meeting or at any special town meeting called for that purpose, the question as to whether or not such board shall adopt building and zoning regulations and restrictions in the town regulating the type of buildings that may be built or occupations carried on within a radius of one-half mile to such hospital.

Sec. 111. Minnesota Statutes 1974, Section 366.182, is repealed.

Sec. 112. Minnesota Statutes 1974, Section 368.01, Subdivision 25, is amended to read:

Subd. 25. **VACATION OF STREETS.** The board of supervisors may by resolution vacate any street, alley, public grounds, public way, or any part thereof, on its own motion or on petition of a majority of the owners of land abutting on the street, alley, public grounds, public way, or part thereof to be vacated. When there has been no petition, the resolution may be adopted only by a vote of four-fifths of all members of the board of supervisors. No such vacation shall be made unless it appears in the interest of the public to do so after a hearing preceded by two weeks' published and posted notice. After a resolution of vacation is adopted, the clerk shall prepare ~~and present to the proper county officers~~ a notice of completion of the proceedings ~~in accordance with section 117.19 which shall contain the name of the town, an identification of the vacation, a statement of the time of completion thereof and a description of the real estate and lands affected thereby.~~ The notice shall be presented to the county auditor who shall enter the same in his transfer records and note upon the instrument, over his official signature, the words "entered in the transfer record". The notice shall then be filed with the register of deeds. Any failure to file the notice shall not invalidate any such vacation proceedings .

Sec. 113. Minnesota Statutes 1974, Section 375A.09, Subdivision 4, is amended in line 7 by deleting "375.02" and inserting in lieu "375.025".

Sec. 114. Minnesota Statutes 1974, Section 412.251, is amended in lines 5 and 6 by striking "\$500,000" and inserting "\$1,500,000".

Sec. 115. Minnesota Statutes 1974, Section 472.03, Subdivision 2, is amended in the final line by deleting "15.01" and inserting "9.011".

Sec. 116. Minnesota Statutes, 1975 Supplement, Section 473.204, Subdivision 2, is amended in line 2 after "in" and before "clauses" by

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inserting "subdivision 1 "; in line 6 after "in" and before "clauses" by inserting "subdivision 1 "; and in line 8 after "in" and before "clause" by inserting "subdivision 1 ".

Sec. 117. Minnesota Statutes, 1975 Supplement, Section 473.823, Subdivision 4, is amended in line 2 by deleting "115.47" and inserting in lieu thereof "115.071 ".

Sec. 118. Minnesota Statutes 1974, Section 481.15, Subdivision 2, is amended in line 7 by deleting "section 546.36" and inserting "the rules of civil procedure ".

Sec. 119. Minnesota Statutes 1974, Section 487.03, Subdivision 2, is amended in line 2 of the second paragraph by deleting "202.04" and inserting "202A.22 " and in the final line of the second paragraph by deleting "203.41, subdivision 3" and inserting "203A.12, subdivision 6 ".

Sec. 120. Minnesota Statutes, 1975 Supplement, Section 488A.01, Subdivision 5, is amended in line 2 after "actions" by deleting "or" and inserting in lieu thereof "of ".

Sec. 121. Minnesota Statutes 1974, Section 490.12, Subdivision 5, is amended in line 8 by deleting "and 5" and inserting "and 3a " and in line 11 by deleting "and 5" and inserting "and 3a ".

Sec. 122. Minnesota Statutes 1974, Section 490.16, Subdivision 6, is amended in the first line by deleting "to 490.17" and inserting "and 490.16 ".

Sec. 123. Minnesota Statutes, 1975 Supplement, Section 500.24, Subdivision 2, Clause (l), is amended in the final line by deleting "(l)" and inserting "1 ".

Sec. 124. Minnesota Statutes, 1975 Supplement, Section 501.81, Subdivision 3, is amended in line 7 by deleting "section 501.80, subdivision 5" and inserting in lieu thereof "section 501.79, subdivision 5 ".

Sec. 125. Laws 1969, Chapters 1123, as amended; 1126, Section 2, as amended; and 1137, as amended; are reenacted.

Sec. 126. Laws 1976, Chapter 2, Section 152, is repealed.

Sec. 127. Laws 1975, Chapter 46, Section 11, is repealed.

Sec. 128. Laws 1975, Chapter 271, Section 3, Clause (36), is deleted.

Sec. 129. Minnesota Statutes 1974, Section 15.50, Subdivision 2, Clause (f), is amended in line 3 by deleting "state arts council" and inserting in lieu thereof "board of the arts ".

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Sec. 130. Minnesota Statutes 1974, Section 15.50, Subdivision 2, Clause (g), is amended in line 3 by deleting "State Arts Council" and inserting in lieu thereof "board of the arts" and in line 5 by deleting "State Arts Council" and inserting in lieu thereof "board of the arts".

Sec. 131. Minnesota Statutes 1974, Section 16.872, Subdivision 2, is amended in line 4 by deleting "State Fine Arts Council" and inserting in lieu thereof "board of the arts".

Approved April 9, 1976.

CHAPTER 240—H.F.No.81

An act relating to real property; termination of contract for sale; providing differing times of notice in accordance with percentage of purchase price paid; amending Minnesota Statutes 1974, Section 559.21.

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

Section 1. Minnesota Statutes 1974, Section 559.21, is amended to read:

559.21 REAL PROPERTY; TERMINATION OF CONTRACT OF SALE; NOTICE, SERVICE AND RETURN, COSTS, REINSTATEMENT. When default is made in the conditions of any contract for the conveyance of real estate or any interest therein, whereby the vendor has a right to terminate the same, he may do so by serving upon the purchaser, his personal representatives or assigns, either within or without the state, a notice specifying the conditions in which default has been made, and stating that such contract will terminate (1) 30 days after the service of such notice if the purchaser has paid less than 30 percent of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, (2) 45 days after service of such notice if the purchaser has paid 30 percent, or more, but less than 50 percent of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, (3) 60 days after service of such notice if the vendee has paid 50 percent, or more, of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, unless prior thereto the purchaser shall comply with such conditions and pay the costs of service, the mortgage registration tax, if actually paid by the vendor, together with an amount to apply on attorneys' fees actually expended or incurred, of ~~\$50-\$75~~ when the amount in default is less than ~~\$500-\$750~~, and of ~~\$100-\$200~~ when the amount in default is ~~\$500-\$750~~ or more; provided, however, that no amount shall be required to be paid for attorneys' fees as provided hereunder, unless some part of the conditions of default shall have existed at least 45

Changes or additions indicated by underline deletions by ~~strikeout~~