

~~firemen's~~ firefighter's relief association for at least ten years prior to such retirement and who complies with such additional conditions as to age, service and membership as may be prescribed by the articles of incorporation or bylaws of the association.

Subd. 2. The amount of monthly pension which may be paid to such retired ~~firemen~~ firefighter may be increased by adding to the maximum above prescribed an amount not exceeding ~~\$4~~ \$8 per month for each year of active duty over 20 years of service before retirement; provided that no member shall be paid a pension in any greater amount than ~~\$120~~ \$240 per month.

Subd. 3. The volunteer fire department relief association may provide in its certificate of incorporation or bylaws for a service pension in an amount not exceeding ~~\$600~~ \$1,200 per year of service, and not exceeding 30 years of service, to be paid in a lump sum where the retiring member qualifies for a service pension under the provisions of this section, and the member elects by written application to the association to take the payment in a lump sum rather than the monthly pension.

Subd. 4. The provisions of section 69.06 shall continue to govern pensions paid pursuant to this section in all instances where consistent with this section.

Sec. 2. This act is effective upon approval by the governing body of the city of Eagan and upon compliance with Minnesota Statutes, Section 645.021.

Approved March 28, 1978.

CHAPTER 674-H.F.No.2221

[Coded in Part]

An act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating duplicate, redundant, conflicting and superseded provisions; amending Minnesota Statutes 1976, Sections 6.58; 15.0411, Subdivision 3; 16A.26; 40.072, Subdivision 3; 41.53, Subdivision 2; 44.06, Subdivision 2; 53.03, by adding a subdivision; 84A.55, Subdivision 14; 150A.09, Subdivision 1; 161.09, Subdivision 1; 161.14, Subdivision 19; 251.09; 251.10; 251.11; 251.12; 251.13; 254A.08, Subdivision 3; 270.08; 290.24; 290.49, Subdivision 10; 326.08, Subdivision 2; 366.10; 475.51, Subdivision 1; Minnesota Statutes, 1977 Supplement, Sections 15.0411, Subdivision 2; 15A.083, Subdivision 2; 16A.129; 50.14, Subdivision 5; 116C.63, Subdivision 4; 214.01, Subdivision 3; 256B.48, Subdivision 1; 290.01, Subdivision 20; 290.09, Subdivision 4; 319A.02, Subdivision 2; 343.08; 517.08, Subdivision 1; 593.42, Subdivision 5; 593.45, Subdivision 4; 593.46, Subdivision 2; Extra Session Laws 1959, Chapter 19, by adding a section; repealing Minnesota Statutes 1976, Sections 33.10; 33.11; 33.12; 33.14; 33.15; 33.171; 270.051, Subdivision 1; 602.04; Minnesota Statutes, 1977 Supplement, Sections 33.13; and 488.04, Subdivision 3a; Laws 1975, Chapters 61, Section 8; 136, Sections 11, 13, 57 and 58; Laws 1976, Chapters 44, Section 18; 163, Section 54; 222, Sections 25, Subdivision 8, and 78; 263, Section 8; Laws 1977, Chapters 264, Section 3; 299, Section 6; 326, Section 8; 346, Section 7.

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REVISOR'S BILL

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

Section 1. Minnesota Statutes 1976, Section 6.58, is amended in line 23, by deleting "administration" and inserting "finance".

Sec. 2. Minnesota Statutes, 1977 Supplement, Section 15.0411, Subdivision 2, Clause (b), is amended by deleting "Laws 1951, Chapter 694, Title III, Sections 301 to 307", and inserting "sections 12.31 to 12.37".

Sec. 3. Minnesota Statutes 1976, Section 15.0411, Subdivision 3, after "signs; or" delete "(d)" and insert "(e)".

Sec. 4. Minnesota Statutes, 1977 Supplement, Section 15A.083, Subdivision 2, is reenacted effective July 1, 1977 and its purported repeal by Laws 1977, Chapter 432, is void.

Sec. 5. Minnesota Statutes, 1977 Supplement, Section 16A.129, is amended in line 2 by inserting "or" after "appointed".

Sec. 6. Minnesota Statutes 1976, Section 16A.26, is amended in line 3 by deleting "298.32."

Sec. 7. Minnesota Statutes 1976, Sections 33.10, 33.11, 33.12, 33.14, 33.15, 33.171, and 270.051, Subdivision 1, and Minnesota Statutes, 1977 Supplement, Section 33.13 are repealed.

Sec. 8. Minnesota Statutes 1976, Section 40.072, Subdivision 3, is amended in lines 34, 35, 38 and 39, by deleting "conservation" and inserting in lieu "natural resources".

Sec. 9. Minnesota Statutes 1976, Section 41.53, Subdivision 2, is amended in lines 2 and 3 by deleting "subdivisions 1 and 4" and inserting "subdivision 1".

Sec. 10. Minnesota Statutes 1976, Section 44.06, Subdivision 2, is amended in line 4 by deleting "197.45" and inserting "197.455".

Sec. 11. Minnesota Statutes, 1977 Supplement, Section 50.14, Subdivision 5, is amended in clause (b) line 1, by deleting "deed" and inserting "deeds".

Sec. 12. Minnesota Statutes 1976, Section 53.03, is amended by adding a subdivision to read:

Subd. 3a. If the application be granted without hearing the department of commerce shall, not later than 60 days after the notice of application has been fully published, issue a certificate authorizing the corporation to transact business as an industrial loan and thrift company as provided in this chapter. If the application be denied without hearing the department of commerce shall, not later than 60 days after the

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notice of application has been fully published, notify the corporation of the denial and the reasons for the denial. The applicant may request within 30 days of receiving the notice of denial, and shall be granted, a contested case hearing on the application which shall then be conducted as if no order of denial had been issued. If the commission approves the application after a hearing the commission shall, not later than 30 days after a hearing, issue a certificate authorizing the corporation to transact business as an industrial loan and thrift company as provided in this chapter. If the application be denied after a hearing the commission shall, not later than 30 days after a hearing, notify the corporation of the denial.

Sec. 13. Laws 1977, Chapter 346, Section 7, is repealed.

Sec. 14. Minnesota Statutes 1976, Section 84A.55, Subdivision 14, is amended in line 3 by deleting “, as may be designated”.

Sec. 15. Minnesota Statutes, 1977 Supplement, Section 116C.63, Subdivision 4, is amended to read:

Subd. 4. When property defined as class 3, 3b, 3c, 3cc, 3d, or 3f pursuant to section 273.13 is proposed to be acquired for the construction of a site or route by eminent domain proceedings, the property owner shall have the option to require the utility to condemn a fee interest in any amount of contiguous land which he owns and elects in writing to transfer to the utility within 60 days after his receipt of the petition filed pursuant to section 117.055. The required acquisition of land contiguous to, but outside the designated right-of-way of a route or the boundary of a site, shall be considered an acquisition for a public purpose and for use in the utility's business, for purposes of chapter ~~117D~~ 117 and section 500.24, respectively; provided that a utility shall divest itself completely of all such lands used for farming or capable of being used for farming within five years ~~within~~ after the date of acquisition, or such land shall be sold at a public sale in the manner prescribed by law for the foreclosure of a mortgage by action.

Sec. 16. Minnesota Statutes 1976, Section 150A.09, Subdivision 1, is amended to read:

150A.09 REGISTRATION OF LICENSES AND REGISTRATION CERTIFICATES. Subdivision 1. **REGISTRATION INFORMATION AND PROCEDURE.** On or before the first day of January each year license or registration certificate expiration date every licensed dentist, dental hygienist, and registered dental assistant shall transmit to the executive secretary of the board, ~~upon a form prescribed by the board, his signature, office address or addresses, the number of his license or registration certificate, whether such person has been engaged during the preceding year in active practice, whether within or without the state, and such other pertinent information as may be required by the board, together with the fee established by the board and; in default of providing such information or payment of such fee, the board may, upon hearing and upon 30 days' notice, suspend or revoke the license or registration during such default; but the providing of such information as requested by the board and the payment of such fee on or before the date of hearing, with an additional sum equal to that of the renewal fee, shall excuse the default and the suspension proceeding shall~~

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~~thereupon terminate. The board may collect such fee by civil action.~~ At least 30 days before ~~January 1~~ a license or registration certificate expiration date, the board shall cause a written notice stating the amount and due date of the fee and the information to be provided, to be sent to every licensed dentist, dental hygienist, and registered dental assistant.

Sec. 17. Laws 1976, Chapter 222, Section 78, is repealed.

Sec. 18. Minnesota Statutes 1976, Section 161.09, Subdivision 1, is amended in line 4 by deleting "highway department" and inserting "transportation department and its predecessor departments".

Sec. 19. Minnesota Statutes 1976, Section 161.14, Subdivision 19, is amended in line 64 by deleting "2." after "35" and before ");" and inserting in lieu "W." ; in line 68 after "Leslie Township" by inserting "1" and in line 77 by deleting "9."

Sec. 20. Minnesota Statutes, 1977 Supplement, Section 214.01, Subdivision 3, is amended to read:

Subd. 3. "Non-health related licensing board" means the board of teaching established pursuant to section 125.183, the board of barber examiners established pursuant to section 154.22, the board of cosmetology examiners established pursuant to section 155.04, the board of assessors established pursuant to section 270.41, the board of architecture, engineering ~~and~~, land surveying ~~and~~ landscape architecture established pursuant to section 326.04, the board of accountancy established pursuant to section 326.17, the board of electricity established pursuant to section 326.241, the private detective and protective agent licensing board established pursuant to section ~~326.541~~, ~~the board of boxing established pursuant to section~~ 326.33, the board of examiners in watchmaking established pursuant to section 326.541, the board of boxing established pursuant to section ~~341.02~~ 341.01, the board of abstractors established pursuant to section 386.63, and the peace officer standards and training board established pursuant to section 626.841.

Sec. 21. Minnesota Statutes 1976, Section 251.09, is amended in line 6 by deleting "state agency" and inserting "department of health".

Sec. 22. Minnesota Statutes 1976, Section 251.10, is amended in line 1 by deleting "state agency" and inserting "department of health" and in clause (6) lines 5 and 6 by deleting "state agency" and inserting "department".

Sec. 23. Minnesota Statutes 1976, Section 251.11, is amended in line 3 by deleting "state agency" and inserting "department".

Sec. 24. Minnesota Statutes 1976, Section 251.12, is amended in clause (1) lines 1 and 2 by deleting "state agency" and inserting "department of health", in clause (2) each of lines 1 and 2 by deleting "state agency" and inserting "department", in clause (4) each of lines 1 and 3 by deleting "state agency" and inserting "department", and in clause (5), line 1 by deleting "state agency" and inserting "department".

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Sec. 25. Minnesota Statutes 1976, Section 251.13, is amended in lines 4 and 5 by deleting "state agency" and inserting "department of health".

Sec. 26. Minnesota Statutes 1976, Section 254A.08, Subdivision 3, is amended to read:

Subd. 3. The approved expense of administration, operation and maintenance of detoxification programs throughout the state shall be financed as follows: Notwithstanding any other provision of law, funding up to 85 percent provided by the state shall be effective through December 31, 1976. Effective January 1, 1977 up to 75 percent shall be provided by the state with the remainder of the cost to be financed by the counties served and by client fees in accordance with rules promulgated by the department of public welfare. If the state appropriation for this purpose is insufficient, state financing shall be prorated.

Sec. 27. Laws 1976, Chapter 163, Section 54, is repealed.

Sec. 28. Minnesota Statutes, 1977 Supplement, Section 256B.48, Subdivision 1, Clause (a) is amended in line 10 by deleting "assistant" and inserting in lieu "assistance".

Sec. 29. Minnesota Statutes 1976, Section 270.08, is amended to read:

270.08 SUPERVISE INHERITANCE AND GIFT TAXES. All the powers and duties ~~now vested in or imposed upon the attorney general~~ under the provisions of any laws relating to inheritance taxes or gift taxes; ~~except those prescribed by Mason's Minnesota Statutes of 1927, Sections 2317 and 2318, are hereby transferred to,~~ vested in, and imposed upon the commissioner of revenue, who shall have charge of the administration of such laws.

Sec. 30. Minnesota Statutes, 1977 Supplement, Section 290.01, Subdivision 20, Clause (a)(8) is amended in line 6, by deleting "20 (b)(9)" and inserting "20 (b)(7)".

Sec. 31. Minnesota Statutes, 1977 Supplement, Section 290.09, Subdivision 4, is amended in line 11 after "telephone tax;" by deleting "and", and after "transportation tax" by inserting "; and".

Sec. 32. Minnesota Statutes 1976, Section 290.24, is amended in line 3 by deleting "subdivision 3, clause (1)" and inserting in lieu "subdivision 3c, clause (1)".

Sec. 33. Minnesota Statutes 1976, Section 290.49, Subdivision 10, is amended in line 3 by deleting "subdivision 20(1)" and inserting in lieu "subdivision 20".

Sec. 34. Minnesota Statutes, 1977 Supplement, Section 319A.02, Subdivision 2, is amended in line 4 by deleting "148.79 to 148.86" and inserting in lieu "148.88 to 148.98".

Sec. 35. Minnesota Statutes 1976, Section 326.08, Subdivision 2, is amended to read:

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Subd. 2. Any member of the board, the executive secretary of the board, or the attorney for the board may be authorized by the board to attend any architectural, engineering, land surveying or landscape architectural conference or meeting held outside of this state, the major purpose of which is the consideration of problems directly associated with the registration or licensing of architects, professional engineers, land surveyors or landscape architects. ~~In addition to any subsistence and travel allowance prescribed by law for travel outside of the state, a member of the board who attends such an architectural, engineering, land surveying or landscape architectural conference or meeting pursuant to authorization by the board shall receive \$35 for each day or portion thereof he attends the conference or meeting or travels to or from the conference or meeting.~~

Sec. 36. Laws 1975, Chapter 136, Section 57, is repealed.

Sec. 37. Minnesota Statutes, 1977 Supplement, Section 343.08, is amended to read:

343.08 **BIENNIAL REPORT.** The board of directors of the state bureau of animal protection society shall make a biennial report by November 15 in each even numbered year, to the secretary of state governor and to the legislature, describing its budget, expenditures, and activities for the two preceding fiscal years, including statistics showing its work.

Sec. 38. Laws 1977, Chapter 264, Section 3, is repealed.

Sec. 39. Minnesota Statutes 1976, Section 366.10, is amended to read:

366.10 **ZONING REGULATIONS.** The board of supervisors of any town 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 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 regulating the type of buildings that may be built or occupations ~~carried on within a radius of one-half mile to of~~ such hospital.

Sec. 40. Laws 1976, Chapter 44, Section 18, is repealed.

Sec. 41. Minnesota Statutes 1976, Section 475.51, Subdivision 1, is amended in line 2 by deleting "475.75" and inserting in lieu "475.76".

Sec. 42. Minnesota Statutes, 1977 Supplement, Section 517.08, Subdivision 1, is amended in line 18 after "If" and before "illness" by inserting "the license should not be used within the period of six months due to".

Sec. 43. Minnesota Statutes, 1977 Supplement, Section 593.42, Subdivision 5, is

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amended in line 8 by deleting "aire" and inserting in lieu " dire ".

Sec. 44. Minnesota Statutes, 1977 Supplement, Section 593.45, Subdivision 4, is amended in line 1 by deleting "office" and inserting in lieu " officer ".

Sec. 45. Minnesota Statutes, 1977 Supplement, Section 593.46, Subdivision 2, is amended in line 3 by deleting "593.42" and inserting in lieu " 593.50 ".

Sec. 46. Minnesota Statutes 1976, Section 602.04, is repealed.

Sec. 47. Extra Session Laws 1959, Chapter 19, is amended by adding a section to read:

Sec. 2a. Subdivision 1. The taconite plants and the lands upon which located or which are used in connection therewith and the buildings, machinery, equipment, and other fixtures used in the production of taconite, as referred to and defined in Minnesota Statutes 1957, Sections 298.23 to 298.28, both inclusive, located in said school district are hereby made subject to taxes for payment of 78 percent of the principal of and interest on any and all bonds issued under authority of this act, anything in said sections to the contrary notwithstanding. In event such properties are all owned by one person, it shall not be necessary to make any determination of the value thereof. In event such properties are owned by more than one person, the taxes shall be apportioned annually among them by the county auditor on the basis of the relative values thereof owned by each, upon such investigation of the facts as the auditor shall deem necessary. The taxes levied in accordance with this act shall be billed to and collected from such person or persons at the same time and in the same manner as taxes levied in and for said school district upon real property subject to taxation therein; provided, any portion of such taxes levied for the payment of installments of principal of such bonds may be paid without penalty on or before October 31 of the year in which such taxes become due and payable if such installment of principal is not due until more than 60 days thereafter.

Subd. 2. Before the delivery of any bonds authorized by this act, the school board shall, by resolution, levy upon all of the property described in subdivision 1 located in the school district a direct, general tax for each year of the term of the bonds in amounts such that, if collected in full, they will produce the amounts needed to meet when due 78 percent of the principal and interest payments on the bonds, and no excess over such amounts shall be included in the levy of such tax. A copy of such resolution shall be filed and the taxes so levied shall be extended, assessed, and collected and remitted as nearly as may be in the manner specified in Minnesota Statutes 1957, Section 475.61. Such levies shall not be included in computing permissible levies under Minnesota Statutes 1957, Section 275.12, or any amendments thereof.

Subd. 3. In addition to the levies made in accordance with subdivision 2 hereof, the school board shall at the same time, by resolution, levy on all the taxable property in the school district other than on which the levy under subdivision 2 is made, a direct, annual, ad valorem tax for each year of the term of the bonds in amounts such that they will produce the amounts needed to meet when due 22 percent of the principal and interest payments on the bonds. A copy of such resolution shall be filed, and the taxes so levied

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shall be extended, assessed, and collected and remitted as nearly as may be in the manner specified in Minnesota Statutes 1953, Section 475.61. Such levies shall not be included in computing permissible levies under Minnesota Statutes 1953, Section 275.12, or any amendments thereof.

Subd. 4. The bonds issued under authority of this act shall be the general obligations of the school district, for which its full faith and credit and unlimited taxing powers shall be pledged, and, in event there shall be any deficiencies in the collections of the taxes levied pursuant to subdivision 2 or 3 hereof, the deficiencies shall be made good by general levies, without limitation as to rate or amount, on all taxable properties in the district in accordance with Minnesota Statutes 1957, Section 475.74, and if any such deficiency levies are found necessary the school board is empowered to effect a temporary loan or loans on certificates of indebtedness issued in anticipation thereof for the purpose of meeting payments of principal or interest on the bonds due or about to become due. Bonds may be issued under authority of this act notwithstanding any limitations upon the indebtedness of said district, and the amounts thereof shall not be included in computing the indebtedness of the district for any purpose including the issuance of subsequent bonds and the incurring of subsequent indebtedness.

Subd. 5. This section is effective February 18, 1960.

Sec. 48. Laws 1975, Chapter 61, Section 8, is repealed.

Sec. 49. Laws 1975, Chapter 136, Section 11, the amendment of Minnesota Statutes, Section 148.181, Subdivision 2, is repealed.

Sec. 50. Laws 1975, Chapter 136, Section 13, is repealed.

Sec. 51. Laws 1975, Chapter 136, Section 58, is repealed.

Sec. 52. Laws 1976, Chapter 222, Section 25, Subdivision 8, is repealed.

Sec. 53. Laws 1976, Chapter 263, Section 8, is repealed.

Sec. 54. Laws 1977, Chapter 299, Section 6, is repealed.

Sec. 55. Laws 1977, Chapter 326, Section 8, is repealed.

Sec. 56. In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall substitute "sections 30.461 to 30.479" for "sections 30.461 to 30.477 and 30.479" wherever those words and numerals appear in Minnesota Statutes, Sections 30.461 to 30.479.

Sec. 57. In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall substitute "sections 65B.41 to 65B.71" for "Laws 1974, Chapter 408" wherever that term appears in sections 65B.41 to 65B.71.

Sec. 58. The revisor of statutes shall substitute "sections 360.011 to 360.076" for

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"Laws 1945, Chapter 303" wherever the latter phrase occurs in Minnesota Statutes, Sections 360.011 to 360.076.

Sec. 59. Minnesota Statutes, 1977 Supplement, Section 488.04, Subdivision 3a, is repealed.

Sec. 60. In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall substitute "certified mail" for "registered mail" wherever the latter term appears, except when the purpose is to insure articles of monetary value.

Approved March 28, 1978.

CHAPTER 675-H.F.No.2224

[Not Coded]

An act relating to the city of Nashwauk; police relief pensions and widows benefits; officers of association; amending Laws 1943, Chapter 196, Sections 4, as amended; and 8.

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

Section 1. Laws 1943, Chapter 196, Section 4, as amended by Laws 1951, Chapter 44, Section 1, and by Laws 1955, Chapter 88, Section 1, is amended to read:

Sec. 4. **RETIREMENT AGE, PENSION.** When any member of the association reaches the age of 55 years, he may retire and then shall receive a pension as long as he lives, at the following rates:

(a) When he has served as a member of the police department for a period of 20 years or more, excluding temporary employment or probationary periods. Such retirement retired member shall be paid each month a pension equal to one-half of his average monthly earnings during the last preceding three years of his service with said police department, plus an additional \$3 per month for each year of service not to exceed 20 years.

(b) An additional ~~\$5~~ \$3 per month for each year of service over 20 that he has served as a member of such police department after the age of 55 years, not to exceed five years for purposes of pension computation,

(c) In the event he retires after reaching the age of 55 or more and after having been a member of the department for at least 15 years, but before having served 20 years in the department, the amount of pension which he received shall be that proportion of, pension equal to one-half of his average monthly earnings during the last preceding three years of his service with said police department, plus an additional \$3 per month for each year of service. Major fractions of years of service to be treated as one year and minor fractions disregarded,

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