

mercial fishing operations, or lawfully taken and subject to sale from other states or countries; provided, black bass, rock bass, muskellunge, ~~crappies, sturgeon~~ and sunfish may not be bought or sold in this state.

Approved May 8, 1963.

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## CHAPTER 562—H. F. No. 1275

*An act relating to unemployment compensation; amending Minnesota Statutes 1961, Section 268.04, Subdivision 10.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1961, Section 268.04, Subdivision 10, is amended to read:

Subd. 10. **Unemployment compensation; employer.** "Employer" means: (1) Any employing unit which for some portion of a day but not necessarily simultaneously, in each of 20 different weeks, whether or not such weeks are or were consecutive, within the year 1936 has or had in employment eight or more individuals (irrespective of whether the same individuals are or were employed in each such day) and, for any calendar year subsequent to 1936, an employing unit which, for some portion of a day, in of each of 20 different weeks, whether or not such weeks are or were consecutive, and whether or not all of such weeks of employment are or were within the state within either the current or preceding calendar year, has or had in employment one or more individuals (irrespective of whether the same individual or individuals were employed in each such day) within the corporate limits of a city, village, or borough of 10,000 population or more, as determined by the most recent United States census and, for any calendar year subsequent to 1959, an employing unit which, for some portion of a day, in each of 20 different weeks, whether or not such weeks are or were consecutive, and whether or not all of such weeks of employment are or were within the state within either the current or preceding calendar year, has or had in employment four or more individuals (irrespective of whether the same individual or individuals were employed in each such day) outside the corporate limits of a city, village, or borough of 10,000 population or more, as determined by the most recent United States census;

(2) Any employing unit which acquired the organization, trade, or business or substantially all the assets thereof, of another

**Changes or additions indicated by *italics*, deletions by ~~strikeout~~.**

which at the time of such acquisition was an employer subject to sections 268.03 to 268.24;

(3) Any employing unit which acquired the organization, trade, or business, or substantially all the assets thereof, of another employing unit, and which, if treated as a single unit with such other employing unit, would be an employer under clause (1) of this subdivision;

(4) Any employing unit which, together with one or more other employing units, is owned or controlled (by legally enforceable means or otherwise) directly or indirectly by the same interests, or which owns or controls one or more other employing units (by legally enforceable means or otherwise) and which, if treated as a single unit with such other employing units or interests of both, would be an employer under clause (1) of this subdivision;

(5) *Any joint venture composed of one or more employers as otherwise defined herein;*

(6) *Any non-resident employing unit which employs within this state one or more employees for one or more weeks;*

~~(5)~~ (7) Any employing unit which, having become an employer under clauses (1), (2), (3), ~~or~~ (4), (5), *or* (6), has not, under section 268.11, ceased to be an employer subject to these sections;

~~(6)~~ (8) For the effective period of its election pursuant to section 268.11, subdivision 3, any other employing unit which has elected to become fully subject to sections 268.03 to 268.24;

~~(7)~~ (9) Notwithstanding any inconsistent provisions of sections 268.03 to 268.24, any employing unit not an employer by reason of any other clause of this subdivision for which service is performed with respect to which such employing unit is liable for any federal tax against which credit may be taken for contributions required to be paid into a state unemployment compensation fund;

~~(8)~~ (10) Except as provided in clause ~~(7)~~ (9), and notwithstanding any other provisions of sections 268.03 to 268.24, no employing unit shall be initially determined a subject employer on the basis of covered employment performed more than four years prior to the year in which such determination is made, unless the commissioner finds that the records of such employment experience were

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fraudulently concealed or withheld for the purpose of escaping liability under said sections.

Approved May 8, 1963.

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#### CHAPTER 563—H. F. No. 1501

*An act relating to surety bonds required to be furnished by county officers and employees in counties now or hereafter having a population of more than 250,000; amending Minnesota Statutes 1961, Section 382.153.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1961, Section 382.153, is amended to read:

**382.153 County employees; premium on surety bond, paid by county.** In counties now or hereafter having a population of more than 250,000, when a corporate surety bond has been furnished by any county officer or employee pursuant to statute or resolution of the county board, the premium therefor shall be paid by the county, provided that the county board may designate the surety.

The county board shall cause to be published in its official publication, a notice for bids for the furnishing of all such bonds and shall award a contract to the lowest responsible bidder.

In lieu of the individual bonds required to be furnished by employees, a schedule or position bond or undertaking may be given by the employees of each county office or department, *or a single corporate surety fidelity, schedule or position bond or undertaking covering all the employees of any such county may be furnished,* in the respective amounts fixed by law, or by the person or board authorized by law to fix the same, conditioned substantially as provided in section 574.13, and upon a form to be prescribed by the commissioner of administration.

Approved May 8, 1963.

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#### CHAPTER 564—H. F. No. 1764

*An act relating to the powers and duties of port authorities in cities of the first class; amending Minnesota Statutes 1961, Section 458.197.*

**Changes or additions indicated by italics, deletions by ~~strikeout~~.**