

Subd. 2. This section is effective upon approval by the Duluth city council and the governing body of Independent School District No. 709 and compliance with Minnesota Statutes, Section 645.021.

Subd. 3. This section shall expire one year after final enactment.

Sec. 9. Minnesota Statutes 1978, Section 207.11, is amended by adding a subdivision to read:

Subd. 6. ELECTRONIC VOTING SYSTEM PRECINCTS. Paper absentee ballots delivered to the election judges in precincts which use an electronic voting system shall be counted in the manner provided in this section. No duplicate ballot cards shall be prepared. The paper ballot vote totals for each candidate and on each question shall be added to the results obtained from the electronic tabulating equipment in each precinct.

Sec. 10. **REPEALER.** Minnesota Statutes 1978, Section 207.10, is repealed.

Sec. 11. This act is effective the day following its final enactment.

Approved May 15, 1979.

CHAPTER 91—S.F.No.144

An act relating to taxation; repealing obsolete references to a tax on money and credits; repealing Minnesota Statutes 1978, Chapter 285.

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

Section 1. Minnesota Statutes 1978, Sections 285.01; 285.02; 285.021; 285.023; 285.03; 285.04; 285.05; 285.06; 285.07; 285.08; 285.09; 285.095; 285.096; 285.10; 285.11; 285.12; 285.13; 285.14; 285.143; and 285.15, are repealed.

Approved May 17, 1979.

CHAPTER 92—S.F.No.276

An act relating to workers' compensation; prohibiting the refusal to cover under accident or health policy because of certain workers' compensation option; defining "closely held corporation"; providing for coverage of certain business owners upon election; amending Minnesota Statutes 1978, Chapter 62A, by adding a section; Sections 176.011, by adding a subdivision; 176.012; and 176.041, Subdivision 1.

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

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

Section 1. Minnesota Statutes 1978, Chapter 62A, is amended by adding a section to read:

[62A.22] REFUSAL TO PROVIDE COVERAGE BECAUSE OF OPTION UNDER WORKERS' COMPENSATION. No insurer offering an individual or group policy of accident or health coverage in this state shall refuse to provide or renew accident or health coverage because the insured has an option to elect workers' compensation coverage pursuant to section 176.012.

Sec. 2. Minnesota Statutes 1978, Section 176.011, is amended by adding a subdivision to read:

Subd. 22. CLOSELY HELD CORPORATIONS. "Closely held corporation" means a corporation whose stock is held by no more than ten persons. The determination of ownership shall be made annually on the effective date of the policy issued under this chapter. In case of self-insureds the determination shall be made annually on the date of approval of self-insurance or renewal of self-insurance.

Sec. 3. Minnesota Statutes 1978, Section 176.012, is amended to read:

176.012 OWNERS MAY BE COVERED. For the purposes of this chapter, an owner or owners of a business or farm, executive officer of a family farm corporation as defined in section 500.24, ~~subdivision 1~~ subdivision 2, clause (c), or an executive officer of a closely held corporation which ~~employed had~~ employed had less than the ~~equivalent of 11 full time employees~~ 22,880 hours of payroll in the previous calendar year if that executive officer is also an owner of at least 25 percent of the stock of that corporation, and the spouse, parent, and child, regardless of age, of the farm owner or farm owners or executive officer ~~and~~ who is working therefor, or partners of a partnership owning a business or farm, whether or not employing any other person to perform a service for hire, shall be included within the meaning of the term employee if the owner, owners, partners, family farm corporation or executive officer of a the closely held corporation elect to come under the provisions of this chapter, and provide the insurance required ~~thereunder~~. Nothing in this section shall be construed to limit the responsibilities of the owners, partners, family farm corporations or closely held corporations to provide coverage for their employees, if any, required under this chapter.

Sec. 4. Minnesota Statutes 1978, Section 176.041, Subdivision 1, is amended to read:

176.041 EXCLUDED EMPLOYMENTS; APPLICATION, EXCEPTIONS. Subdivision 1. **EMPLOYMENTS EXCLUDED.** This chapter does not apply to persons employed by any common carrier by railroad engaged in interstate or foreign commerce, which persons are covered by the Federal Employers' Liability Act (45 U.S.C. 51-60) or other comparable federal law; persons employed by family farms as defined by section 176.011, subdivision 11a, spouses, parents and children, regardless of their age, of a farmer employer working for him; partners engaged in any farm operation and the spouses, parents, and children, regardless of age, of any of the partners; an executive officer of a family farm corporation; an executive officer of a closely held corporation

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referred to in section 176.012; any spouse, parent, or child, regardless of age, of an executive officer of a family farm corporation as defined in section 500.24, subdivision 2, employed by that family farm corporation; any spouse, parent, or child, regardless of age, of an executive officer of a closely held corporation referred to in section 176.012; or other farmers or members of their families exchanging work with the farmer employer or family farm corporation operator in the same community, or persons whose employment at the time of the injury is casual, and not in the usual course of the trade, business, profession, or occupation of his employer; nor does it apply to officers or members of veteran's organizations whose employment relationship arises solely by virtue of attending meetings or conventions of their organization, unless such veteran's organizations elect by resolution to provide coverage under this chapter for such officers or members. Neither shall the chapter apply to any person employed as a household worker in, for, or about, a private home or household who earns less than \$500 in cash in any three month period from a single private home or household provided that any household worker who has earned \$500 or more from his present employer in any three month period within the previous year shall be covered by Laws 1975, Chapter 359 this chapter regardless of whether or not he has in the present quarter earned \$500. This chapter does not apply to those persons employed by a corporation where those persons are related by blood or marriage, within the third degree of kindred according to the rules of civil law, to all of the officers of the corporation, and if the corporation files a written election with the commissioner of labor and industry to have those persons excluded from this chapter. This chapter does not apply to a nonprofit association which does not pay more than \$500 in salary or wages in a year. Employers' Liability Act (45 U.S.C. 51-60) or other comparable federal law; persons employed by family farms as defined by section 176.011, subdivision 11a; spouses, parents and children, regardless of their age, of a farmer employer working for him; partners engaged in any farm operation and the spouses, parents, and children, regardless of age, of any of the partners; an executive officer of a family farm corporation; any spouse, parent, or child, regardless of age, of an executive officer of a family farm corporation as defined in section 500.24, subdivision 1, employed by that family farm corporation; or other farmers or members of their families exchanging work with the farmer employer or family farm corporation operator in the same community, or persons whose employment at the time of the injury is casual, and not in the usual course of the trade, business, profession, or occupation of his employer; nor does it apply to officers or members of veteran's organizations whose employment relationship arises solely by virtue of attending meetings or conventions of their organization, unless such veteran's organizations elect by resolution to provide coverage under this chapter for such officers or members. Neither shall the chapter apply to any person employed as a household worker in, for, or about, a private home or household who earns less than \$500 in cash in any three month period from a single private home or household provided that any household worker who has earned \$500 or more from his present employer in any three month period within the previous year shall be covered by Laws 1975, Chapter 359 regardless of whether or not he has in the present quarter earned \$500. This chapter does not apply to those persons employed by a corporation where those persons are related by blood or marriage, within the third degree of kindred according to the rules of civil law, to all of the officers of the corporation, and if the corporation files a written election with the commissioner of labor and industry to have those persons excluded from this chapter. This chapter does not apply to a nonprofit association which does not pay more than \$500 in salary or wages in a year.

Approved May 17, 1979.

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