

(h) Recommend specific legislative, regulatory, or policy changes necessary to allow implementation of the recommended improvements.

Subd. 4. EFFECTIVE DATE; REPEALER. This section is effective the day following final enactment and is repealed January 1, 1982.

Sec. 377. REPEALER.

Minnesota Statutes 1980, Sections 3.86; 7.07; 16A.75; 16A.751; 16A.752; 16A.753; 16A.754; 168B.11; 363.073, Subdivisions 1 and 2; 481.15, Subdivision 3; 480.053; 483.01; 483.02; 648.45; and 648.46 are repealed. Minnesota Statutes 1980, Section 473.556, Subdivision 15 is repealed, effective July 1, 1982.

Sec. 378. REPEALER.

Laws 1961, Chapter 66, Section 1, as amended by Laws 1971, Chapter 867, Section 1, and Laws 1977, Chapter 310, Section 17, are repealed. Laws 1976, Chapter 337, Section 4, as amended by Laws 1978, Chapter 793, Section 84; Laws 1978, Chapter 510, Section 10; Laws 1981, Chapter 151, Section 1, are repealed, effective the day following enactment.

Sec. 379. EFFECTIVE DATE.

Sections 280 and 283 are effective the day following final enactment. Sections 345 to 351 are effective January 1, 1982. Sections 281, 282, and 284 to 312 are effective for the license year commencing March 1, 1982 and thereafter.

Approved June 1, 1981

CHAPTER 357 — H.F.No. 1434

An act relating to the organization and operation of state government; appropriating money for the department of transportation and for other agencies with certain conditions; providing for the regulation of professional wrestling; imposing a tax on the gross receipts from admission to professional wrestling exhibitions, and on the gross receipts from the lease or sale of radio, motion picture and television rights therein; providing penalties; amending Minnesota Statutes 1980, Sections 12.14; 15.0412, Subdivision 4; 16A.128; 37.17, by adding a subdivision; 43.491, Subdivision 2; 46.131, Subdivision 3; 161.125, Subdivision 1; 161.242, Subdivision 4; 162.09, Subdivision 4; 168.013, Subdivisions 1c and 1e and by adding a subdivision; 168.12, Subdivisions 1 and 2a; 168.27, Subdivisions 16 and 17; 168.33, Subdivision 7; 169.09, Subdivision 7; 169.451; 169.79; 169.974, Subdivision 2; 171.13, by adding a subdivision; 171.36; 173.25; 174.255, by adding a subdivision; 214.01, Subdivision 3; 214.06, Subdivision 1; 216B.16 by adding a subdivision; 216B.62, Subdivision 3 and by adding a subdivision; 237.075 by adding a subdivision; 237.295, Subdivision 2 and by adding a subdivision;

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

239.10; 239.52; 270.051, Subdivision 2; 297B.035, Subdivision 2; 326.241, Subdivision 3; 326.244, Subdivision 2; 340.11, Subdivision 14; 340.113, Subdivision 2; 340.119, Subdivision 3; 340.402; 340.493, Subdivision 2; 340.62; 341.01; 341.02; 341.04; 341.05; 341.07; 341.08; 341.09; 341.10; 341.12; 341.13; 341.15; 360.021, Subdivisions 1 and 2; 360.305, by adding subdivisions; 388.14; 388.19, Subdivision 1; 414.051; 462.16; Laws 1980, Chapter 534, Section 87; and Chapter 607, Article XIII, Section 2, Subdivisions 3 and 5; proposing new law coded in Minnesota Statutes, Chapter 138; proposing new law coded as Minnesota Statutes, Chapter 155A; repealing Minnesota Statutes 1980, Sections 155.01; 155.02; 155.03; 155.04; 155.05; 155.06; 155.08; 155.09; 155.11; 155.12; 155.13; 155.14; 155.15; 155.16; 155.17; 155.18; 155.19; 155.20; 155.205; 155.21; and 239.521.

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

Section 1. TRANSPORTATION AND OTHER AGENCIES; APPROPRIATIONS.

The sums set forth in the columns designated "APPROPRIATIONS" are appropriated from the general fund, or any other fund designated, to the agencies and for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1981", "1982", and "1983", wherever used in this act, mean that the appropriation or appropriations listed thereunder are available for the year ending June 30, 1981, June 30, 1982, or June 30, 1983, respectively.

SUMMARY BY FUND

(Net after transfers)

	1981	1982	1983	TOTAL
General	\$75,000	\$37,793,800	\$37,615,700	\$75,484,500
Airports		10,319,300	9,956,300	20,275,600
M.S.A.S.		35,208,600	35,280,900	70,489,500
C.S.A.H.		107,291,200	107,524,900	214,816,100
Tr. Hwy.		337,171,700	341,119,500	678,291,200
Hwy. User		6,077,500	6,129,200	12,206,700
Special Revenue				
Fund		157,900	167,500	325,400
TOTAL	\$75,000	\$534,020,000	\$537,794,000	\$1,071,889,000

APPROPRIATIONS
Available for the Year
Ending June 30

1982 1983

Sec. 2. TRANSPORTATION

Subdivision 1. Total Department Appropriation	\$455,727,400	\$458,297,700
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Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Approved Complement - 4313

Trunk Highway - 4309

Federal - 4

The approved complement in this section as adjusted pursuant to subdivisions 8, 9, or 10 of this section shall be in effect on January 1, 1982.

The appropriations in this section are from the trunk highway fund, except where another fund is designated.

Of this appropriation, \$1,000,000 the first year is from the general fund; \$10,284,900 the first year and \$9,919,000 the second year is from the state airports fund; \$35,208,600 the first year and \$35,280,900 the second year is from the municipal state aid street fund; \$107,291,200 the first year and \$107,524,900 the second year is from the county state aid highway fund; \$301,942,700 the first year and \$305,572,900 the second year is from the trunk highway fund.

Subd. 2. Planning	2,672,600	2,690,200
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Of this amount \$175,000 each year is available for grants to regional development commissions outside the seven county metropolitan area for transportation studies to identify critical concerns, problems and issues.

Subd. 3. Highway Operations	406,624,000	409,935,500
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The amounts that may be expended from this appropriation for each activity are as follows:

Highway Maintenance

\$85,182,500	\$87,537,000
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Maintenance Preservation

\$ 7,500,000	\$ 7,500,000
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District Construction Support

\$23,033,200	\$23,094,500
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Highway Improvement

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$138,000,000 \$139,000,000

This appropriation is for the actual construction, reconstruction, and improvement of trunk highways. This includes the cost of actual payment to land owners for lands acquired for highway right of way, payment to lessees, interest subsidies, and relocation expenses.

County State Aids

\$107,291,200 \$107,524,900

This appropriation is from the county state-aid highway fund and is available until expended.

Municipal State Aids

\$35,208,600 \$35,280,900

This appropriation is from the municipal state-aid street fund and is available until expended.

If an appropriation for either county state aids or municipal state aids is insufficient to exhaust the balance in the fund from which it is made in the year for which it is made, the commissioner of finance, upon request of the commissioner of transportation, shall notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the amount of the remainder and shall then add that amount to the appropriation. The amount added is appropriated for the purposes of county state aids or municipal state aids, as appropriate.

Highway Debt Service

\$10,408,500 \$ 9,998,200

For transfer to the state bond fund.

If this appropriation is insufficient to make all transfers required in the year for which it is made, the commissioner of finance shall notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the amount of the deficiency and shall then

transfer that amount pursuant to the statutory open appropriation.

Subd. 4. Public Transportation	2,474,400	1,487,800
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The amounts that may be expended from this appropriation for each activity are as follows:

(a) Transportation Rates and Regulation

\$ 539,000	\$ 546,100
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(b) Transit Administration

\$ 352,000	\$ 354,500
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The appropriation made by Laws 1979, Extra Session, Chapter 1, Section 4, for development of operating standards for vehicles providing special transportation service and of procedures for enforcing the standards shall be available until June 30, 1983.

(c) Railroad Administration

\$ 583,400	\$ 587,200
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(d) Rail Service Improvement Grants

\$ 1,000,000

This appropriation is from the general fund for transfer to the rail service improvement account.

This appropriation shall be used to maximize the use of federal money.

(e) AMTRAK operations for the Northstar line between Minneapolis-St. Paul and Duluth

\$ 75,000

This appropriation may be used to satisfy any deficit and may be expended only if funds from any municipality or other sources are so appropriated or otherwise received. This appropriation shall be used to match on a 50-50 basis the amount received from the other sources. These funds shall be available immediately.

Subd. 5. Aeronautics Operations	11,654,200	11,204,600
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Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The amounts that may be expended from this appropriation for each activity are as follows:

Aeronautics Operations

\$ 369,900 \$ 373,300

The commissioner shall not require the registration of personal use airports except for those within five miles of a public airport, whether privately or publicly owned.

Aeronautics Development and Assistance

\$10,696,900 \$10,722,200

\$7,293,300 the first year and \$7,233,500 the second year is for airport construction grants.

\$1,105,500 the first year and \$1,211,700 the second year is for airport maintenance grants.

\$1,040,300 the first year and \$1,066,300 the second year is for navigational aids.

The appropriations for construction grants, maintenance grants, and navigational aids are from the state airports fund. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. These appropriations shall be expended only for grant-in-aid programs for airports that are not state owned.

These appropriations are to be expended in accordance with Minnesota Statutes, Section 360.305, Subdivision 4, Clauses (1), (2), (4) and (5).

The commissioner of transportation may transfer unencumbered balances among these appropriations with the approval of the governor after consultation with the legislative advisory commission.

\$350,000 the first year and \$400,000 the second year is from the state airports fund to increase the capitalization of the hangar revolving account from \$2,800,000 to \$3,150,000 in the first year and \$3,550,000 in the second year.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$17,500 the first year and \$7,500 the second year is from the state airports fund for maintenance of the Pine Creek Airport.

Air Transportation Services

\$ 109,100 \$ 109,100

The commissioner of transportation shall expend no money for pilot uniforms.

Aeronautics Debt Service

\$ 478,300

This appropriation is from the state airports fund for transfer to the state bond fund.

If this appropriation is insufficient to make all transfers required in the year for which it is made, the commissioner of finance shall notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the amount of the deficiency and shall then transfer that amount pursuant to the statutory open appropriation.

Subd. 6. Technical Services

17,768,100 18,076,800

The amounts that may be expended from this appropriation for each activity are as follows:

Engineering Services

\$10,284,800 \$10,512,200

Engineering Development

\$ 5,195,700 \$ 5,257,000

\$75,000 the first year and \$75,000 the second year is for a transportation research contingent account to finance research projects that are reimbursable from the federal government or from other sources. *Expenditures from this account are subject to the approval of the commissioner of finance. Reimbursements shall be deposited in the trunk highway fund. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.*

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

State Aid Technical Assistance

\$ 319,600	\$ 321,000
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The variance committee shall be continued at the fiscal year 1981 level.

Electronic Communications

\$ 1,326,400	\$ 1,342,100
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Environmental Services

\$ 641,600	\$ 644,500
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Subd. 7. General Support	14,534,100	14,902,800
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The amounts that may be expended from this appropriation for each activity are as follows:

Finance and Administration

\$ 6,255,900	\$ 6,345,200
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Equipment

\$ 4,933,800	\$ 5,089,800
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General Services

\$ 2,949,500	\$ 3,038,900
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\$400,000 the first year and \$400,000 in the second year is for development of a computerized cost accounting system.

The commissioner of transportation shall submit forthwith to the chairmen of the house appropriations and senate finance committees a cost and time schedule for completion of the development project once phase II of the PRIDE procedure has been approved by the commissioners of administration and finance. This cost and time schedule shall include a description of the elements and costs of the development project which are anticipated to extend beyond the 1982-1983 biennium.

In addition the commissioner shall prepare a report every three months beginning October 1, 1981, describing the progress made in developing the computer system. The reports shall be sent to the above named chairmen.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Programming specifications for each stage of the project shall be frozen at the completion of PRIDE phase III for that stage. Any deviation shall require the approval of the commissioner of administration. If at the end of any quarter, development project expenditures exceed the schedule by 25 percent or more, the project shall be halted immediately and shall not resume until reviewed and approved by the commissioners of administration and finance.

If the appropriation for either year is insufficient, the appropriation for the other year is available. However, the appropriation for the second year shall be expended with the approval of the governor, after consultation with the legislative advisory commission as provided by Minnesota Statutes, Section 3.30.

Legal Services

\$ 394,900 \$ 428,900

This appropriation is for the purchase of legal services from or through the attorney general.

Subd. 8. New Revenue Appropriated
The purpose of this subdivision is to provide a mechanism for increasing department of transportation complement and operational expenditures from the levels provided in the previous subdivisions of this section if new revenues are provided by the legislature to the department for highway purposes.

(a) Immediately following the adjournment of the 1981 session of the legislature, the commissioner of finance shall determine the total amount of new revenue provided by all acts of the legislature to the department of transportation for highway related purposes. The commissioner of finance shall report that amount of new revenue with an explanation of how the new revenue estimates were determined to the chairman of the senate finance committee and the chairman of the house appropriations committee.

(b) Appropriations to the department of transportation for operational purposes may increase by 7 percent of the new revenue determined pursuant to paragraph (a) of this subdivision. Complement may increase by 1 position for each \$1,000,000 of new revenue for the first \$100,000,000 of new revenue, by .55 positions for each \$1,000,000 of new revenue for new revenue from \$100,000,000 to \$200,000,000, and by .3 positions for each \$1,000,000 of new revenue for new revenue from \$200,000,000 to \$223,000,000. A detailed biennial spending and complement plan shall be submitted by the commissioner of transportation to the commissioner of finance, approved by the commissioner of finance, and reported to the chairman of the senate finance committee and the chairman of the house appropriations committee by June 30, 1981. In no activity may the appropriations in this plan exceed those recommended by the governor in his biennial budget, and in no event shall the complement increase by more than 161 positions over the complement set in this act.

(c) The amounts necessary to provide increases in appropriations pursuant to this subdivision are appropriated from the trunk highway fund to the commissioner of transportation.

Subd. 9. Transfers

The commissioner of transportation with the approval of the commissioner of finance may transfer unencumbered balances among the appropriations from the trunk highway fund made in this section. No transfer shall be made from the appropriation for highway improvement, except to the appropriation for highway maintenance, nor shall any transfer be made from highway maintenance, except with the approval of the governor after consultation with the legislative advisory commission.

No transfer shall be made from the appropriations for debt service to any other appropriation. Transfers shall be reported

forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Subd. 10. Contingent Appropriation

The commissioner of transportation, with the approval of the governor after consultation with the legislative advisory commission, may transfer all or part of the unappropriated balance in the trunk highway fund to the appropriation for highway improvement or for departmental operations in order to meet an emergency or to take advantage of an unanticipated receipt of income to the trunk highway fund. The amount transferred is appropriated for the purpose of the account to which it is transferred.

Subd. 11. Reimbursement

(a) The sums of \$1,140,500 for the first year and \$1,152,900 for the second year are appropriated from the general fund for transfer by the commissioner of finance to the trunk highway fund on January 1, 1982 and January 1, 1983, respectively, in order to reimburse the trunk highway fund for expenses not related to trunk highways.

These represent amounts appropriated out of the trunk highway fund for general fund purposes as follows: transportation rates and regulation; transit administration; railroads, ports and pipelines; and general services.

(b) The sums of \$1,403,600 for the first year and \$1,316,400 for the second year are appropriated from the state airports fund for transfer by the commissioner of finance to the trunk highway fund on January 1, 1982 and January 1, 1983, respectively, in order to reimburse the trunk highway fund for expenses not related to trunk highways.

These represent amounts appropriated out of the trunk highway fund for aeronautics purposes in subdivision 5, and for general services in subdivision 7.

Sec. 3. PUBLIC SAFETY

General Operations and Management	55,949,800	56,943,800
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Changes or additions are indicated by underline, deletions by ~~strikeout~~.

	1982	1983
Approved Complement -	1,677.3	1,649.3
General -	395.2	392.2
Trunk Highway -	1,023.3	1,026.3
Highway User -	182.6	174.6
Federal -	76.2	56.2

The above approved complement includes 504 in fiscal year 1982 and 511 in fiscal year 1983 for state funded unclassified patrol officers and supervisors of the highway patrol.

Nothing in this provision is intended to limit the authority of the commissioner of public safety to transfer personnel, with the approval of the commissioner of finance, among the various units and divisions within this section provided that the above complement shall be reduced accordingly.

No new highway patrol supervisory positions shall be established, with the exception of special duty assigned ranks for the length of assignment only.

Of this appropriation, \$14,655,500 for the first year and \$15,281,400 for the second year are from the general fund; \$34,400 the first year and \$37,300 the second year are from the state airports fund for the civil air patrol; \$35,182,400 for the first year and \$35,495,900 for the second year are from the trunk highway fund for traffic safety programs. \$6,077,500 for the first year and \$6,129,200 for the second year are from the highway user tax distribution fund for the administration of motor vehicle laws.

The amounts that may be expended from this appropriation for each program are as follows:

Administration and Related Services

 \$ 1,868,100 \$ 1,902,200

This appropriation is from the trunk highway fund.

Emergency Services

 \$ 610,600 \$ 615,800

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The appropriation in Laws 1979, Chapter 333, Section 41, for air warning devices is available only to match local money on the basis of 50 percent state and 50 percent local.

The appropriation in Laws 1980, Chapter 611, Section 6, is available until June 30, 1983.

Criminal Apprehension

\$ 8,092,100 \$ 8,660,000

Of this appropriation, \$230,700 the first year and \$233,600 the second year is from the trunk highway fund for blood alcohol analysis.

\$49,500 the first year and \$51,200 the second year is for the bureau of criminal apprehension to continue to provide in-service training for peace officers on a regional basis.

\$38,000 the first year and \$38,000 the second year is for reimbursing political subdivisions for training peace officers and firefighters in the conduct of arson investigations.

\$171,000 each year is for grants to local officials for the cooperative investigation of cross jurisdictional criminal activity. \$193,800 the first year and \$206,500 the second year is for use by the bureau of criminal apprehension for the purpose of investigating cross jurisdictional criminal activity. Any unencumbered balance remaining in the first year does not cancel but is available for the second year of the biennium.

Fire Safety

\$ 1,045,200 \$ 1,064,000

\$27,300 the first year and \$29,600 the second year is for reimbursing political subdivisions who enter into agreements to perform uniform fire code inspections.

State Patrol

\$24,550,600 \$24,654,000

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

This appropriation is from the trunk highway fund.

The commissioner may assign up to 11 pilots to the air patrolling of highways.

This appropriation provides sufficient money to operate the mobile truck weighing program on a 12 month basis.

No more than five positions in the state patrol support activity shall be filled by state troopers.

Capitol Security

\$ 968,600	\$ 965,300
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The commissioner shall submit to the legislature by January 1, 1982, a plan for coordinating capitol and mansion security activities.

Driver and Vehicle Licensing

\$17,578,800	\$17,789,100
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Of this appropriation, \$8,420,400 the first year and \$8,590,800 the second year is from the trunk highway fund, and \$6,077,500 the first year and \$6,129,200 the second year is from the highway user tax distribution fund.

During the biennium ending June 30, 1983, the commissioner of public safety shall continue to notify licensed drivers when their licenses need to be renewed.

Effective July 1, 1981, the fee for obtaining a copy of a traffic accident report is doubled.

License plates currently on hand in the department of public safety may be used for lifetime license plates.

Liquor Licensing

\$ 461,600	\$ 463,200
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Ancillary Services

\$ 774,200	\$ 830,200
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\$34,400 the first year and \$37,300 the second year is from the state airports fund for the civil air patrol.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$112,600 the first year and \$115,300 the second year is from the trunk highway fund for traffic safety and research.

\$27,200 the first year and \$27,600 the second year is for the expenses of the Private Detective and Protective Agency Licensing Board.

The commissioner of public safety with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

\$600,000 the first year and \$650,000 the second year is for the crime victims reparations board. If any funds are generated by a penalty assessment and dedicated for use in paying crime victims, the unexpended funds in this activity intended for payments to crime victims shall cancel. Any unencumbered balance remaining the first year does not cancel but is available for the second year of the biennium.

The sums of \$303,200 for the first year and \$313,800 for the second year are appropriated from the general fund for transfer by the commissioner of finance to the trunk highway fund on January 1, 1982 and January 1, 1983 respectively, in order to reimburse the trunk highway fund for expenses not related to the fund. These represent amounts appropriated out of the trunk highway fund for general fund purposes in the administration and related services program.

The sums of \$383,800 for the first year and \$391,400 for the second year are appropriated from the highway user fund for transfer by the commissioner of finance to the trunk highway fund on January 1, 1982 and January 1, 1983 respectively, in order to reimburse the trunk highway fund for expenses not related to the fund. These represent amounts appropriated out of the

trunk highway fund for highway user fund purposes in the administration and related services program.

Sec. 4. COMMERCE

General Operations and Management 6,736,000 6,792,300

	1982	1983
Approved Complement -	248	244
General -	245	241
Special -	3	3

The amounts that may be expended from this appropriation for each program are as follows:

Supervision of State Chartered Financial Institutions

\$ 2,205,500 \$ 2,232,500

Included in this appropriation is \$130,000 each year for employee salary structure changes. The department of employee relations is directed to review the classification structure of financial institution examiners and if revisions are appropriate to work with the department of commerce in preparing revised classification specifications and standards. If no or lesser adjustments are made, the remaining amounts shall cancel back to the general fund.

The commissioner of banks shall cooperate with the state treasurer in the conduct of audits relating to unclaimed property.

Investment Protection

\$ 998,700 \$ 1,024,300

\$157,900 the first year and \$167,500 the second year is from the real estate education, research and recovery fund for the purpose of Minnesota Statutes, Section 82.34, Subdivision 6. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Consumer Services

\$ 1,111,300 \$ 1,101,000

Changes or additions are indicated by underline, deletions by strikeout.

This appropriation includes funding for activities relating to cosmetology pursuant to sections 31 to 48 of this act.

The director of consumer services shall establish a statewide consumer outreach service to provide consumer services, education, and information throughout the state.

The staff complement of the section of consumer services shall be increased by four to carry out the program of the statewide consumer outreach service.

Regulation of Insurance Companies

\$ 1,700,300 \$ 1,721,600

The commissioner of insurance shall cooperate with the state treasurer to improve procedures for notifying beneficiaries of the death of life insurance policyholders.

General Support

\$ 872,200 \$ 892,700

General Staff Reduction

(\$ 27,600) (\$ 55,500)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general staff reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

General Reduction

(\$ 124,400) (\$ 124,300)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

The commission with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported

forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 5. NON-HEALTH RELATED BOARDS.

Subdivision 1. Total for this section	1,467,300	1,460,700
Subd. 2. Board of Abstractors	3,700	3,900
Subd. 3. Board of Accountancy	185,100	195,700
Approved Complement - 4		
Subd. 4. Board of Architecture, Engineering and Land Surveying	244,700	237,200
Approved Complement - 7		
Subd. 5. Board of Barber Examiners	88,400	90,800
Approved Complement - 3		
Subd. 6. Board of Boxing and Wrestling	32,600	33,600
Approved Complement - 1		
Subd. 7. Board of Electricity	616,300	595,400
Approved Complement - 18		
Subd. 8. Board of Peace Officer Standards and Training		
General Operations and Management	290,700	297,600
Approved Complement - 10		
Subd. 9. Board of Examiners in Watchmaking	5,800	6,500

Sec. 6. PUBLIC UTILITIES COMMISSION

1,064,500 1,011,300

Approved Complement - 27

\$85,000 the first year is for transfer to the special account for administrative hearing costs.

Sec. 7. PUBLIC SERVICE

General Operations and Management	2,959,000	3,024,500
Approved Complement - 98		
General - 94		

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Federal - 4

The amounts that may be expended from this appropriation for each program are as follows:

Utility Regulation

\$ 1,233,000	\$ 1,251,700
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Weights and Measures

\$ 1,329,200	\$ 1,370,700
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Effective July 1, 1981, the flat rate and hourly fees for regular and special weights and measures inspections by the department of public service shall be based upon hourly charges of \$35 for light duty devices, \$40 for heavy duty devices, and \$47 for laboratory work. Notice of the revised fees shall be published in the state register as soon as practicable. During the biennium ending June 30, 1983 these fees shall not be decreased, but may be increased pursuant to section 239.52, as amended by this act. Thereafter, the fees shall be set as provided in that section.

Administrative Services

\$ 396,800	\$ 402,100
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The public service department with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations in the house of representatives.

Sec. 8. **ETHICAL PRACTICES BOARD**

156,700	161,000
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Approved Complement - 5

Sec. 9. **MINNESOTA MUNICIPAL BOARD**

166,900	169,600
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Approved Complement - 4

Sec. 10. **MINNESOTA-WISCONSIN BOUNDARY AREA COMMISSION**

54,800	60,000
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Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The amount expended shall not exceed the amount provided for the commission by the state of Wisconsin.

<p>Sec. 11. UNIFORM LAWS COMMISSION</p> <p>Sec. 12. VOYAGEURS NATIONAL PARK CITIZENS COMMITTEE</p> <p>Sec. 13. SOUTHERN MINNESOTA RIVERS BASIN BOARD</p> <p>Sec. 14. MINNESOTA HISTORICAL SOCIETY</p>	<p>12,600</p> <p>51,000</p> <p>46,700</p> <p>6,910,300</p>	<p>12,900</p> <p>52,000</p> <p>48,100</p> <p>7,023,500</p>
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The amounts that may be expended from this appropriation for each program are as follows:

(a) Minnesota Historical Society

Operations

\$ 6,532,800 \$ 6,636,500

\$30,000 in the first year is for the purpose of maintaining Minnesota military history museums at Fort Snelling and Camp Ripley. Any unexpended funds shall not cancel and shall be available in the second year.

This appropriation includes money for a seven-day-a-week tour program in the capitol and historical buildings. The historical building shall remain open for public use on Saturdays and, if necessary, adjustments in the remainder of the week day schedule may be effected by the Minnesota historical society.

Any unencumbered balance remaining at the end of the first year shall be returned to the state treasury and credited to the general fund.

The appropriation in this subdivision includes no funds for compensation increases. The Minnesota historical society will draw on the open appropriation for that purpose. Employees of the Minnesota historical society will be paid in accordance with the appropriate pay plan.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(b) Historic Grant-In-Aid

\$ 245,000 \$ 245,000

For historic site grants to encourage local historic preservation projects.

To be eligible for a grant, a county or local project group must provide a 50 percent match, in accordance with the historical society's guidelines.

(c) Fiscal Agent

\$ 132,500 \$ 142,000

\$40,100 the first year and \$41,000 the second year is for the Sibley House Association.

This appropriation is available for operation and maintenance of the Sibley House and related buildings on the Old Mendota state historic site owned by the Sibley House association.

The historical society should seek an agreement with the Sibley House association whereby the historical society will make payments to the association for this purpose and will provide the association with technical assistance in applying for federal grants.

Notwithstanding any laws to the contrary, the Sibley House association may purchase fire, wind, hail, and vandalism insurance, and insurance coverage for fine art objects from this appropriation.

\$50,000 the first year and \$55,000 the second year is for the Government Learning Center.

\$26,500 the first year and \$28,700 the second year is for the Minnesota Humanities Commission.

\$15,900 the first year and \$17,300 the second year is for the Minnesota International Center.

Any unencumbered balance remaining in (b) or (c) the first year does not cancel but is available for the second year of the biennium.

Sec. 15. BOARD OF THE ARTS	2,160,000	2,340,000
	1982	1983
Approved Complement -	16	16
Federal	3	3

The amounts that may be expended from this appropriation for each program are as follows:

(a) Administrative Services

 \$ 355,700 \$ 361,500

(b) Subsidies and Grants

 \$ 1,804,300 \$ 1,978,500

\$70,200 the first year and \$85,700 the second year is for individual artist grants.

\$676,600 the first year and \$700,100 the second year is for the support of regional arts councils throughout the state.

The board of the arts shall prepare a report that includes, but is not necessarily limited to: (1) a documentation of the historical expenditures of state monies by regional arts councils in the areas of program grants, administrative costs, and program services; (2) a documentation of the projected financial needs in the area of grants, administrative costs, and program services; (3) a set of specific alternatives on the amount of state money granted to regional arts councils that may be used for both general administrative costs and program service costs; and (4) a recommendation for the allocation of block grants to regional arts councils to insure an equitable distribution of money throughout the state. The report shall be submitted to the chairman of the senate finance committee and the chairman of the house appropriations committee by January 1, 1982, and the appropriations for the regional arts councils for fiscal year 1983 shall not be available for expenditure until the chairmen have made their recommendations on the report. The recommendations are advisory only. Failure or refusal to make a recommendation promptly is deemed a negative recommendation.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Any unencumbered balance remaining in (a) or (b) the first year does not cancel but is available for the second year of the biennium.

Sec. 16. MINNESOTA HUMANE SOCIETY 50,000

No state money shall be expended for the care, feeding, housing, or disposal of animals.

Any unencumbered balance remaining in the first year does not cancel but is available for the second year of the biennium.

Sec. 17. COUNTY ATTORNEYS COUNCIL 121,800

	1982	1983
Approved Complement -	4	4
General -	4	2
Special -	0	2

No additional funding shall be available for the above program beyond June 30, 1983. Any unexpended balances remaining in the first year do not cancel but are available for the second year of the biennium.

Sec. 18. MINNESOTA HORTICULTURAL SOCIETY 71,800 77,500

Sec. 19. MINNESOTA ACADEMY OF SCIENCE 23,300 23,300

Sec. 20. SCIENCE MUSEUM OF MINNESOTA 200,000 200,000

Sec. 21. MINNESOTA SAFETY COUNCIL 46,600 50,700

This appropriation is from the trunk highway fund.

Sec. 22. DISABLED AMERICAN VETERANS 18,500 20,100

For salaries, supplies and expenses to be expended as provided by Laws 1941, Chapter 425.

Sec. 23. VETERANS OF FOREIGN WARS 25,000 25,000

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

For carrying out the provisions of Laws 1945, Chapter 455.

Sec. 24. Minnesota Statutes 1980, Section 12.14, is amended to read:

12.14 ASSESSMENT FOR NUCLEAR SAFETY PREPAREDNESS ACT.

Any person, firm, corporation or association in the business of owning or operating a nuclear fission electrical generating plant located in Minnesota, shall pay an assessment of \$250,000 per plant to cover the initial cost of upgrading nuclear power plant emergency response plans and other programs necessary to deal with incidents resulting from the operation of nuclear fission electrical generating plants. This assessment shall be paid to the state for deposit in the general fund within 90 days of April 25, 1980. Thereafter, an assessment of ~~\$50,000~~ \$75,000 per plant shall be paid annually on July 1 of each year, beginning with July 1, 1981, to cover ongoing costs related to the emergency response plan.

Sec. 25. Minnesota Statutes 1980, Section 15.0412, Subdivision 4, is amended to read:

Subd. 4. No rule, other than a rule setting a fee covered by section 16A.128 or section 214.06, shall be adopted by any agency unless the agency first holds a public hearing thereon, affording all affected interests an opportunity to participate. Fee adjustments authorized under section 16A.128 or section 214.06 may be made by rule without a public hearing when the total fees received during the fiscal biennium will not exceed 110 percent of the sum of all direct appropriations, transfers in, and salary supplements for that purpose for the biennium. Each agency shall maintain a list of all persons who have registered with the agency for the purpose of receiving notice of rule hearings. The agency may inquire as to whether those persons on the list wish to maintain their names thereon and may remove names for which there is a negative reply or no reply within 60 days. The agency shall, at least 30 days prior to the date set for the hearing, give notice of its intention to hold a hearing by United States mail to all persons on its list, and by publication in the state register. Each agency may, at its own discretion, also contact persons not on its list and may give notice of its intention to hold a hearing in newsletters, newspapers or other publications or through other means of communication. The notice in the state register shall include the full text of the rule proposed for adoption and, when amending existing rules, whatever portion of the existing rules is necessary to provide adequate notice of the nature of the proposed action. When an entire rule is proposed to be repealed, the agency need only publish that fact, giving the exact citation to the rule to be repealed in the notice.

Sec. 26. Minnesota Statutes 1980, Section 16A.128, is amended to read:

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16A.128 FEE ADJUSTMENTS.

The fees fixed for the various accounts for which appropriations are made by law, shall be neither increased nor decreased except with the approval of the commissioner of finance. All ~~such~~ these fees shall be reviewed at least once each six months, and ~~such~~ adjustments shall be made to the end that the total fees received shall approximate the amount appropriated for the several ~~funds~~ accounts, plus the portion of the general support costs and statewide indirect costs of the agency that is attributable to the function for which the fee is charged. Fee adjustments authorized under this section may be made without a public hearing when the total fees estimated to be received during the fiscal biennium will not exceed ~~the amount of the direct appropriation~~ 110 percent of the sum of all direct appropriations, transfers in, and salary supplements for that purpose for the biennium.

Sec. 27. Minnesota Statutes 1980, Section 37.17, is amended by adding a subdivision to read:

Subd. 3. EXPANSION OF CERTAIN LICENSES. The society shall permit the expansion of services by license holders for food services by allowing additional sites upon request of the contract holder, provided that:

(a) The request for additional sites, is made by a license holder of five years or more;

(b) No more than four sites are held by a single license holder at the time of the request; and

(c) The sites are physically available at the fairgrounds.

The society shall make every effort to make additional sites available and shall not unreasonably withhold the allocation of additional sites, to qualified license holders, or fail to renew contracts for established food concessionaries who have made every good faith effort to comply with state fair rules and regulations.

Sec. 28. Minnesota Statutes 1980, Section 43.491, Subdivision 2, is amended to read:

Subd. 2. The following persons enumerated in this subdivision though excluded by section 43.47 from coverage are nonetheless eligible for coverages at their own expense pursuant to the provisions of subdivision 1:

(1) A part time or seasonal employee of the state serving on less than a 75 percent time basis;

(2) An employee of the board of regents of the University of Minnesota on the academic staff serving on less than a 75 percent regular appointment;

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(3) A part time or seasonal employee of the board of regents of the University of Minnesota and a member of the civil service staff under the civil service plan serving on less than a 75 percent time basis;

(4) An employee in the unclassified service of the state civil service who is employed by the state university board or the state board for community colleges as a member of the academic staff serving on less than a 75 percent time basis;

(5) An officer or employee of the state agricultural society, state horticultural society, Sibley house association, Minnesota humanities commission, Minnesota international center, Minnesota academy of science, science museum of Minnesota, Minnesota safety council, ~~or Minnesota humane society,~~ state office of disabled American veterans, or state office of veterans of foreign wars;

(6) A civilian employee of the adjutant general who is paid from federal funds and who is not eligible to benefits from any federal civilian employee group life insurance or health benefits program;

(7) An officer or employee of the state capitol credit union or the hiway credit union.

Sec. 29. Minnesota Statutes 1980, Section 46.131, Subdivision 3, is amended to read:

Subd. 3. A proportionate share of all annual office expenses of the commissioner of banks and the portion of the general support costs of the department of commerce and of the cost of services provided by the attorney general that is attributable to the commissioner of banks, as well as all actual expenses of the examiners in the field, excepting salaries, shall be allocated to each industry affected, and referred to in subdivision 4, as assessments and on the basis of the total time devoted to each.

Sec. 30. **[138.94] STATE HISTORICAL CENTER.**

The Historical building at 690 Cedar Street and the land housing the Mechanic Arts gymnasium, parking lot, and any other properties between those entities and the Historical building at 690 Cedar Street is hereby designated as the State Historical Center, and is to be used for such purposes notwithstanding any other law to the contrary. Authority for administration and control of the State Historical Center is conferred on the Minnesota historical society. As such, the society is exempt from rental or lease costs by the state. The state will maintain and provide custodial, security, and climate control services for the Historical Center.

Sec. 31. **[155A.01] POLICY.**

The legislature finds that the health and safety of the people of the state are served by the licensing of the practice of cosmetology because of the use of

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chemicals, apparatus, and other appliances requiring special skills and education.

To this end, the public will best be served by vesting these responsibilities in the director of the office of consumer services.

Sec. 32. [155A.02] PROHIBITION; LIMITATION.

It shall be unlawful for any person to engage in cosmetology, or to conduct or operate a cosmetology school or salon, except as hereinafter provided.

Sec. 33. [155A.03] DEFINITIONS.

Subdivision 1. TERMS. For purposes of sections 31 to 48, and unless the context clearly requires otherwise, the words defined in this section have the meanings given them.

Subd. 2. COSMETOLOGY. "Cosmetology" is the practice of personal services, for compensation, for the cosmetic care of the hair, nails, and skin. These services include cleaning, conditioning, shaping, reinforcing, coloring and enhancing the body surface in the areas of the head, scalp, face, arms, hands, legs, and feet, except where these services are performed by a licensed barber under chapter 154.

Subd. 3. COSMETOLOGIST. A "cosmetologist" is any person who, for compensation, performs the personal services, as defined in subdivision 2.

Subd. 4. ESTHETICIAN. An "esthetician" is any person who, for compensation, performs personal services for the cosmetic care of the skin only.

Subd. 5. MANICURIST. A "manicurist" is any person who, for compensation, performs personal services for the cosmetic care of the hands, feet, and nails only.

Subd. 6. MANAGER. A "manager" is any person who conducts, operates, or manages a cosmetology school or salon and who also instructs in or provides any services, as defined in subdivision 2.

Subd. 7. SALON. A "salon" is an area, room, or rooms employed to offer personal services, as defined in subdivision 2. "Salon" does not include the home of a customer but the director may adopt health and sanitation rules governing practice in the homes of customers.

Subd. 8. SCHOOL. A "school" is a place where any person operates and maintains a class to teach cosmetology to the public for compensation. "School" does not include a place where the only teaching of cosmetology is done by a licensed cosmetologist as part of a community education program of less than ten hours duration, provided that the program does not permit practice on persons other than students in the program, and provided that the

program is intended solely for the self-improvement of the students and not as preparation for professional practice.

Subd. 9. INSTRUCTOR. An "instructor" is any person employed by a school to prepare and present the theoretical and practical education of cosmetology to persons who seek to practice cosmetology.

Subd. 10. DIRECTOR. "Director" means the director of the office of consumer services.

Subd. 11. COUNCIL. The "council" is the Minnesota cosmetology advisory council, as defined in section 36.

Subd. 12. PERSON. The term "person" may extend and be applied to bodies politic and corporate, and to partnership and other unincorporated associations.

Sec. 34. [155A.04] ADMINISTRATION.

Subdivision 1. DIRECTOR'S POWERS AND DUTIES; GENERAL-
LY. The director of the office of consumer services shall have the power and duties necessary for the administration of the provisions of this chapter.

Subd. 2. HIRING AND ASSIGNMENT OF EMPLOYEES. The director shall have the authority to hire in the classified service, or to assign to employees of the department of commerce, qualified personnel to assist in administering the law, including those for the testing and licensing of applicants and the continuing inspections required.

Sec. 35. [155A.05] RULES.

The director shall develop and adopt rules to carry out the provisions of sections 31 to 48 by December 31, 1982, pursuant to chapter 15. For purposes of sections 31 to 48, the director may adopt temporary rules, pursuant to section 15.0412, subdivision 5. These rules may be reissued as temporary rules until permanent rules are adopted or until December 31, 1982, whichever is earlier. These temporary rules may provide that for any renewal license issued by the director within one year after the effective date of this section, the term of renewal shall be either one, two, or three years. The fee for a one-year renewal license shall be one-third of the fee for a three-year renewal license, and the fee for a two-year renewal shall be two-thirds of the three-year fee.

Sec. 36. [155A.06] ADVISORY COUNCIL.

Subdivision 1. CREATION. The Minnesota cosmetology advisory council is created, consisting of nine members, as follows: Three members representative of consumers; three cosmetologists or shop managers; two cosmetology school representatives, one representing public cosmetology schools and one representing private cosmetology schools; and one representative of manufacturers of cosmetology products. The chair shall be selected at

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the first meeting of each year by the council from among its members by majority vote and shall serve until a successor is elected.

Subd. 2. APPOINTMENTS. Appointments to the council shall be made by the governor in accordance with section 15.0597.

Subd. 3. MEMBERSHIP TERMS. Each member of the council shall be appointed for a four-year term, except that in making the appointments for the first term the governor shall appoint members for one, two, three, or four year duration by September 1, 1981 so that appointments do not expire concurrently.

Subd. 4. DUTIES. The council shall meet at least annually, at the call of the director. The council shall advise the director of the availability of cosmetology services and their ethical and safe operation. The director shall consult with the council prior to the promulgation of any rules, adoption of testing instruments, criteria for inspections, and other matters as the director deems appropriate.

Subd. 5. COMPENSATION. Members of the council shall be compensated for expenses as provided in section 15.059.

Sec. 37. [155A.07] PRACTITIONER.

Subdivision 1. LICENSING. Individual licensing shall be required for persons seeking to practice in the state as a cosmetologist, esthetician, manicurist, manager, or instructor.

Subd. 2. QUALIFICATIONS. Qualifications for licensing in each classification shall be determined by the director in consultation with the council, established by rule, and shall include educational and experiential prerequisites. The rules shall require a demonstrated knowledge of procedures necessary to protect the health of the practitioner and the consumer of cosmetology services, including but not limited to chemical applications.

Subd. 3. TESTING. Appropriate standardized tests shall be used and shall include subject matter relative to the application of Minnesota law. In every case, the primary consideration shall be to safeguard the health and safety of consumers by determining the competency of the applicants to provide the services indicated.

Subd. 4. LICENSING WITHOUT TEST. Licensing of persons without testing may be allowed as determined by rules.

Subd. 5. DURATION OF LICENSE. Licensing in each classification shall be for a period of three years.

Subd. 6. RENEWALS. Renewal of license shall be for a period of three years under conditions and process established by rule.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 7. FEES. Examination and licensing fees shall be established and adjusted, by rule, so that the total amount of fee income at least meets the anticipated costs, as provided in section 214.06.

Subd. 8. EXEMPTIONS. Persons licensed to provide cosmetology services in other states visiting this state for cosmetology demonstrations shall be exempted from the licensing provisions of sections 31 to 48 provided that services to consumers are in the physical presence of a licensed cosmetologist.

Sec. 38. [155A.08] SALONS.

Subdivision 1. LICENSING. Any person who offers cosmetology services for compensation in this state shall be licensed as a salon if not employed by another licensed salon.

Subd. 2. REQUIREMENTS. The conditions and process by which a salon is licensed shall be established by the director by rule after consultation with the council. The rule shall include the following requirements:

(a) Compliance with all local and state laws, particularly relating to matters of sanitation, health, and safety;

(b) The employment of a manager, as defined in section 33, subdivision 6;

(c) Inspection and licensing prior to the commencing of business; and

(d) Evidence of professional liability insurance coverage in an amount by claim and total coverage as established by rule. The rule shall authorize a licensed manicurist who complies with the health, safety, sanitation, inspection, and insurance rules promulgated by the director to operate a salon solely for the performance of those personal services defined in section 33, subdivision 5.

Subd. 3. HEALTH AND SANITARY STANDARDS. Minimum health and sanitary standards for the operation of a salon shall be established by rule. A salon shall not be located in a room used for residential purposes. If a salon is in the residence of a person practicing cosmetology, the rooms used for the practice of cosmetology shall be completely partitioned off from the living quarters. There shall be an inspection at least annually to affirm compliance.

Subd. 4. RENEWAL. Licenses shall be renewed every three years by a process established by rule.

Subd. 5. FEES. Licensing and inspection fees shall be established and adjusted, by rule, so that the total amount of fee income at least meets the anticipated costs, as provided in section 214.06.

Sec. 39. [155A.09] SCHOOLS.

Subdivision 1. LICENSING. Any person who establishes or conducts a school in this state shall be licensed.

Subd. 2. STANDARDS. The director, after consultation with the council, shall by rule establish minimum standards of course content and length specific to the educational preparation prerequisite to testing and licensing as cosmetologist, esthetician, and manicurist.

Subd. 3. APPLICATIONS. Application for a license shall be prepared on forms furnished by the director and shall contain the following and such other information as may be required:

(a) The name of the school, together with ownership and controlling officers, members; managing employees and director;

(b) The specific fields of instruction which will be offered and reconciliation of the course content and length to meet the minimum standards, as prescribed in subdivision 2;

(c) The place or places where instruction will be given;

(d) A listing of the equipment available for instruction in each course offered;

(e) The maximum enrollment to be accommodated;

(f) A listing of instructors, all of whom shall be licensed as provided in section 37, subdivision 2, except that any school may use occasional instructors or lecturers who would add to the general or specialized knowledge of the students but who need not be licensed;

(g) A current balance sheet, income statement or documentation to show sufficient financial worth and responsibility to properly conduct a school and to assure financial resources ample to meet the school's financial obligations;

(h) Other financial guarantees which would assure protection of the public as determined by rule; and

(i) A copy of all written material which the school uses to solicit prospective students, including but not limited to a tuition and fee schedule, and all catalogues, brochures and other recruitment advertisements. Each school shall annually, on a date determined by the director, file with the director any new or amended materials which it has distributed during the past year.

Subd. 4. VERIFICATION OF APPLICATION. Each application shall be signed and certified to under oath by the proprietor if the applicant is a proprietorship, by the managing partner if the applicant is a partnership, or by the authorized officers of the applicant if the applicant is a corporation, association, company, firm, society or trust.

Subd. 5. CONDITIONS PRECEDENT TO ISSUANCE. No license shall be issued unless the director first determines:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(a) That the applicant has a sound financial condition with sufficient resources available to meet the school's financial obligations; to refund all tuition and other charges, within a reasonable period of time, in the event of dissolution of the school or in the event of any justifiable claims for refund against the school; to provide adequate service to its students and prospective students; and for the proper use and support of the school to be maintained;

(b) That the applicant has satisfactory training facilities with sufficient tools and equipment and the necessary number of work stations to adequately train the students currently enrolled, and those proposed to be enrolled;

(c) That the applicant employs a sufficient number of qualified instructors trained by experience and education to give the training contemplated;

(d) That the premises and conditions under which the students work and study are sanitary, healthful, and safe according to modern standards;

(e) That each occupational course or program of instruction or study shall be of such quality and content as to provide education and training which will adequately prepare enrolled students for testing, licensing, and entry level positions as a cosmetologist, esthetician, or manicurist; and

(f) Evidence of professional liability insurance coverage in an amount by claim and total coverage as established by rule.

Subd. 6. FEES; RENEWALS. (a) Applications for initial license under this chapter shall be accompanied by a nonrefundable application fee established by rule.

(b) License duration shall be three years. Each renewal application shall be accompanied by a nonrefundable renewal fee established by rule.

(c) Application for renewal of license shall be made as stipulated in rules promulgated by the director and on forms supplied by the director.

Subd. 7. INSPECTIONS. All schools shall be inspected at least once a year. The director shall have the authority to assess the cost of the inspection to the school.

Subd. 8. LIST OF LICENSED SCHOOLS; AVAILABILITY. The director shall maintain and make available to the public a list of licensed schools.

Subd. 9. SEPARATION OF SCHOOL AND PROFESSIONAL DEPARTMENTS. A school shall display in the entrance reception room of its student section a sign prominently and conspicuously indicating that all work therein is done exclusively by students. Professional departments of a school shall be run as entirely separate and distinct businesses and shall have separate entrances.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Nothing contained in sections 31 to 48 shall prevent a school from charging for student work done in the school to cover the cost of materials used and expenses incurred in and for the operation of the school. All of the student work shall be prominently and conspicuously advertised and held forth as being student work and not otherwise.

Subd. 10. DISCRIMINATION PROHIBITED. No school, duly approved under this chapter, shall refuse to teach any student, otherwise qualified, on account of race, sex, creed, color, citizenship, national origin, or sexual preference.

Sec. 40. [155A.10] DISPLAY OF LICENSE.

(a) Every holder of a license granted by the director, shall display it in a conspicuous place in the place of business.

(b) Notwithstanding the provisions of paragraph (a), nothing contained in sections 31 to 48 shall be construed to prohibit a person licensed to provide cosmetology services from engaging in any practices defined in sections 31 to 48 in the homes of customers or patrons, under the sanitary and health rules promulgated by the director.

Sec. 41. [155A.11] REVOCATION OF LICENSE.

Subdivision 1. GROUNDS. The director may, after notice and opportunity for a hearing pursuant to chapter 15, refuse to renew, or revoke or suspend any license for any one, or combination of, the following grounds:

(a) Violation of any provision of sections 31 to 48 or any other statute or rule promulgated or enforced by the director;

(b) Intentionally furnishing false, misleading, or incomplete information;

(c) Refusal to allow reasonable inspection or supply reasonable information after a written request by the director or his designee;

(d) The existence of any circumstance which would be grounds for the refusal of an initial or renewal license.

Subd. 2. APPEAL FROM ORDER. Any order refusing, revoking, or suspending a license is appealable to the district court where the licensee conducts business as provided in chapter 15. If a person has been operating and the person's license has been revoked, suspended, or refused by the director, the order is not effective until final determination of the appeal unless the court orders it to take effect immediately.

Sec. 42. [155A.12] COMPLAINTS; INVESTIGATIONS AND HEARINGS.

Subdivision 1. NOTICE TO ATTORNEY GENERAL. The director or person employed by him who receives a complaint or other communication,

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whether oral or written, alleging or implying a violation of a statute or rule which the director is empowered to enforce, which cannot be conciliated or resolved by the director or his designee shall promptly forward the substance of the communication on a form prepared by the attorney general to the designee of the attorney general responsible for providing legal services to the director. Before proceeding further with the communication, the director or designee of the attorney general may require the complaining party to state his complaint in writing on a form prepared by the attorney general. Complaints which relate to matters within the jurisdiction of another governmental agency shall be forwarded to that agency by the director. An officer of that agency shall advise the director of the disposition of that complaint. A complaint received by another agency which relates to a statute or rule which the director is empowered to enforce shall be forwarded to the director to be processed in accordance with this section.

Subd. 2. INVESTIGATIONS BY ATTORNEY GENERAL. The designee of the attorney general providing legal services to the director shall evaluate the communications forwarded to him by the director. If the communication alleges a violation of statute or rule which the director is to enforce, the designee is empowered to investigate the facts alleged in the communication. In the process of evaluation and investigation, he shall consult with or seek the assistance of the director. He may also consult with or seek the assistance of any other qualified person who the designee believes will materially aid in the process of evaluation or investigation. The director may attempt to correct improper activities and redress grievances through education, conference, conciliation and persuasion, and in these attempts he may be assisted by the designee of the attorney general. If the attempts at correction or redress do not produce satisfactory results in the opinion of the director, or if after investigation the designee providing legal services to the director believes that the communication and the investigation suggest illegal or unauthorized activities warranting action, he shall inform the director who shall schedule a disciplinary hearing in accordance with chapter 15. Before scheduling a disciplinary hearing, the basis for the hearing must be stated in writing. The director shall promptly inform the complaining party, if any, of the final disposition of the complaint. Nothing in this section shall preclude the director from scheduling a disciplinary hearing based upon the findings or report of the director's staff or the attorney general.

Subd. 3. ISSUANCE OF COMPULSORY PROCESS. In all matters pending before him relating to his lawful regulation activities, the director may issue subpoenas and compel the attendance of witnesses and the production of all necessary papers, books, records, documents, and other evidentiary material. Any person failing or refusing to either appear to testify regarding any matter about which he may be lawfully questioned, or produce any papers, books, records, documents, or other evidentiary materials in the matter to be heard, after having been required by the order of the director or by subpoena of the

director to do so may, upon application to the district court where the licensee conducts business, be ordered to comply therewith. The director may issue subpoenas and may administer oaths to witnesses, or take their affirmation. Depositions may be taken within or without the state in the manner provided by law for the taking of depositions in civil actions. A subpoena or other process or paper may be served upon any person named therein, anywhere within the state by any officer authorized to serve subpoenas or other process or paper in civil actions, with the same fees and mileage and in the same manner as prescribed by law for service of process issued out of the district court of this state. Fees and mileage and other expenses shall be paid as the director directs.

Sec. 43. [155A.13] ADDITIONAL REMEDY.

In addition to any other remedy provided by law, the director may in his own name bring an action in the district court where the licensee conducts business for injunctive relief to restrain any unauthorized practice or violation or threatened violation of any statute or rule which the director is empowered to regulate or enforce. A temporary restraining order may be granted in the proceeding if continued activity by a person would create an imminent risk of harm to others. Injunctive relief granted pursuant to this section shall not relieve the person from disciplinary action by the director in respect to the person's license or application for license or renewal.

Sec. 44. [155A.14] SERVICES EXCEPTED; EMERGENCY.

Nothing in sections 31 to 48 shall prohibit services in cases of emergency where compensation or other reward is not received, nor in domestic service, nor in the practice of medicine, surgery, dentistry, podiatry, osteopathy, chiropractic, or barbering. This section shall not be construed to authorize any of the persons so exempted to wave the hair, or to color, tint, or bleach the hair, in any manner.

Sec. 45. [155A.15] APPOINTMENT OF AGENT FOR SERVICE OF PROCESS.

Any person, firm, partnership, or corporation, not a resident of Minnesota, who engages in Minnesota in the practices regulated in sections 31 to 48 shall file with the director the name and address of a duly authorized agent for service of legal process, which agent for service shall be a resident of the state of Minnesota.

Sec. 46. [155A.16] VIOLATIONS; PENALTIES.

Any person who violates any of the provisions of sections 31 to 48 shall be guilty of a misdemeanor and upon conviction may be sentenced to imprison-

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ment for not more than 90 days or fined not more than \$500, or both, per violation.

Sec. 47. [155A.17] TRANSFER OF POWERS.

Subdivision 1. AUTHORIZATION. The director, as successor to the board of cosmetology examiners, shall be deemed to be a continuation of the former authority and not a new authority for the purpose of succession to all the rights, powers, duties and obligations of the board of cosmetology examiners as they were constituted immediately prior to the effective date of sections 31 to 48.

Subd. 2. EFFECT OF RULES TRANSFERRED. All rules heretofore promulgated under the authority of a power, duty, or responsibility transferred by sections 31 to 48 to the director shall remain in full force until modified or repealed in accordance with law by the director.

Subd. 3. EFFECT OF PENDING PROCEEDINGS. Any proceeding, court action, prosecution, or other business or matter which is pending on the effective date of sections 31 to 48 and which was undertaken or commenced by the board of cosmetology examiners under the authority of any power, duty, or responsibility which is transferred by sections 31 to 48 to the director may be conducted and completed by the director in the same manner, under the same terms and conditions, and with the same effect as though no transfer was made.

Subd. 4. TRANSFER OF CUSTODY OF DOCUMENTS. Every individual responsible under law for administration of any function transferred by sections 31 to 48 to the director shall, upon request by the director or by any of his designated employees, transfer custody of all books, maps, plans, papers, records, contracts, and other documents relating to the transferred function and necessary or convenient for the proper discharge of the director's new duties. The transfer shall be made in accordance with the directions of the director or his designated employee.

Subd. 5. APPROPRIATIONS. All unexpended and unencumbered funds appropriated to the board of cosmetology examiners for the purpose of performing any of the functions, powers, or duties which are transferred by sections 31 to 48 to the director are hereby transferred to the director. If any unexpended appropriation must be allocated between the director and any other individual, office, division, agency, or department to accurately reflect the division of responsibilities between those individuals, divisions, agencies, or departments and the director after the effective date of sections 31 to 48, the commissioner of administration shall allocate the unexpended appropriation as he deems appropriate.

Subd. 6. TRANSFER OF POSITIONS. Prior to the effective date of sections 31 to 48, the director has the authority to identify which board of cosmetology positions are required to carry out the provisions of sections 31 to

Changes or additions are indicated by underline, deletions by strikeout.

48. The incumbents of those positions in the classified service which the director determines are needed to carry out sections 31 to 48 are transferred to the employment of the director. The positions of all persons who are employed in the unclassified service by the board of cosmetology examiners to perform any of the functions, powers, or duties which are transferred by sections 31 to 48 to the director are abolished. Nothing in this subdivision shall be construed as abrogating or modifying any rights now enjoyed by affected employees under the terms of an agreement between an exclusive representative of public employees and the state or one of its appointing authorities.

Sec. 48. [155A.18] PRIOR LICENSES.

All licenses which were issued by the board of cosmetology under chapter 155, shall continue in effect under the office of consumer services until the licenses expire.

Sec. 49. Minnesota Statutes 1980, Section 161.125, Subdivision 1, is amended to read:

Subdivision 1. The commissioner of transportation shall, in accordance with the department's program, implement sound abatement measures within or along the perimeter of any interstate or trunk highway within incorporated areas located within the metropolitan area or any municipality whenever the noise level attributable to vehicular traffic at the abutting residential property line is in excess of the federal noise standards. The commissioner shall utilize federal matching funds available for constructing and maintaining sound abatement measures. No standard adopted by any state agency for limiting levels of noise in terms of sound pressure in the outdoor atmosphere shall apply to any interstate highway.

Sec. 50. Minnesota Statutes 1980, Section 161.242, Subdivision 4, is amended to read:

Subd. 4. **AUTHORITY.** The commissioner shall screen junk yards when required by this section at locations on the right-of-way of the highway or on lands within 1,000 feet of the right-of-way and shall pay for the costs thereof. If screening is not feasible because of economic or topographic reasons, the commissioner shall secure the removal, relocation or disposal of such junk yard by sale, agreement, or other means, and pay for the costs thereof. Notwithstanding the other provisions of this section, if a junk yard exists within one-half mile of the right-of-way of any trunk highway and is visible from the highway, the commissioner may acquire easements for screening purposes up to one-half mile from the edge of the right-of-way of the highway. The commissioner shall acquire such rights and interest in property, personal or real, necessary to carry out the purposes of this section by purchase, gift, or eminent domain proceedings and shall pay just compensation therefor. ~~The commissioner shall not be required to expend any funds for such purposes~~

unless federal moneys are available to the state and have money to acquire rights or interests in junk yards under this section, except those for which acquisition proceedings were begun before June 8, 1979 or for which federal money has been appropriated by Congress for junk yards described in Title 23, United States Code, Section 136(j) and the federal share has been made available to the commissioner. All costs described herein shall be necessary for a highway purpose.

Sec. 51. Minnesota Statutes 1980, Section 168.013, Subdivision 1c, is amended to read:

Subd. 1c. **FARM TRUCKS.** On farm trucks, the tax shall be based on total gross weight and shall be 30 percent of the Minnesota base rate prescribed by subdivision 1e under Schedule I during each of the first six years of vehicle life, but in no event less than \$19, and during the seventh and succeeding years of vehicle life as taken from Schedule II, but in no event less than \$11. In addition to ~~such~~ the gross weight tax imposed on a truck-tractor or truck used as a truck-tractor, each semitrailer shall be taxed a fee of \$10 for a one year period ~~or \$50 for a five year period whichever the applicant elects.~~

Sec. 52. Minnesota Statutes 1980, Section 162.09, Subdivision 4, is amended to read:

Subd. 4. **FEDERAL CENSUS TO BE CONCLUSIVE.** In determining whether any city has a population of 5,000 or more, the last federal census shall be conclusive provided that any city having been classified as having a population of 5,000 or more for the purposes of chapter 162 shall not be reclassified unless the city's population decreases by 15 percent from the census figure which last qualified the city for inclusion. A city not reclassified under the provisions of this section shall receive the following percentages of its 1981 apportionment for the years indicated: 1982, 66 percent and 1983, 33 percent. Thereafter the city shall not receive any apportionment from the municipal state-aid street fund unless its population is determined to be 5,000 or over by a federal census. The governing body of any city not reclassified under the provisions of this section may contract with the United States bureau of the census to take one special census before January 1, 1986. A certified copy of the results of the census shall be filed with the appropriate state authorities by the city. The result of the census shall be the population of the city for the purposes of any law providing that population is a required qualification for distribution of highway aids under chapter 162. The special census shall remain in effect until the 1990 federal census is completed and filed. The expense of taking the special census shall be paid by the city. Provided further, that if an entire area not heretofore incorporated as a city is incorporated as such during the interval between federal censuses, its population shall be determined by its incorporation census. The incorporation census shall be determinative of the population of the city only until the next federal census.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 53. Minnesota Statutes 1980, Section 168.013, Subdivision 1e, is amended to read:

Subd. 1e. **TRUCKS; TRACTORS; COMBINATIONS; EXCEPTIONS.** On all trucks and tractors except those in this chapter defined as farm trucks, and urban trucks, and on all truck-tractor and semi-trailer combinations except those defined as farm combinations and urban combinations, the tax based on total gross weight during the first six years of vehicle life shall be graduated according to Schedule I of the Minnesota base rate prescribed in this subdivision, but in no event less than \$28, and during the seventh and succeeding years of vehicle life the tax shall be graduated according to Schedule II of this subdivision, but in no event less than \$17.

MINNESOTA BASE RATE
Scheduled taxes include five percent
surtax provided for in subdivision 14

	TOTAL GROSS WEIGHT IN POUNDS	SCHEDULE I	SCHEDULE II
		Tax	Tax
A	0 - 1,500	\$ 5.00	\$
B	1,501 - 3,000	9.00
C	3,001 - 4,500	14.00	8.00
D	4,501 - 6,000	19.00	11.00
E	6,001 - 9,000	28.00	17.00
F	9,001 - 12,000	39.00	23.00
G	12,001 - 15,000	62.00	37.00
H	15,001 - 18,000	86.00	52.00
I	18,001 - 21,000	114.00	68.00
J	21,001 - 27,000	158.00	95.00
K	27,001 - 33,000	230.00	138.00
L	33,001 - 39,000	320.00	192.00
M	39,001 - 45,000	420.00	252.00
N	45,001 - 51,000	540.00	324.00
O	51,001 - 57,000	690.00	414.00
P	57,001 - 63,000	830.00	498.00
Q	63,001 - 69,000	970.00	582.00
R	69,001 - 73,280	1,050.00	630.00
S	73,281 - 77,000	1,155.00	693.00
T	77,001 - 81,000	1,260.00	746.00

For each vehicle with a gross weight in excess of 81,000 pounds an additional tax of \$36 is imposed for each ton or fraction thereof in excess of 81,000 pounds, subject to provisions of subdivision 12.

Provided however, that on all trucks, except those in this chapter defined as farm trucks and urban trucks, having a gross weight in excess of 18,000 pounds but less than 27,001 pounds, the tax shall be:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(a) For the registration year 1976, 70 percent of the applicable Schedule I or Schedule II of this subdivision;

(b) For the registration year 1977, 80 percent of the applicable Schedule I or Schedule II of this subdivision;

(c) For the registration year 1978, 90 percent of the applicable Schedule I or Schedule II of this subdivision;

(d) For the registration year 1979 and thereafter, 100 percent of the applicable Schedule I or Schedule II of this subdivision.

On vehicles having a gross weight in excess of 27,000 pounds, and used for the transportation of livestock or unprocessed and raw farm products shall be taxed at 90 percent of the Minnesota base rate prescribed by this subdivision under Schedule I during each of the first six years of vehicle life and during the seventh and succeeding years of vehicle life as taken from Schedule II, provided the gross receipts derived from ~~such~~ use equal or exceed 60 percent of the owner's total gross receipts from the operation of ~~such~~ the vehicle during the 12 month period immediately preceding the date set by law for the reregistration of ~~such~~ the vehicle. The owner shall furnish ~~such~~ information as the commissioner of public safety may require, including sworn statements of fact, and the commissioner of public safety shall thereupon determine whether ~~such~~ the owner comes within the provisions of this paragraph.

If an owner has not used ~~such~~ a vehicle for the transportation of livestock or unprocessed and raw farm products so as to be able to report gross receipts for the 12 month period as herein set forth, ~~he~~ the owner may, nevertheless, apply for registration hereunder and pay the reduced tax and the commissioner of public safety shall, after consideration of the established facts, determine whether ~~such~~ the owner is entitled to have ~~such~~ the registration approved.

If an owner fails to operate under the conditions and limitations herein set forth, ~~he~~ the owner shall immediately notify the commissioner of public safety of ~~such~~ the fact and pay the difference between the scheduled gross weight tax and the reduced tax proportionate to the number of months remaining in the year, 1/12 of the difference for each month or fraction thereof, beginning with the month in which ~~such~~ the operations were discontinued or changed.

If an owner first uses ~~such~~ a vehicle for the transportation of livestock and unprocessed and raw farm products after the tax becomes due without reduction, no adjustment of refund of tax shall be made during that calendar year for reasons of transporting livestock and unprocessed and raw farm products.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

All truck-tractors except those ~~herein~~ defined as farm and urban truck-tractors shall be taxed in accord with the foregoing gross weight tax schedule on the basis of the combined gross weight of ~~such~~ the truck-tractor and any semi-trailer or semitrailers which the applicant proposes to combine with the truck-tractor. In addition, to ~~such~~ a gross weight tax imposed on the truck-tractor, each semi-trailer shall be taxed a fee of \$10 for a one year period or \$50 for a five year period ~~whichever the applicant elects.~~

Urban Commercial zone trucks include only all trucks and all truck-tractors and semi-trailers used exclusively in transporting property within the metropolitan area consisting of Hennepin, Ramsey, Scott, Dakota, Anoka, Washington and Carver counties, or within the corporate limits of any city or contiguous cities or within one mile of cities of the first and second class. For the purposes of this clause a land area ceded to the United States of America under General Laws 1889, Chapter 57, is a statutory city. The vehicle shall not be operated outside the metropolitan area or corporate limits of such city or contiguous cities, or beyond one mile of cities of the first and second class; except that the commissioner of public safety may, by special permit, authorize the permanent removal of such vehicle from any registration area to another. The license plates issued therefor shall be plainly marked. On urban trucks and combinations the tax shall be based on total gross weight and shall be 30 percent of the Minnesota base rate prescribed in this subdivision under Schedule I during each of the first six years of vehicle life, but in no event less than \$19, and during the seventh and succeeding years of vehicle life as taken from Schedule II, but in no event less than \$11. In addition to such gross weight tax imposed on the truck-tractor, each semitrailer shall be taxed a fee of \$10 for a one year period or \$50 for a five year period whichever the applicant elects. Provided that on vehicles used by an authorized local cartage carrier operating under a permit issued pursuant to section 221.296 and whose gross transportation revenue consist of at least 60 percent obtained solely from local cartage carriage, shall be taxed at 90 percent of the prescribed urban truck and combination rates for the life of the vehicle during each year such vehicle is used, provided that the gross revenues obtained from transportation services is obtained from local cartage carriage is at least 60 percent of all revenue obtained from transportation services by said person; and provided further, that said tax shall in no event be less than \$10. and semi-trailers which are:

(1) used by an authorized local cartage carrier operating under a permit issued pursuant to section 221.296 and whose gross transportation revenue consists of at least 60 percent obtained solely from local cartage carriage, and are operated solely within the area defined in section 221.296, subdivision 1;
or,

(2) operated by an interstate carrier registered pursuant to section 221.61 or 221.62, or by an authorized local cartage carrier or other carrier receiving operating authority pursuant to chapter 221, and operated solely within a zone

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exempt from regulation by the Interstate Commerce Commission pursuant to 49 U.S.C. 10526(b).

The license plates issued for commercial zone vehicles shall be plainly marked. Any person operating a commercial zone vehicle outside the zone or area in which its operation is authorized is guilty of a misdemeanor and, in addition to the penalty therefor, shall have the registration of the vehicle as a commercial zone vehicle revoked by the registrar and shall be required to re-register the vehicle at 100 percent of the full annual tax prescribed in the Minnesota base rate schedule, and no part of this tax shall be refunded during the balance of the registration year.

On commercial zone trucks the tax shall be based on the total gross weight of the vehicle and during the first eight years of vehicle life shall be 75 percent of the Minnesota base rate schedule. During the ninth and succeeding years of vehicle life the tax shall be 50 percent of the Minnesota base rate schedule, except as provided in this subdivision.

During the ninth and succeeding years the tax shall be:

(a) for the 1982 registration year, 35 percent of the tax imposed in the Minnesota base rate schedule;

(b) for the 1983 registration year, 40 percent of the tax imposed in the Minnesota base rate schedule;

(c) for the 1984 registration year, 45 percent of the tax imposed in the Minnesota base rate schedule;

(d) for the 1985 registration year, and each succeeding year, 50 percent of the tax imposed in the Minnesota base rate schedule.

Sec. 54. Minnesota Statutes 1980, Section 168.013, is amended by adding a subdivision to read:

Subd. 1i. URBAN TRUCKS. On all vehicles registered as urban trucks for the registration year 1981, or any part thereof, and which are not registered as commercial zone trucks for the registration year 1982 and succeeding years, the tax shall be:

(a) for the registration year 1982, 50 percent of the tax imposed in the Minnesota base rate schedule;

(b) for the registration year 1983, 67 percent of the tax imposed in the Minnesota base rate schedule;

(c) for the registration year 1984, 84 percent of the tax imposed in the Minnesota base rate schedule;

(d) for the registration year 1985, and each succeeding year, 100 percent of the tax imposed in the Minnesota base rate schedule.

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Beginning with the registration year 1985, the registrar shall not issue urban license plates.

Sec. 55. Minnesota Statutes 1980, Section 168.12, Subdivision 1, is amended to read:

Subdivision 1. **NUMBER PLATES; VISIBILITY, PERIODS OF ISSUANCE.** The registrar, upon the approval and payment, shall issue to the applicant the number plates required by law, bearing an abbreviation of the state name and the number assigned. The number assigned may be a combination of a letter or sign with figures. The color of the plates and the color of the abbreviation of the state name and the number assigned shall be in marked contrast. The plates shall be lettered, spaced, or distinguished to suitably indicate the registration of the vehicle according to the rules of the registrar, and when a vehicle is registered on the basis of total gross weight, the plates issued shall clearly indicate by letters or other suitable insignia the maximum gross weight for which the tax has been paid. These number plates shall be so treated as to be at least 100 times brighter than the conventional painted number plates. When properly mounted on an unlighted vehicle, these number plates, when viewed from a vehicle equipped with standard headlights, shall be visible for a distance of not less than 1,500 feet and readable for a distance of not less than 110 feet. The registrar shall issue these number plates for the following periods:

(1) Number plates issued pursuant to sections 168.27, subdivisions 16 and 17, and 168.053 shall be for a one year period;

(2) New number plates issued pursuant to section 168.012, subdivision 1, shall be issued to a vehicle for as long as it is owned by the exempt agency and shall not be transferable from one vehicle to another but may be transferred with the vehicle from one tax exempt agency to another; ~~and~~

(3) Plates issued for passenger automobiles as defined in section 168.011, subdivision 7, shall be issued for the life of the vehicle; and

~~(3)~~ (4) Plates for any vehicle not specified in clauses (1) ~~and (2)~~, (2) and (3), except for trailers as hereafter provided, shall be issued for a ~~five year period~~ the life of the vehicle. Beginning with number plates issued for the year 1981, plates issued for trailers with a total gross weight of 3,000 pounds or less shall be issued for a ~~four year period~~ the life of the trailer and shall be not more than seven inches in length and four inches in width.

~~In any year during which these number plates are not issued~~ The registrar shall issue for each registration a ~~reflectorized year plate, tab, or sticker~~ to designate the year of registration. This ~~plate, tab, or sticker~~ shall show the calendar year or years for which issued, and is valid only for that period. Unless the motor vehicle for which a number plate, number, tab, or sticker is issued, is permanently lost, is destroyed, or is removed from the state,

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

no number plate, number, tab, or sticker may be transferred to another motor vehicle during the period for which it is issued.

Notwithstanding any other provision of this subdivision, number plates issued to a vehicle which is used for behind-the-wheel instruction in a driver education course in a public school may be transferred to another vehicle used for the same purpose without payment of any additional fee. The registrar shall be notified of each transfer of number plates under this paragraph, and may prescribe a form for ~~such~~ notification.

Sec. 56. Minnesota Statutes 1980, Section 168.12, Subdivision 2a, is amended to read:

Subd. 2a. **PERSONALIZED LICENSE PLATES.** Personalized license plates shall be issued to any applicant for registration of a passenger automobile, station wagon, van or pickup truck with a gross weight of 9,000 pounds or less, or self-propelled recreational vehicle, upon compliance with all laws of this state relating to registration of the vehicle, and upon payment of a fee of \$50 in addition to the registration tax required by law for the vehicle. In lieu of the numbers assigned as provided in subdivision 1, ~~such~~ personalized license plates shall have imprinted thereon a series of not to exceed any combination of six numbers and letters. When an applicant has once obtained personalized plates, ~~he~~ the applicant shall have a prior claim for similar personalized plates in the next succeeding year that plates are issued if ~~he~~ makes application is made for them at least 30 days prior to the first date on which ~~his~~ registration can be renewed. The commissioner of public safety shall adopt rules and regulations in the manner provided by chapter 15, regulating the issuance and transfer of ~~such~~ personalized license plates. No words or combination of letters placed on ~~such~~ personalized license plates may be used for commercial advertising or be of an obscene, indecent or immoral nature, or ~~such~~ as that would offend public morals or decency. The call signals or letters of a radio or television station shall not be construed as commercial advertising for the purposes of this subdivision.

Notwithstanding the provisions of subdivision 1, personalized license plates issued pursuant to this subdivision may be transferred to another motor vehicle upon the payment of a fee of \$5, which fee shall be paid into the state treasury and credited to the highway user tax distribution fund. The registrar may by regulation provide a form for ~~such~~ notification.

The fee prescribed for personalized license plates shall be paid only in those years in which the number plate itself is issued, and shall not be payable in any year in which a year plate, tab or sticker is issued in lieu of a number plate.

All fees from the sale of personalized license plates shall be paid into the state treasury and credited to the highway user tax distribution fund.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 57. Minnesota Statutes 1980, Section 168.27, Subdivision 16, is amended to read:

Subd. 16. **PLATES, DISTINGUISHING NUMBERS.** (a) The registrar shall issue to every motor vehicle dealer, upon a request from ~~such~~ the motor vehicle dealer licensed as provided in subdivisions 2 or 3, one or more ~~pair of number~~ plates displaying a general distinguishing number upon the payment of \$10 to the registrar. In addition the dealer shall pay a motor vehicle excise tax of \$15 annually for each ~~pair of dealer plates~~ plate purchased as required by section 297B.035. The registrar shall deposit the tax in the state treasury and it shall be credited to the general fund. Motor vehicles, new or used, owned by ~~such~~ the motor vehicle dealer and bearing ~~such~~ the number ~~plates~~ plate, except vehicles leased to the user who is not an employee of the dealer during the term of the lease, held for hire, or customarily used by the dealer as a tow truck, service truck, or parts pickup truck, may be driven upon the streets and highways of this state by ~~such~~ the motor vehicle dealer, or any employee of ~~such~~ the motor vehicle dealer or by any member of the immediate family of ~~such~~ the dealer or employee for either private or business purposes; or may be driven upon the streets and highways for demonstration purposes by any prospective buyer thereof for a period of 48 hours or in the case of a truck, truck-tractor, or semi-trailer, for a period of seven days.

(b) A new or used motor vehicle sold by ~~such~~ the motor vehicle dealer and bearing the motor vehicle dealer's number ~~plates~~ plate may be driven upon the public streets and highways for a period of 72 hours by the buyer for either of the following purposes: (1) Removing the vehicle from this state for registration in another state, or (2) permitting the buyer to use the motor vehicle before ~~he~~ the buyer receives number plates pursuant to ~~his own~~ registration. Use of a motor vehicle by the buyer under the provisions of clause (2) of the preceding sentence before ~~he~~ the buyer receives number plates pursuant to ~~his own~~ registration constitutes a use of the public streets or highways for the purpose of the time requirements for registration of motor vehicles.

Sec. 58. Minnesota Statutes 1980, Section 168.27, Subdivision 17, is amended to read:

Subd. 17. **APPLICATION.** Every licensed dealer in motor vehicles may make application upon a blank provided by the registrar for that purpose for a general distinguishing number for use upon all new or used motor vehicles being transported from the dealer's source of supply, or other place of storage, to ~~his~~ the dealer's place of business, or to another place of storage, or from one dealer to another. A general distinguishing number shall be assigned by the registrar to ~~such~~ the dealer for ~~such~~ that purpose, and the registrar shall then issue to the dealer ~~such~~ the number of ~~pairs of~~ such plates as the dealer may request, upon the payment by the dealer to the registrar of the sum of \$2 per pair plate. ~~Such~~ The plates shall be known as "in transit" plates. The registrar

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may issue ~~such~~ "in transit" plates, upon the payment of the sum of \$2 to the registrar, to dealers duly licensed in other states or provinces upon information furnished ~~him~~ in ~~such~~ the manner as ~~he~~ the registrar may prescribe, and which satisfies ~~him~~ the registrar that persons or companies applying therefor are duly licensed dealers under the laws of ~~such~~ the states or provinces.

Sec. 59. Minnesota Statutes 1980, Section 168.33, Subdivision 7, is amended to read:

Subd. 7. **FEES.** In addition to all other statutory fees and taxes, a filing fee is imposed on every application. The filing fee shall be ~~\$1.50~~ \$2.50 effective August 1, ~~1977~~ 1981, and ~~\$1.75~~ \$3.25 effective January 1, ~~1979~~ 1983. The filing fee shall be shown as a separate item on all registration renewal notices sent out by the department of public safety.

Sec. 60. Minnesota Statutes 1980, Section 169.09, Subdivision 7, is amended to read:

Subd. 7. **ACCIDENT REPORT TO COMMISSIONER.** The driver of a vehicle involved in an accident resulting in injury to or death of any person or total property damage to an apparent extent of ~~\$300~~ \$500 or more, shall forward a written report of the accident to the commissioner of public safety within ten days thereof. If, in the opinion of the commissioner of public safety, the original report of any driver of a vehicle involved in an accident of which report must be made as provided in this section is insufficient he may require the driver to file supplementary reports.

Sec. 61. Minnesota Statutes 1980, Section 169.451, is amended to read:

169.451 SCHOOL BUS INSPECTION.

Subdivision 1. The Minnesota highway patrol shall inspect every school bus at ~~least semiannually~~ annually to ascertain whether its construction, design, equipment, and color comply with all provisions of law.

Subd. 2. No person shall drive, or no owner shall knowingly permit or cause to be driven, any school bus unless there is displayed thereon a certificate issued by the commissioner of public safety stating that on a certain date, which shall be within ~~seven~~ 13 months of the date of operation, a member of the Minnesota highway patrol inspected the bus and found that on the date of inspection the bus complied with the applicable provisions of state law relating to construction, design, equipment, and color. The commissioner of public safety shall provide by rule or regulation for the issuance and display of distinctive inspection certificates.

Subd. 3. Not later than January 1, 1975 the commissioner of public safety shall provide by rule and regulation a point system for evaluating the

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effect on safety operation of any variance from law detected during school bus inspections conducted pursuant to subdivision 1.

Sec. 62. Minnesota Statutes 1980, Section 169.79, is amended to read:

169.79 VEHICLE REGISTRATION.

No person shall operate, drive or park a motor vehicle on any highway unless the vehicle is registered in accordance with the laws of this state and has the number plates for the current year only, as assigned to it by the commissioner of public safety, conspicuously displayed thereon in a manner that the view of any plate is not obstructed. If the vehicle is a motorcycle, motor scooter, motorized bicycle, motorcycle sidecar, trailer, or semitrailer, or vehicle displaying a dealer plate, one ~~such~~ plate shall be displayed on the rear thereof; if the vehicle is a truck-tractor or road-tractor, one ~~such~~ plate shall be displayed on the front thereof; if it is any other kind of motor vehicle, one ~~such~~ plate shall be displayed on the front and one on the rear thereof. All plates shall be securely fastened so as to prevent them from swinging. The person driving the motor vehicle shall keep the plate legible and unobstructed and free from grease, dust, or other blurring material so that the lettering shall be plainly visible at all times.

Sec. 63. Minnesota Statutes 1980, Section 169.974, Subdivision 2, is amended to read:

Subd. 2. **LICENSE REQUIREMENTS.** No person shall operate a motorcycle on any street or highway unless he has a valid standard driver's license with a two-wheeled vehicle endorsement as provided by law. No such two-wheeled vehicle endorsement shall be issued unless the person applying therefor has in possession a valid two-wheeled vehicle instruction permit as provided herein, has passed a written examination and road test administered by the department of public safety for such endorsement, and, in the case of applicants under 18 years of age, shall present a certificate or other evidence of having successfully completed an approved two-wheeled vehicle driver's safety course in this or another state, in accordance with such regulations as the commissioner of public safety shall promulgate. The commissioner may waive the road test for any applicant if he determines that the applicant possesses a valid license to operate a two-wheeled vehicle issued by a jurisdiction that requires a comparable road test for license issuance. A two-wheeled vehicle instruction permit shall be issued to any person over 16 years of age, who is in possession of a valid driver's license, who is enrolled in an approved two-wheeled vehicle driver's safety course, and who has passed a written examination for such permit and has paid such fee as the commissioner of public safety shall prescribe. A two-wheeled vehicle instruction permit shall be effective for 45 days, and may be renewed under rules to be prescribed by the commissioner of public safety.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

No person who is operating by virtue of a two-wheeled vehicle instruction permit shall:

(a) Carry any passengers on the streets and highways of this state on the motorcycle which he is operating;

(b) Drive the motorcycle at night time;

(c) Drive the motorcycle on any highway marked by the commissioner as an interstate highway pursuant to Title 23 of the United States Code.

(d) Drive the motorcycle without wearing protective headgear of a type approved by the commissioner of public safety.

Notwithstanding the provisions of this subdivision, the commissioner of public safety may, however, issue a special motorcycle permit, restricted or qualified in such manner as he shall deem proper, to any person demonstrating a need therefor and unable to qualify for a standard driver's license.

Sec. 64. Minnesota Statutes 1980, Section 171.13, is amended by adding a subdivision to read:

Subd. 1a. The commissioner may waive the requirement that the applicant demonstrate his ability to exercise ordinary and reasonable control in the operation of a motor vehicle if he determines that the applicant possesses a valid driver's license issued by a jurisdiction that requires a comparable demonstration for license issuance.

Sec. 65. Minnesota Statutes 1980, Section 171.36, is amended to read:

171.36 LICENSE RENEWAL AND FEES.

All licenses shall expire one year from date of issuance and may be renewed upon application to the commissioner. Each application for an original or renewal school license shall be accompanied by a fee of ~~\$75~~ \$150 and each application for an original or renewal instructor's license shall be accompanied by a fee of ~~\$20~~ \$50. The license fees collected under this article shall be paid into the trunk highway fund. No license fee shall be refunded in the event that the license is rejected or revoked.

Sec. 66. Minnesota Statutes 1980, Section 173.25, is amended to read:

173.25 AVAILABILITY OF FEDERAL AID FUNDS.

The commissioner of transportation shall not ~~be required to expend funds~~ money for the acquisition of advertising devices controlled under this chapter ~~until federal funds are made available to the commissioner for the purpose of carrying out the provisions of this chapter, except those for which acquisition proceedings were begun before June 8, 1979 or for which federal money has been appropriated by Congress and the federal share has been made available to the commissioner.~~ No advertising device legal under Laws 1971,

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Chapter 883, shall be required to be removed or relocated until payment as provided in Laws 1971, Chapter 883, is tendered by the commissioner of transportation. ~~This section shall not apply to the removal of signs for which no federal share is payable.~~

Sec. 67. Minnesota Statutes 1980, Section 174.255, is amended by adding a subdivision to read:

Subd. 3. OPERATOR ASSISTANCE. A person operating or assisting the operation of a vehicle while employed by a program such as "project mobility" may leave the vehicle to enter premises in order to assist a person who does not require emergency ambulance service to gain access and entrance to the vehicle. The assistance shall include assisting through the first entrance to a building. Operators of the special transportation vehicles shall provide the necessary passenger assistance for door-through-door service. Assistance shall also include assisting wheelchair passengers over any exterior steps essential to either departure or destination buildings, subject to both the steps and the wheelchair being in good repair. If an operator or assistant refuses to assist because of the condition of the steps or the wheelchair, the operator of the service shall send letters to the commissioner of transportation and the person denied service detailing the corrective measures necessary to qualify for service.

Sec. 68. Minnesota Statutes 1980, 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, 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 326.33, the board of examiners in watchmaking established pursuant to section 326.541, the board of boxing established pursuant to section 341.01, the board of abstracters established pursuant to section 386.63, and the peace officer standards and training board established pursuant to section 626.841.

Sec. 69. Minnesota Statutes 1980, Section 214.06, Subdivision 1, is amended to read:

Subdivision 1. Notwithstanding any law to the contrary, the commissioner of health as authorized by section 214.13, all health related licensing boards and all non-health related licensing boards ~~may~~ shall by rule, with the approval of the commissioner of finance, adjust any fee which the board is empowered to assess a sufficient amount so that the total fees collected by each

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board will as closely as possible equal anticipated expenditures during the fiscal biennium, including the portion of the general support costs and statewide indirect costs of the department providing administrative support services to the board that is attributable to the board. Examination fees, if any, shall be set by rule so that the total amount of annual examination fee income approximately meets the anticipated cost of administering the examinations during the fiscal biennium. Fee adjustments authorized under this subdivision may be made without a public hearing when the total fees estimated to be received during the biennium will not exceed the amount of the direct appropriation 110 percent of the sum of all direct appropriations, transfers in, and salary supplements to the board for the biennium. All fees received shall be deposited with the state treasurer and credited to the general fund.

Sec. 70. Minnesota Statutes 1980, Section 216B.16, is amended by adding a subdivision to read:

Subd. 1a. When a public utility proposes changes in rates that would increase rates paid by consumers more than \$500,000, the commission shall not approve the change until after requiring the office of administrative hearings to conduct a contested case hearing on, at a minimum, the appropriate rate base, expense and revenue levels for the test year, and the rate of return. If the formal parties to the contested case choose not to cross-examine the testimony presented, it shall be the duty of the commission and its staff to make inquiry of the witnesses presented to ensure that the testimony is well reasoned and constitutes substantial evidence. After a report of the examiner has been issued, the commission may proceed to take action on the proposed rates consistent with the provisions of this section. The commission shall not accept any stipulation that is not agreed to by all intervening parties.

Sec. 71. Minnesota Statutes 1980, Section 216B.62, Subdivision 3, is amended to read:

Subd. 3. The department and commission shall annually, within 90 days after the close of each fiscal year, ascertain quarterly, at least 30 days before the start of each quarter, estimate the total of their expenditures to in the performance of their duties relating to public utilities under Laws 1974, Chapter 429, and shall deduct therefrom all sections 216B.01 to 216B.67, other than amounts chargeable to public utilities under subdivision 2 or section 72. The remainder shall be assessed by the commission and department to the several public utilities in proportion to their respective gross operating revenues from retail sales of gas or electric service within the state during the last calendar year. The assessment shall be paid into the state treasury within 30 days after the bill has been mailed to the several public utilities, which shall constitute notice of the assessment and demand of payment thereof. The total amount which may be assessed to the public utilities, under authority of this subdivision, shall not exceed one-eighth of one percent of the total gross operating

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revenues of the public utilities during ~~such~~ the calendar year from retail sales of gas or electric service within the state. The assessment for the second quarter of each fiscal year shall be adjusted to compensate for the amount by which actual expenditures by the commission and department for the preceding fiscal year were more or less than the estimated expenditures previously assessed.

Sec. 72. Minnesota Statutes 1980, Section 216B.62, is amended by adding a subdivision to read:

Subd. 6. ADMINISTRATIVE HEARING COSTS. Any amounts billed to the commission or the department by the office of administrative hearings for public utility contested case hearings shall be assessed by the commission or the department against the public utility. The assessment shall be paid into the state treasury within 30 days after a bill, which constitutes notice of the assessment and demand for payment of it, has been mailed to the public utility. Money received shall be credited to a special account and is appropriated to the commission or the department for payment to the office of administrative hearings.

Sec. 73. Minnesota Statutes 1980, Section 237.075, is amended by adding a subdivision to read:

Subd. 1a. When a telephone company proposes changes in rates that would increase rates paid by consumers more than \$500,000, the commission shall not approve the change until after requiring the office of administrative hearings to conduct a contested case hearing on, at a minimum, the appropriate rate base, expense and revenue levels for the test year, and the rate of return. If the formal parties to the contested case choose not to cross-examine the testimony presented, it shall be the duty of the commission and its staff to make inquiry of the witnesses presented to ensure that the testimony is well reasoned and constitutes substantial evidence. After a report of the examiner has been issued, the commission may proceed to take action on the proposed rates consistent with the provisions of this section. The commission shall not accept any stipulation that is not agreed to by all intervening parties.

Sec. 74. Minnesota Statutes 1980, Section 237.295, Subdivision 2, is amended to read:

Subd. 2. The department and commission shall annually, within 90 days after the close of each fiscal year, ascertain quarterly, at least 30 days before the start of each quarter, estimate the total of its expenditures in the performance of its duties relating to telephone companies, and shall deduct therefrom all other than amounts chargeable to telephone companies under subdivision 1 or section 75. The remainder shall be assessed by the department to the several telephone companies in proportion to their respective gross jurisdictional operating revenues during the last calendar year. The assessment shall be paid into the state treasury within 30 days after the bill has been mailed

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to the several telephone companies, which shall constitute notice of the assessment and demand of payment thereof. The total amount which may be assessed to the telephone companies, under authority of this subdivision, shall not exceed one-eighth of one percent of the total gross jurisdictional operating revenues during ~~such~~ the calendar year. The assessment for the second quarter of each fiscal year shall be adjusted to compensate for the amount by which actual expenditures by the commission and department for the preceding fiscal year were more or less than the estimated expenditures previously assessed.

Sec. 75. Minnesota Statutes 1980, Section 237.295, is amended by adding a subdivision to read:

Subd. 5. ADMINISTRATIVE HEARING COSTS. Any amounts billed to the commission or the department by the office of administrative hearings for telephone contested case hearings shall be assessed by the commissioner or the department against the telephone company. The assessment shall be paid into the state treasury within 30 days after a bill, which constitutes notice of the assessment and demand for payment of it, has been mailed to the telephone company. Money received shall be credited to a special account and is appropriated to the commissioner or the department for payment to the office of administrative hearings.

Sec. 76. Minnesota Statutes 1980, Section 239.10, is amended to read:

239.10 ANNUAL INSPECTION.

No fee, unless specially scheduled by The department, shall be charged charge a fee to the owner for the costs of the regular inspection of scales, weights, measures, and weighing or measuring devices. The cost of any other inspection shall be paid by the owner if the inspection is performed at his request; and or if the inspection is made at the request of some other person the cost shall be paid by the owner if and the scale, weight, measure, or weighing or measuring device is found to be incorrect. The department may fix the fees and expenses for all regular inspections and special services. All moneys collected by the ~~division~~ department for its regular inspections, special services, fees, and penalties shall be paid into the state treasury; and credited to the state general fund.

Sec. 77. Minnesota Statutes 1980, Section 239.52, is amended to read:

239.52 WEIGHTS AND MEASURES FEES.

The department of public service is ~~directed to~~ shall adjust the schedule of fees for regular and special weights and measures inspections to provide that each type of fee charged shall be sufficient to cover the cost of the special inspection, and that the aggregate of fees collected shall be sufficient to pay for all salaries and other expenses connected with special inspections recover the amount of money appropriated for the weights and measures program, other

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than the cost of (1) checkweighing or the weighing of prepackaged goods to determine whether the content weight listed on the package is accurate, (2) testing for the quality of petroleum products, (3) inspections or investigations made as a result of a complaint received by the department, if the scale weight, measure, or weighing or measuring device is found to be correct, and (4) court appearances by department personnel on behalf of other governmental agencies. The department of public service shall review and adjust its schedule of fees for regular and special inspections at the end of each six months and have all fees charged approved by the commissioner of ~~administration~~ finance before they are adopted, so as to insure that the fees charged shall be sufficient to pay all the ~~salaries and expenses recoverable~~ costs connected with regular and special inspections during the fiscal year.

Sec. 78. Minnesota Statutes 1980, Section 270.051, Subdivision 2, is amended to read:

Subd. 2. The commissioner of revenue shall collect five percent of the gross receipts from admission to every wrestling, boxing and sparring exhibition other than an amateur wrestling, boxing and sparring exhibition held within the state, and five percent of the gross receipts from the lease or sale of radio, motion picture and television rights therein. All complimentary tickets for a wrestling, boxing and sparring exhibition other than an amateur wrestling, boxing and sparring exhibition presented at any entrance gate shall likewise be assessed for the tax herein provided five percent of the value thereof.

Each person issued a license in accordance with section 341.05, subdivision 2, shall also, within 24 hours after the termination of the telecast or subscription television program, pay to the commissioner five percent of the gross receipts from the sale of tickets of admission or money received from subscription for the showing or exhibiting of the telecast or program. If the wrestling, boxing or sparring match, exhibition, or performance shown or exhibited is wholly amateur no payment is due.

Sec. 79. Minnesota Statutes 1980, Section 297B.035, Subdivision 2, is amended to read:

Subd. 2. Motor vehicles which satisfy the definitions of subdivision 1, shall be taxed at a yearly rate of \$15 per ~~set of dealer plates~~ plate. This tax shall be paid when dealer plates are purchased and shall be deposited in the state treasury and credited to the general fund. This tax shall be in lieu of any other state sales, excise, or use tax.

Sec. 80. Minnesota Statutes 1980, Section 326.241, Subdivision 3, is amended to read:

Subd. 3. **FEES AND FINANCES; DISPOSITION.** All license fees collected under the provisions of sections 326.241 to 326.248 are to be credited to the general fund. ~~The unexpended balance in a special fund of the board as~~

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of July 1, 1977, shall be credited to the general fund. The expenses of administering sections 326.241 to 326.248 shall be paid from appropriations made to the board of electricity.

Sec. 81. Minnesota Statutes 1980, Section 326.244, Subdivision 2, is amended to read:

Subd. 2. **PROCEDURE.**

(a) At or before commencement of any installation required to be inspected by the board, the electrical contractor, installer, special electrician, or owner making ~~such~~ the installation shall submit to the board a request for inspection, in a form prescribed by the board, together with a supervisory fee of 50 cents and the inspection fees required for ~~such~~ the installation.

(b) The fees required are a handling fee and an inspection fee. The handling fee shall be set by the board in an amount sufficient to pay the cost of printing and handling the form requesting an inspection. The inspection fee shall be set by the board in an amount sufficient to pay the actual costs of the inspection and the board's costs in administering the inspection. All fees shall be set pursuant to the procedure of sections 15.041 to 15.052.

(c) All handling fees shall be deposited in the general fund. All inspection fees collected pursuant to this section shall be deposited by the board in a special revenue bookkeeping account of the treasury and are appropriated to the board for the purpose of compensating contract inspectors for inspections performed, for transfer to the general fund of the portion of the fee representing inspection administration costs, and for making refunds.

(d) If the inspector finds that the installation is not in compliance with accepted standards of construction for safety to life and property as required by section 326.243, ~~he~~ the inspector shall by written order condemn the installation or noncomplying portion thereof, or order service to ~~such~~ the installation disconnected, and shall send a copy of ~~his~~ the order to the board. If the installation or the noncomplying part ~~thereof~~ is such as to will seriously and proximately endanger human life and property, the order of the inspector, when approved by ~~his~~ the inspector's superior, shall require immediate condemnation or disconnection. In all other cases, the order of the inspector shall permit a reasonable opportunity for the installation to be brought into compliance with accepted standards of construction for safety to life and property prior to the effective time established ~~therein~~ for condemnation or disconnection.

(e) Copies of each condemnation or disconnection order shall be served personally or by mail upon the property owner, and the electrical contractor, installer, or special electrician making the installation, and ~~such~~ other persons as the board by rule or regulation may direct. An aggrieved party may appeal any ~~such~~ condemnation or disconnection order by filing with the board a notice of appeal within ten days after ~~(a)~~ (1) service upon ~~him~~ the aggrieved party of

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the condemnation or disconnection order, if ~~such~~ this service is required, or ~~(b)~~ (2) filing of the order with the board, whichever is later. ~~Thereupon~~ The appeal shall proceed and the order of the inspector shall have ~~such~~ the effect ~~not inconsistent herewith~~ as the order, by its terms, and the rules ~~and regulations~~ of the board ~~may provide~~ provides. The board shall adopt rules ~~or regulations~~ providing procedures for the conduct of ~~such~~ appeals, including provisions for the stay of enforcement of the order of the inspector pending such appeal when justified by the circumstances.

Sec. 82. TRANSFER OF FUNDS.

On the effective date of section 81, the commissioner of finance shall transfer from the appropriation to the board in Laws 1979, Chapter 333, Section 33, Subdivision 7, an amount equal to the liability of the board as of the date of transfer for inspection services to be performed. The transfer shall be made to the special revenue bookkeeping account provided in section 81.

Sec. 83. Minnesota Statutes 1980, Section 340.11, Subdivision 14, is amended to read:

Subd. 14. **LICENSE FEES.** The license fees to be paid before the issuance of licenses shall be as provided in clauses (a), (b), (c), (d).

(a) Except as provided in clauses (b), (c), and (d), any manufacturer shall pay to the state annually a license fee of ~~\$5,000~~ \$7,500, and a fee of \$3,000 for each duplicate thereof.

(b) Any manufacturer of wines containing not more than 25 percent of alcohol by volume shall pay to the state annually a fee of \$500.

(c) Except as provided in clauses (a), (b), (d), any wholesaler shall pay to the state annually a license fee of ~~\$5,000~~ \$7,500, and a fee of \$3,000 for each duplicate thereof.

(d) Any wholesaler of wines containing not more than 25 percent of alcohol by volume shall pay to the state annually a fee of ~~\$500~~ \$750.

(e) The maximum license fee for an "off-sale" license in the cities of the first class shall be the sum of which, together with any occupation tax that may be imposed by a municipality issuing said "off-sale" license, will not exceed the sum of \$1,000 annually; in all cities of over 10,000 population, except cities of the first class, the maximum license fee for an "off-sale" license shall be \$200; in all cities with a population between 5,000 and 10,000 the maximum license fee shall be \$150; in all cities of 5,000 population or less, the maximum license fee shall be \$100. All such license fees for "off-sale" licenses shall be payable to the municipalities issuing the license. Where such licenses shall be issued for less than one year, a fee may be a pro rata share of the annual license fee.

Sec. 84. Minnesota Statutes 1980, Section 340.113, Subdivision 2, is amended to read:

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Subd. 2. **LICENSE, APPLICATION, RENEWAL.** Such licenses shall be issued by the commissioner of public safety for the term of one year, and must be renewed annually. Application for such a license shall be made to the commissioner of public safety. The form of application shall contain an agreement on the part of the applicant that he will observe all of the laws of this state relating to the importation and sale of intoxicating liquor, and such other information and statements as the commissioner of public safety may require. Any person who has violated any of the laws of this state relating to intoxicating liquor shall not be entitled to such a license. The fee for each annual license shall be ~~\$150~~ \$300 which shall accompany the application for license.

Sec. 85. Minnesota Statutes 1980, Section 340.119, Subdivision 3, is amended to read:

Subd. 3. It is unlawful for any bottle club or for any business establishment, directly or indirectly, or upon any pretense or by any device, to allow the consumption or display of intoxicating liquor or the serving of any liquid for the purpose of mixing of intoxicating liquor without having first obtained a permit therefor. Such permit may be issued by the commissioner of public safety after approval by the governing body of the county or city, for a period of one year to expire on July 1, next following issuance of such license, upon the payment of ~~\$400~~ \$150 and must be renewed annually on July 1. Application for such permit shall be made to the commissioner of public safety. There is hereby conferred upon the governing body of each county and city in the state the authority to impose, in addition to the fee provided by this subdivision, a local license fee not exceeding \$300 per year, which shall be payable to the county and city imposing the fee.

Sec. 86. Minnesota Statutes 1980, Section 340.402, is amended to read:

340.402 LICENSES, FEES.

No person shall engage in business as a brewer or wholesaler of intoxicating malt liquor nor shall any person, directly or indirectly, by any device, manufacture for sale or sell at wholesale any intoxicating malt liquor unless licensed to do so by the commissioner.

Application for license shall be made in writing, filed with the commissioner in the form prescribed by him and verified by the applicant or, if a corporation, by one of its officers having knowledge of the facts. At the time of filing an application the applicant shall file with the commissioner his bond and pay the license fee herein provided for.

The annual fees for license are: for a brewer, the sum of ~~\$1,000~~ \$1,250, for a wholesaler, the sum of ~~\$200~~ \$300, and a wholesaler's malt beverage duplicate license the sum of \$15.

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A brewer holding a license to manufacture intoxicating malt liquor may sell his products at wholesale without another license.

Sec. 87. Minnesota Statutes 1980, Section 340.493, Subdivision 2, is amended to read:

Subd. 2. **LICENSES; APPLICATION, RENEWAL.** Such licenses shall be issued by the commissioner of public safety for one year and must be renewed annually. The application for such license shall contain an agreement on the part of the applicant that he will observe all laws of this state relating to the importation and taxation of such fermented malt beverages and such other information and statements as the commissioner requires. Any person who has violated any laws of this state relating to fermented malt beverages or intoxicating liquor is not entitled to such license. The fee for each annual license is ~~\$100~~ \$200 which shall accompany the application for license. If an examination of the financial responsibility of any such applicant for license indicates that a bond is necessary for the protection of the revenue, the commissioner may require the applicant to file a bond to be approved by the commissioner, payable to the state in an amount not less than \$1,000 and not more than \$5,000 conditioned upon the payment of all excise taxes to become payable to the state.

Sec. 88. Minnesota Statutes 1980, Section 340.62, is amended to read:

340.62 CERTAIN LIQUOR REGISTERED.

No licensed manufacturer or wholesaler shall manufacture or import for sale within the state, any brand of intoxicating liquor such as distilled spirits and wine, or any distilled or vinous liquor designated as a specialty, wherein such liquor is ready for sale for beverage purposes without further processing, unless the label of such brand has been registered with and approved by the commissioner. The commissioner shall hereinafter establish a register for such brand labels, which labels shall be acceptable under the following conditions:

(1) No brand of intoxicating liquor as hereinbefore described shall be manufactured or imported for sale within the state after the passage of this act unless the brand label thereof has been submitted to and approved by the commissioner. The fee for such registration shall be ~~\$10~~ \$20 for each brand label.

(2) The same registration and fee shall be required for any brand of liquor as hereinbefore described which has been manufactured or imported for sale within this state and in which the brand label for such brand has been filed with the commissioner and wherein the sale of such brand has been discontinued within the state by the manufacturer or wholesaler for a period of two years.

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(3) After the sale of any brand of intoxicating liquor as hereinbefore described has been discontinued within this state for a period of three years by the manufacturer or wholesaler distributing it, said brand and its brand label and any and all registrations thereof in this state shall thereafter be conclusively presumed to have been abandoned by said manufacturer or wholesaler.

(4) The terms "brand" and "brand label," when used herein, shall each be construed to mean and include trademarks and designs used in connection therewith.

(5) All money received by the commissioner under the provisions of this section shall be paid to the state treasurer and such money shall be credited to the general fund.

Sec. 89. Minnesota Statutes 1980, Section 341.01, is amended to read:

341.01 CREATION.

There is hereby created the board of wrestling and boxing, to consist of seven members, citizens of this state, two of whom shall be public members as defined by section 214.02. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. The provision of staff, administrative services and office space; the review and processing of complaints; the setting of board fees; and other provisions relating to board operations shall be as provided in chapter 214 and Laws 1976, Chapter 222, Sections 2 to 7.

Sec. 90. Minnesota Statutes 1980, Section 341.02, is amended to read:

341.02 LIMITATIONS.

No member shall directly or indirectly promote any wrestling, boxing or sparring exhibition or directly or indirectly engage in the managing of any wrestler or boxer or be interested in any manner in any proceeds from any wrestling or boxing match.

Sec. 91. Minnesota Statutes 1980, Section 341.04, is amended to read:

341.04 EXECUTIVE SECRETARY; PERSONNEL.

The board of wrestling and boxing shall have power to appoint, and at its pleasure remove, an executive secretary and prescribe his powers and duties. The executive secretary shall be the executive secretary of the board, but shall not be a member of the board. The board may employ such other personnel as may be necessary in the performance of its duties.

Sec. 92. Minnesota Statutes 1980, Section 341.05, is amended to read:

341.05 DUTIES.

Subdivision 1. The board of wrestling and boxing shall have charge and supervision of all professional wrestling exhibitions and boxing and sparring exhibitions held in the state and have power:

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(1) To promulgate rules governing the conduct of professional wrestling exhibitions and boxing and sparring exhibitions and the time and place thereof;

(2) To issue licenses to individuals or organizations desiring to promote or conduct wrestling, boxing or sparring exhibitions, and to suspend or revoke the licenses at its pleasure; every application for a license shall designate the territory in which the individual or organization intends to operate, and the license granted shall entitle the licensee to conduct the exhibitions in that territory and in no other.

The commissioner of revenue shall collect five percent of the gross receipts from admission to every wrestling, boxing and sparring exhibition other than an amateur wrestling, boxing and sparring exhibition held within the state, and five percent of the gross receipts from the lease or sale of radio, motion picture and television rights therein.

All complimentary tickets for a wrestling, boxing and sparring exhibition other than an amateur wrestling, boxing and sparring exhibition presented at any entrance gate shall likewise be assessed for the tax herein provided five percent of the value thereof. All moneys so collected shall be paid into the state treasury.

Subd. 2. The board of wrestling and boxing shall issue a license to a person or organization holding, showing, or exhibiting a simultaneous telecast of any live, current, or spontaneous wrestling, boxing or sparring match, exhibition, or performance on a closed circuit telecast or subscription television program viewed within the state, whether originating in this state or elsewhere, and for which a charge is made. Each such person or organization shall apply for such a license in advance of each showing and shall within 24 hours after the termination of such showing furnish the commissioner of revenue a written report, duly verified by an authorized person, showing the number of tickets sold for such showing, the amount of the gross proceeds thereof, and such other matters as the commissioner of revenue may prescribe; and shall also, within 24 hours after the termination of such showing, pay to the commissioner of revenue five percent of the gross receipts from the sale of tickets of admission or moneys received from subscription for the showing or exhibiting of said wrestling, boxing or sparring match, exhibition, or performance. If the wrestling, boxing or sparring match, exhibition, or performance is wholly amateur no payment is due.

Whoever violates the provisions of this subdivision is guilty of a misdemeanor and may be punished therefor as provided by law. The penalty herein provided is in addition to any other penalty for violation of this subdivision as may be otherwise fixed in this chapter.

Sec. 93. Minnesota Statutes 1980, Section 341.07, is amended to read:

341.07 LICENSES; RESTRICTIONS.

Unless revoked by the board, licenses granted hereunder shall authorize the individuals or organizations receiving the same to conduct professional

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wrestling exhibitions or boxing or sparring exhibitions in the community designated therein for the period of time designated therein, subject to the rules of the board and to restrictions as the board may in its discretion incorporate therein. Each license shall contain a statement that wrestling, boxing or sparring exhibitions may be held on any Sunday and that no boxing or sparring match shall be of more than 15 rounds, of not to exceed three minutes each, and no professional wrestling match shall exceed one hour of continuous action.

Sec. 94. Minnesota Statutes 1980, Section 341.08, is amended to read:

341.08 EXHIBITIONS; CONSENT REQUIRED.

The provisions of this chapter are applicable to cities of the first class, but no license shall be issued for the conducting of any professional wrestling exhibitions or boxing or sparring exhibitions within the limits of any municipality, except cities of the first class, unless the governing body thereof has first consented to the holding of professional wrestling exhibitions or boxing or sparring exhibitions therein; in the event that the license is for the conducting of professional wrestling exhibitions or boxing or sparring exhibitions in any county outside the limits of a municipality, such license shall not be issued until the board of county commissioners of the county and also the governing body of the town shall have authorized the holding of professional wrestling exhibitions or boxing or sparring exhibitions in such community, and each such license shall designate the particular community in such county where such exhibitions are held. Consent by the governing body of such municipality or by the county board or by the governing board of the town shall be evidenced by a certified copy of a resolution thereof filed with the board. The governing body may revoke the consent any time, and any licenses shall expire 30 days after resolution revoking consent has been filed with the board.

Sec. 95. Minnesota Statutes 1980, Section 341.09, is amended to read:

341.09 NUMBER OF LICENSES.

Subdivision 1. Except as provided in subdivisions 2 and 3, only one license for professional wrestling exhibitions and one license for boxing and sparring exhibitions shall be in force in any municipality or community at any time.

Subd. 2. In any municipality having more than 100,000 and less than 200,000 inhabitants, the board of wrestling and boxing may issue one license for amateur and one for professional boxing and sparring exhibitions, and one for professional wrestling exhibitions, but ~~both~~ the licenses shall not be issued to the same person.

Subd. 3. In municipalities whose population exceeds 200,000 the board of wrestling and boxing may issue one franchise for professional wrestling

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exhibitions and one franchise for boxing and sparring exhibitions for every 200,000 population or fraction thereof.

Sec. 96. Minnesota Statutes 1980, Section 341.10, is amended to read:

341.10 LICENSE FEES.

The board shall have authority to collect and require the payment of a license fee in an amount set by the board from the owners of franchises or licenses. The board shall require the payment of the fee at the time of the issuance of the license or franchise to the owner. The moneys so derived shall be collected by the board and paid to the state treasurer. The board shall have authority to license all professional wrestlers and boxers, managers, seconds, referees and judges and may require them to pay a license fee. All moneys collected by the board from such licenses shall be paid to the state treasurer.

Sec. 97. Minnesota Statutes 1980, Section 341.12, is amended to read:

341.12 BONDS.

Before any license other than an amateur wrestling or boxing license shall be granted to any person, club, corporation, or organization to conduct, hold or give any wrestling, boxing or sparring match, or exhibition, such applicant therefor shall execute and file with the chairman of the commerce commission a bond in the sum of \$2,500 in cities of the first class and \$1,000 in other communities, to be approved, as to form and sufficiency of the sureties thereof, by the chairman of the commerce commission, conditioned for the payment of the five percent of the total gross receipts and license fees herein provided. Upon the filing and approval of such bond the chairman of the commerce commission shall issue to such applicant for such license a certificate of such filing and approval, which shall be by such applicant filed in the office of the board with its application for such license; and no such license shall be issued until such certificate shall be so filed.

Sec. 98. Minnesota Statutes 1980, Section 341.13, is amended to read:

341.13 PENALTIES FOR NON-LICENSED EXHIBITIONS.

Any person or persons who shall send or cause to be sent, published, or otherwise made known, any challenge to fight what is commonly known as a prize fight, or engage in any public professional wrestling exhibition or any boxing or sparring match, exhibition, or contest, with or without gloves, for any prize, reward, or compensation, or at which any admission fee is charged directly or indirectly, or go into training preparatory for such fight, exhibition, or contest, or act as a trainer, aider, abetter, backer, umpire, second surgeon, assistant, or attendant at such fight, exhibition, or contest, or in any preparation for the same, and any owner or lessee of any grounds, buildings, or structure of any kind permitting the same to be used for such fight, exhibition, or contest, shall be deemed guilty of a misdemeanor; provided, that this section shall not

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apply to wrestling, boxing or sparring exhibitions held or to be held under license issued by the board of wrestling and boxing and in compliance with the rules issued by it.

Sec. 99. Minnesota Statutes 1980, Section 341.15, is amended to read:

341.15 FAILURE TO REPORT TO THE BOARD.

When any individual or organization shall fail to make a report of receipts of any contest at the time prescribed by the board of wrestling and boxing or to pay the fee herein provided, or when such report is unsatisfactory to the commissioner of finance, he may examine, or cause to be examined, the books and records of such individual or organization, and subpoena and examine, under oath, officers and other persons as witnesses for the purpose of determining the total amount of the gross receipts for any contest and the amount due pursuant to the provisions of this chapter, which amount he may, upon and as the result of such examination, fix and determine. In case of default in the payment of any amount so ascertained to be due, together with the expense incurred in making such examination, for a period of 20 days after notice to such delinquent individual or organization of the amount at which the same may be fixed by the commissioner of finance, such delinquent shall, ipso facto, forfeit and be thereby disqualified from receiving any new license or any renewal of license and, in addition, forfeit to the state of Minnesota the sum of \$500, which may be recovered by the attorney general, in the name of the state, in the same manner as other penalties are by law recovered.

Sec. 100. Minnesota Statutes 1980, Section 360.021, Subdivision 1, is amended to read:

Subdivision 1. **AUTHORITY TO ESTABLISH.** The commissioner is authorized and empowered, on behalf of and in the name of this state, within the limitation of available appropriations, to acquire, by purchase, gift, devise, lease, condemnation proceedings, or otherwise, property, real or personal, for the purpose of establishing and constructing ~~airports~~, restricted landing areas, and other air navigation facilities, and to acquire in like manner, own, control, establish, construct, enlarge, improve, maintain, equip, operate, regulate, and police such ~~airports~~, restricted landing areas, and other air navigation facilities, either within or without this state; and to make, prior to any such acquisition, investigations, surveys, and plans; to. He may maintain, equip, operate, regulate, and police airports, either within or without this state. He may erect, install, construct, and maintain at such airports facilities for the servicing of aircraft and for the comfort and accommodation of air travelers. and to He may dispose of any such property, airport, restricted landing area, or any other air navigation facility, by sale, lease, or otherwise, in accordance with the laws of this state governing the disposition of other like property of the state. He may not acquire or take over any airport, restricted landing area, or other air navigation facility without the consent of the owner. He shall not acquire any

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additional state airports nor establish any additional state-owned airports. He may erect, equip, operate, and maintain on any airport buildings and equipment necessary and proper to establish, maintain, and conduct such airport and air navigation facilities connected therewith. He shall not expend money for land acquisition, or for the construction, improvement, or maintenance of airports, or for air navigation facilities for an airport, unless the governmental unit involved has or is establishing a zoning authority for that airport, and the authority has made a good faith showing that it is in the process of and will complete with due diligence, an airport zoning ordinance in accordance with sections 360.061 to 360.074. Notwithstanding the foregoing prohibition, the commissioner may continue to maintain the state owned airport at Pine Creek.

Sec. 101. Minnesota Statutes 1980, Section 360.021, Subdivision 2, is amended to read:

Subd. 2. **AIRPORT PROTECTION PRIVILEGES.** Where necessary in order to provide unobstructed air space for the landing and taking off of aircraft utilizing airports and restricted landing areas acquired or operated under the provisions of sections 360.011 to 360.076, he is hereby granted authority to acquire, in the same manner as is provided for the acquisition of property for airport purposes, easements through or other interests in air space over land or water, interests in airport hazards outside the boundaries of the airports or restricted landing areas, and such other airport protection privileges as are necessary to insure safe approaches to the landing areas of said airports and restricted landing areas, and the safe and efficient operation thereof. He is also hereby authorized to acquire, in the same manner, the right of easement, for a term of years or perpetually, to place or maintain suitable marks for the daytime marking and suitable lights for the nighttime marking of airport hazards, including the right of ingress and egress to or from such airport hazards for the purpose of maintaining and repairing such lights and marks. This authority shall not be so construed as to limit the right, power, or authority of the state or any municipality to zone property adjacent to any airport or restricted landing area pursuant to any law of this state. The commissioner shall make maximum use of zoning and easements to eliminate runway and other potential airport hazards rather than land acquisition in fee.

Sec. 102. Minnesota Statutes 1980, Section 360.305, is amended by adding a subdivision to read:

Subd. 6. **ZONING REQUIRED.** The commissioner shall not expend money for land acquisition, or for the construction, improvement, or maintenance of airports, or for air navigation facilities for an airport, unless the governmental unit involved has or is establishing a zoning authority for that airport, and the authority has made a good faith showing that it is in the process of and will complete with due diligence, an airport zoning ordinance in accordance with sections 360.061 to 360.074. The commissioner shall make

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maximum use of zoning and easements to eliminate runway and other potential airport hazards rather than land acquisition in fee.

Sec. 103. Minnesota Statutes 1980, Section 360.305, is amended by adding a subdivision to read:

Subd. 7. REIMBURSEMENTS. Reimbursements from municipalities for striping runways shall be deposited in the state airport fund.

Sec. 104. Minnesota Statutes 1980, Section 388.14, is amended to read:
388.14 CONTINGENT FUND; EXPENSES.

The county board may set apart yearly a sum, not exceeding \$3,000 \$5,000, except in counties containing cities of the first class, where the sum shall not exceed \$7,500, as a contingent fund for defraying necessary expenses not especially provided for by law, in preparing and trying criminal cases, conducting investigations by the grand jury, making contributions to a statewide county attorney's organization, and paying the necessary expenses of the county attorney incurred in the business of the county. All disbursements from such fund shall be made upon written request of the county attorney by auditor's warrant, countersigned by a judge of the district court. Any balance remaining at the end of the year shall be transferred to the revenue fund.

Sec. 105. Minnesota Statutes 1980, Section 388.19, Subdivision 1, is amended to read:

Subdivision 1. **CREATION.** There is hereby created a county attorneys council hereinafter designated as the "council" to be composed of the county attorney from each of the 87 counties and the attorney general of the state of Minnesota. The members shall meet annually in November of each year and, commencing at the annual meeting in November 1973, shall elect a president, a president-elect, a secretary, and a treasurer, and such other officers and directors as the county attorneys council shall determine. Each of these officers shall hold office for a term of one year and until their successors are elected and qualified. The county attorneys council may adopt such rules as are necessary for the carrying out of its duties. A county attorney may designate in writing an assistant who may act in his stead in carrying out any function of the county attorneys council except serving as an officer. The county attorneys council may acquire and hold property, accept gifts, grants, and contributions and expend any such sums so received. ~~The county attorneys council~~ may charge fees for services, for seminars, workshops and publications it conducts and produces. All receipts from these sources shall be deposited in one or more special accounts in the state treasury and are appropriated to the county attorneys council for carrying out the duties described in subdivision 4.

Sec. 106. Minnesota Statutes 1980, Section 414.051, is amended to read:

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414.051 BOARD'S REVIEW OF TOWNSHIPS ACCORDING TO POPULATION.

After each federal census the board ~~shall~~ may determine the townships which have a population in excess of 2,000 exclusive of any municipality or part of a municipality within the township and make recommendations which it *deems necessary and reasonable to the board of any such township.*

Sec. 107. Minnesota Statutes 1980, Section 462.16, is amended to read:

462.16 POWER TO ENACT ORDINANCES FOR ENFORCEMENT OF RIGHTS GIVEN TO COUNCIL.

The council shall have the power to enact ordinances for the enforcement of the rights which shall be acquired under sections 462.12 to 462.17, and to fix penalties for their violation, including a fine not exceeding \$100 or confinement in the city workhouse not exceeding 90 days. Violations of the ordinances may be prosecuted in the municipal court of the city. Restricted residence districts created pursuant to sections 462.12 to 462.16 shall be subject to the provisions of section 541.023. In construing the scope and effect of a residence district restriction, equitable principles shall be utilized and the following shall be considered: the historic pattern of enforcement or non-enforcement; changed circumstances; the length of time during which current uses have been allowed to exist; the actual impact of current land uses; and detrimental reliance.

Sec. 108. Laws 1980, Chapter 534, Section 87, is amended to read:

Sec. 87. EFFECTIVE DATE.

This act is effective on July 1, ~~1981~~ 1983.

Sec. 109. Laws 1980, Chapter 607, Article XIII, Section 2, Subdivision 3, is amended to read:

Subd. 3. The joint commission shall report its findings and recommendations to the legislature on or before January 1, ~~1982~~ 1984. The report shall cover, but not be limited to, the issues of available corridors and rights-of-way, define necessary physical improvements, make potential ridership projections, and make recommendations for funding of capital and operating costs.

Sec. 110. Laws 1980, Chapter 607, Article XIII, Section 2, Subdivision 5, is amended to read:

Subd. 5. This section is ~~repealed~~ repealed January 1, ~~1982~~ 1984.

Sec. 111. APPROVAL.

The implementation of sections 109 and 110 shall be the responsibility of the St. Cloud area planning organization with the assistance of the regional

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development commission for region 7W, the metropolitan council, and the commissioner of transportation.

Sec. 112. VARIANCES; TEMPORARY PROVISION.

If an application by a city for a variance under Minnesota Statutes, Section 162.13, Subdivision 2 proceeds to a contested case hearing, no financial commitment by the state made to a city either before or after the entry of the decision by the hearing examiner shall be reduced in any manner. This section applies to all variances granted on or after January 1, 1981 and before June 1, 1981.

Sec. 113. DIRECTION TO REVISOR.

In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall substitute the term "director of the office of consumer services" for the term "board of cosmetology" wherever that term appears.

Sec. 114. REPEALER.

Minnesota Statutes 1980, Chapter 458B is repealed, effective the day after final enactment pursuant to Minnesota Statutes, Section 645.023, Subdivision 1. This section applies to the governmental units and agencies named in chapter 458B, including the city of St. Paul and the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 115. REPEALER.

Minnesota Statutes 1980, Sections 155.01; 155.02; 155.03; 155.04; 155.05; 155.06; 155.08; 155.09; 155.11; 155.12; 155.13; 155.14; 155.15; 155.16; 155.17; 155.18; 155.19; 155.20; 155.205; 155.21; and 239.521, are repealed.

Sec. 116. EFFECTIVE DATE.

Section 27 is effective the day following final enactment. Section 51 and sections 53 to 56 are effective retroactively to November 15, 1980.

Approved June 1, 1981

CHAPTER 358 — H.F.No. 70

An act relating to education; providing for aids to education, aids to libraries, tax levies and the distribution of tax revenues; granting certain duties and powers to school boards, school districts, the state board of education, and the state board for vocational education; replacing AVTI capital expenditure aid with AVTI equipment aid and AVTI repair and betterment aid; requiring a property accounting system for AVTI's; providing

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