

that any of those laws has been or is being violated, or is about to be violated, he shall be entitled, on behalf of the state; (a) to sue for and have injunctive relief in any court of competent jurisdiction against any such violation or threatened violation without abridging the penalties provided by law; and (b) to sue for and recover for the state, from any person who is found to have violated any of the laws referred to in subdivision 1, a civil penalty, in an amount to be determined by the court, not in excess of \$25,000. All sums recovered under this subdivision shall be deposited in the general fund of the state treasury.

Sec. 4. Minnesota Statutes 1971, Section 325.907, is amended by adding a subdivision to read:

Subd. 3a. DAMAGES. In addition to the remedies otherwise provided by law, any person injured by a violation of any of the laws specified in subdivision 1 may bring a civil action and recover damages, together with costs and disbursements, including reasonable attorney's fees, and receive other equitable relief as determined by the court.

Sec. 5. Minnesota Statutes 1971, Section 325.907, is amended by adding a subdivision to read:

Subd. 3b. ORDERS AND JUDGMENTS PRIMA FACIE EVIDENCE. Any permanent injunction, judgment or order of the court made pursuant to subdivision 3 shall be prima facie evidence in an action brought under subdivision 3a that the defendant used or employed an act or practice in violation of the laws referred to in subdivision 1, provided that this subdivision shall not apply to consent judgments or decrees where the court makes no finding of illegality.

Approved May 3, 1973.

CHAPTER 156—S.F.No.823

An act relating to county sheriffs; collection of fees and per diems required by law; amending Minnesota Statutes 1971, Section 387.20, Subdivision 5.

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

Section 1. Minnesota Statutes 1971, Section 387.20, Subdivision 5, is amended to read:

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

Subd. 5. **SHERIFFS; FEES AND PER DIEMS; COLLECTION.** The county sheriff shall charge and collect all fees and per diems prescribed by law and all may require such fees and per diems shall to be paid before performing the services for which they are charged. The sheriff shall pay all such fees and per diems to the county in the manner and at the times prescribed by the county board, but not less often than once each month. The sheriff shall not retain any additional compensation or other emolument for his services in any activity of county government. For purposes of this subdivision, (1) the expenses of the sheriff incurred by him in the performance of his official duties for his county, (2) uniform allowances, (3) mileage and travel allowances, except as the board shall have furnished motor vehicles pursuant to Minnesota Statutes 1961, Section 387.29, (4) living quarters provided by the county, and (5) payments for boarding prisoners, shall not be deemed an emolument of the office.

In lieu of payments made to the sheriff pursuant to Minnesota Statutes 1961, Sections 641.02, 641.03, 641.11 or 641.13 the county board, at its option may provide for board, laundry and other services for prisoners in the county jail and thereafter the sheriff shall not receive any additional compensation for providing board, laundry or other services for prisoners as provided in Minnesota Statutes 1961, Sections 641.02, 641.03, 641.11 or 641.13.

Approved May 3, 1973.

CHAPTER 157—S.F.No.829

[Coded]

An act relating to education; authorizing payment of certain surplus school funds in county treasuries to certain school districts; amending Minnesota Statutes 1971, Chapter 124, by adding a section.

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

Section 1. Minnesota Statutes 1971, Chapter 124, is amended by adding a section to read:

[124.511] EDUCATION; SCHOOLS AND SCHOOL DISTRICTS; SURPLUS COUNTY SCHOOL TAX FUNDS; DISTRIBUTION. When, by reason of reorganization of districts there is a surplus in the county treasury to the credit of the county school tax fund on account of an excessive tax levy heretofore made, and when there is no need therefor, the surplus shall be paid by the

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