

CHAPTER 779—H.F.No.2580

An act relating to the metropolitan transit commission; setting tax levy; amending Minnesota Statutes 1971, Section 473A.111, Subdivision 1.

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

Section 1. Minnesota Statutes 1971, Section 473A.111, Subdivision 1, is amended to read:

473A.111 METROPOLITAN TRANSIT COMMISSION; TRANSIT TAX LEVIES. Subdivision 1. **AMOUNT.** For the purposes of chapter 473A, and the metropolitan transit system on or after August 1 of 1971 the metropolitan transit commission may levy upon all taxable property within the metropolitan transit taxing district, defined herein, a transit tax shall not in any year exceed the sum of the following:

(a) An amount equal to ~~2.9~~ 1.45 mills times the assessed value of all such property some or all of the proceeds of which may be used to provide for the full and timely payment of its certificates of indebtedness and other obligations of the commission to which collections of the wheelage tax and replacement property tax under Minnesota Statutes 1969, Section 473A.14, have been pledged, plus any amount needed for compliance with any final judgment of a court of competent jurisdiction requiring payment of any amount of the wheelage tax levied by the commission for 1971 and prior years; plus

(b) such additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of its certificates of indebtedness and other obligations to which property taxes under this section have been pledged, provided that the amount of principal and interest to come due on such obligations shall not exceed \$3,000,000 in any year.

Approved May 24, 1973.

CHAPTER 780—H.F.No.938

[Coded in Part]

An act relating to employment agencies; providing reimbursement to a referred job applicant where there is no job opening;

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amending Minnesota Statutes 1971, Sections 184.21, by adding a subdivision; 184.33; 184.38, Subdivisions 6 and 8, and by adding a subdivision.

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

Section 1. Minnesota Statutes 1971, Section 184.21, is amended by adding a subdivision to read:

Subd. 9. EMPLOYMENT AGENCIES; REIMBURSEMENT OF JOB APPLICANT; JOB ORDER. The term "job order" means a statement either written or oral by any employer to an agency, the purpose of which is to notify the agency of a job opening with that employer and to request that the agency provide the employer with applicants for interview or employment. All information concerning the availability, features, or requirements of a job shall be considered part of the job order.

Sec. 2. Minnesota Statutes 1971, Section 184.38, Subdivision 6, is amended to read:

Subd. 6. (a) No employment agent shall send out any applicant for employment without having obtained, ~~either orally or in writing, a bona fide a~~ job order, and if no employment of the kind applied for existed at the place to which the applicant was directed, the employment agent shall refund to the applicant, within 48 hours of demand, any sums paid by the applicant for transportation in going to and returning from the place.

(b) Nothing in this chapter shall be construed to prevent an employment agent from directing an applicant to an employer where the employer has previously requested that he be accorded interviews with applicants of certain types and qualifications, even though no actual vacancy existed in the employer's organization at the time the applicant was so directed; nor shall it prevent the employment agent from attempting to sell the services of an applicant to the employer even though no order has been placed with the employment agent; provided, ~~that in any case the applicant is acquainted with the facts when directed to the employer, in which event no employment agent shall be liable to any applicant as provided in this rule prior to scheduling an interview with an employer, when no opening currently exists with that employer, the applicant is clearly informed that no opening exists at that time.~~

Sec. 3. Minnesota Statutes 1971, Section 184.38, Subdivision 8, is amended to read:

Subd. 8. No employment agent shall knowingly cause to be printed or published a false or fraudulent notice or advertisement for help or for obtaining work or employment. For purposes of

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this subdivision the phrase "false or fraudulent notice or advertisement" shall include the following:

(a) The advertisement of any job for which there is no bona fide oral or written job order and completed job order form in existence at the time the advertisement is placed;

(b) The inclusion in any advertisement of any information concerning the identity, availability, features, or requirements of any advertised job when such information is not substantiated by, and included in, the supporting job order form;

(c) The advertisement of any job opening of the type described in Minnesota Statutes, Section 184.38, Subdivision 6, Paragraph (b);

(d) The advertisement of any job without the inclusion in the advertisement of the "job order number" required in Minnesota Statutes, Section 184.38, Subdivision 18;

(e) If an applicant appears at any agency in response to the advertisement of a particular job, the failure to attempt placement of the applicant in the advertised job; provided however, that the agency may refuse to attempt such placement if the reason(s) for the refusal are clearly and truthfully disclosed to the applicant either orally or in writing.

Sec. 4. Minnesota Statutes 1971, Section 184.38, is amended by adding a subdivision to read:

Subd. 18. Every job order communicated to an agency shall be recorded by the agency on a job order form which form shall contain specific information as prescribed by the department. A job order form shall be filled out for each job order prior to any attempt to advertise the job opening or to place persons in said job. Such forms shall each be assigned a separate number and shall be maintained by the agency for a period of one year.

Sec. 5. Minnesota Statutes 1971, Section 184.33 is amended to read:

184.33 LICENSE ISSUANCE; LICENSE REVOCATION; PENALTIES FOR VIOLATIONS. Subdivision 1. The department shall issue a license as an employment agent, employment agency manager or counselor to any person who qualifies for such license under the terms of sections 184.21 to 184.40. The department may refuse to issue a license to any person or may suspend or revoke the license of any employment agent, employment agency manager or counselor when it finds that any of the following conditions exist:

(a) That the employment agent or counselor has violated any condition of the bond required by sections 184.21 to 184.40;

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(b) That the person, employment agent or counselor has personally engaged in a fraudulent, deceptive, or dishonest practice;

(c) That the person, employment agent or counselor has violated any provisions of sections 184.21 to 184.40;

(d) That the person, employment agent or counselor has been legally adjudicated incompetent and has not been restored to capacity.

Subd. 2. This section shall not be construed to relieve any person from civil liability or from criminal prosecution under sections 184.21 to 184.40 or under the laws of this state. A violation of this section shall be treated as a violation of Minnesota Statutes, Section 325.79.

Approved May 24, 1973.

CHAPTER 781—H.F.No.972

An act relating to public welfare; selection of county board members; amending Minnesota Statutes 1971, Section 393.01, Subdivision 2.

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

Section 1. Minnesota Statutes 1971, Section 393.01, Subdivision 2, is amended to read:

Subd. 2. **PUBLIC WELFARE; SELECTION OF MEMBERS, TERMS, VACANCIES.** Except in counties which contain a city of the first class and counties having a poor and hospital commission, the county welfare board shall consist of seven members, including the board of county commissioners, to be selected as herein provided; two members, one of whom shall be a woman, shall be appointed by the commissioner of public welfare, one each year for a full term of two years, from a list of residents, submitted by the board of county commissioners. As each term expires or a vacancy occurs by reason of death or resignation a successor shall be appointed by the commissioner of public welfare for the full term of two years or the balance of any unexpired term from a list of one or more, not to exceed three residents submitted by the board of county commissioners. The board of county commissioners may, by resolution adopted by a majority of the board, determine that

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