

Sec. 10. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

**[609.349]** A person does not commit criminal sexual conduct under this act if the actor and complainant were adults cohabiting in an ongoing voluntary sexual relationship at the time of the alleged offense, or if the complainant is the actor's legal spouse, unless the couple is living apart and one of them has filed for separate maintenance or dissolution of the marriage. Nothing in this section shall be construed to prohibit or restrain the prosecution for any other offense committed by any person against his legal spouse.

Sec. 11. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

**[609.35]** COSTS OF MEDICAL EXAMINATION. No costs incurred by a county, city, or private hospital or other emergency medical facility or by a private physician for the examination of a complainant of criminal sexual conduct, when the examination is performed for the purpose of gathering evidence for possible prosecution, shall be charged directly or indirectly to the complainant. The reasonable costs of such examination shall be paid by the county in which the alleged offense was committed. Nothing in this section shall be construed to limit the duties, responsibilities, or liabilities of any insurer, whether public or private.

Sec. 12. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

**[609.351]** APPLICABILITY TO PAST AND PRESENT PROSECUTIONS. Except for section 8 of this act, crimes committed prior to the effective date of this act are not affected by its provisions.

Sec. 13. Minnesota Statutes 1974, Sections 609.29; 609.291; 609.292; 609.295; and 609.296 are repealed.

Approved June 5, 1975.

---

#### CHAPTER 375—H.F.No.661

*An act relating to labor; occupational safety and health; defining terms; requiring minimum posting time of citations; enforcement; notice to employee representative; amending Minnesota Statutes 1974, Sections 182.651, Subdivision 12; 182.66, Subdivision 2; and 182.661, Subdivisions 1 and 3.*

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

Section 1. Minnesota Statutes 1974, Section 182.651, Subdivision  
Changes or additions indicated by underline deletions by ~~strikeout~~

12, is amended to read:

Subd. 12. **LABOR; OCCUPATIONAL SAFETY AND HEALTH; DEFINITIONS.** "Serious violation" means a violation of any standard, rule, regulation or order other than a de minimis violation which is the proximate cause of the death of an employee. It also means a violation of any standard, rule, regulation or order which creates a substantial probability that death or serious physical harm could result from a condition which exists, or from one or more practices, means, methods, operations, or processes which have been adopted or are in use, in such a place of employment, unless the employer did not, and could not with the exercise of reasonable diligence, know of the presence of the violation.

Sec. 2. Minnesota Statutes 1974, Section 182.66, Subdivision 2, is amended to read:

Subd. 2. Each citation issued under this section, and the penalty proposed to be assessed under section 182.666, or a copy or copies thereof, shall be prominently posted, as prescribed in regulations issued by the commissioner, at or near each place a violation referred to in the citation occurred. Each citation and proposed penalty shall be posted for a minimum period of 15 days.

Sec. 3. Minnesota Statutes 1974, Section 182.661, Subdivision 1, is amended to read:

182.661 **ENFORCEMENT.** Subdivision 1. If, after an inspection or investigation, the commissioner issues a citation under section 182.66, he shall notify the employer by certified mail of the penalty, if any, proposed to be assessed under section 182.666 and that the employer has 15 working days within which to notify in writing the commissioner that he wishes to contest the citation, proposed assessment of penalty, or the period of time fixed in the citation given for correction of violation. A copy of the citation and the proposed assessment of penalty shall also be issued by certified mail to the bargaining representative and, in the case of the death of an employee, to the next of kin if requested and designated representative of the employee if known to the department of labor and industry. If within 15 working days from the receipt of the notice issued by the commissioner the employer fails to notify the commissioner in writing that he intends to contest the citation or proposed assessment of penalty, and no notice contesting either the citation, the type of violation, proposed penalty, or the time fixed for abatement in the citation is filed by any employee or representative of employees under section 182.661, subdivision 3 within such time, the citation and assessment, as proposed, shall be deemed a final order of the commission and not subject to review by any court or agency.

Sec. 4. Minnesota Statutes 1974, Section 182.661, Subdivision 3, is amended to read:

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

Subd. 3. If an employer notifies the commissioner that he intends to contest the citation or the proposed assessment of penalty or the employee or the employee representative notifies the commissioner that he intends to contest the time fixed for abatement in the citation issued under section 182.66, the citation, the type of alleged violation, the proposed penalty, or notification issued under subdivisions 1 or 2, the commission shall conduct a hearing in accordance with the applicable provisions of chapter 15, for hearings in contested cases. The rules of procedure prescribed by the commission shall provide affected employees or representatives of affected employees an opportunity to participate as parties to hearings under this subdivision.

Approved June 4, 1975.

---

**CHAPTER 376—H.F.No.669**

[Coded in Part]

*An act relating to taxation; assessment and collection of personal property taxes on mobile homes; amending Minnesota Statutes 1974, Section 273.13, Subdivision 3; and Chapter 274, by adding a section.*

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

Section 1. Minnesota Statutes 1974, Section 273.13, Subdivision 3, is amended to read:

**Subd. 3. TAXATION; MOBILE HOMES; PERSONAL PROPERTY; CLASS 2.** All household goods and furniture, including clocks, musical instruments, sewing machines, wearing apparel of members of the family, and all personal property actually used by the owner for personal and domestic purposes, or for the furnishing or equipment of the family residence, shall constitute class 2 and shall be valued and assessed at 26 percent of the full and true value thereof.

**CLASS 2a.** All mobile homes, as defined in section 168.011, subdivision 8, shall constitute class 2a and shall be valued and assessed at 40 percent of the full and true market value thereof. The valuation of class 2a property shall be subject to review as are other property values. The county treasurer shall mail to the taxpayer a statement of the tax due, determined by applying the rate of levy of the preceding year, not later than August 1 in the year of assessment. All unpaid taxes on mobile homes shall be deemed delinquent on September 1 in the year of assessment, and thereupon a penalty of eight percent shall attach and be charged upon all such taxes. Failure to timely pay the tax hereunder shall be treated in all respects as a default in payment of the personal property tax and shall be subject to all procedures and penalties applicable thereto and the taxes payable thereon in the manner provided in this act.

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