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**CHAPTER 256—H.F.No.1330**

*An act relating to labor; directing the commissioner of labor and industry to enforce the prohibition against administering polygraph tests to employees; prescribing penalties; amending Minnesota Statutes 1974, Section 181.75; repealing Minnesota Statutes 1974, Section 181.77.*

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

Section 1. Minnesota Statutes 1974, Section 181.75, is amended to read:

**181.75 LABOR; POLYGRAPH TESTS OF EMPLOYEES OR PROSPECTIVE EMPLOYEES PROHIBITED; ENFORCEMENT.** **Subdivision 1. PROHIBITION; PENALTY.** No employer or agent thereof shall ~~by direct or indirect coercion directly or indirectly request~~ solicit or require a polygraph, voice stress analysis, or any test purporting to test the honesty of any employee or prospective employee. No person shall sell to or interpret for an employer or his agent a test that he knows has been solicited or required by an employer or his agent to test the honesty of an employee or prospective employee. An employer or agent ~~violating this section or any person knowingly selling, administering, or interpreting tests in violation of this section~~ is guilty of a misdemeanor. If an employee requests a polygraph test any employer or agent administering the test shall inform him that taking the test is voluntary.

**Subd. 2. INVESTIGATIONS.** The department of labor and industry shall investigate suspected violations of this section. The department may refer any evidence available concerning violations of this section to the county attorney of the appropriate county, who may with or without such reference, institute the appropriate criminal proceedings under this section.

**Subd. 3. INJUNCTIVE RELIEF.** In addition to the penalties provided by law for violation of this section, specifically and generally, whether or not injunctive relief is otherwise provided by law, the courts of this state are vested with jurisdiction to prevent and restrain violations of this section and to require the payment of civil penalties. Whenever it shall appear to the satisfaction of the attorney general that this section has been or is being violated, he shall be entitled, on behalf of the state, to sue for and have injunctive relief in any court of competent jurisdiction against any such violation or threatened violation without abridging other penalties provided by law.

**Subd. 4. INDIVIDUAL REMEDIES.** In addition to the remedies otherwise provided by law, any person injured by a violation of this section may bring a civil action to recover any and all damages recov-

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erable at law, together with costs and disbursements, including costs of investigation and reasonable attorney's fees, and receive other equitable relief as determined by the court. The court may, as appropriate, enter a consent judgment or decree without a finding of illegality.

Sec. 2. **REPEALER.** Minnesota Statutes 1974, Section 181.77, is repealed.

Sec. 3. **EFFECTIVE DATE.** This act is effective the day following its final enactment.

Approved April 13, 1976.

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CHAPTER 257—H.F.No.1333

[Coded in Part]

*An act relating to coroners; providing for fees and traveling expenses; prohibiting interference with a dead body or the scene of death; prescribing penalties; amending Minnesota Statutes 1974, Section 357.11; and Chapter 609, by adding a section.*

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

Section 1. Minnesota Statutes 1974, Section 357.11, is amended to read:

**357.11 CORONERS; FEES.** Fees for viewing or examining each dead body, not less than \$10 nor more than \$25, and mileage for necessary travel at a rate determined by the county board and for each additional day required, not less than \$5 nor more than \$15, as shall be determined by the county board:

(1) For holding an inquest, not less than \$10 nor more than \$25, as shall be determined by the county board, for each day's necessary attendance whether or not such inquest is held on the same day on which the body was viewed, and mileage as above, and 15 cents per folio for writing the record, including testimony witnesses: body, for holding an inquest, for preparing folios, and allowances for mileage for necessary travel shall be determined by the county board.

~~(2)~~(1) In performing the sheriff's duties a coroner shall receive the fees allowed to the sheriff for like services.

~~(2)~~(2) Fees and mileage for physicians called by the coroner to make autopsies shall be allowed \$15 per day and mileage as above, and, when the county board shall be satisfied that the autopsy was attended by great and unusual difficulties, they may allow such further sum to the physicians as may be just compensation for the services

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