

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

Section 1. Minnesota Statutes 1976, Chapter 196, is amended by adding a section to read:

[196.051] VETERANS; COMMISSIONER AS GUARDIAN. Subdivision 1. BONDING. Notwithstanding section 525.551 or other law, the commissioner is not required to file a bond when he acts as guardian pursuant to authority granted by section 196.05.

Subd. 2. FUNDS. The commissioner may commingle the funds of persons who are under his guardianship pursuant to authority granted by section 196.05. The commissioner shall keep complete and accurate accounts showing each transaction that occurs with respect to the funds of each person under his guardianship.

Approved May 25, 1977.

CHAPTER 242—H.F.No.313

An act relating to unemployment compensation; providing eligibility for benefits for certain retired workers; amending Minnesota Statutes 1976, Section 268.09, Subdivision 1, as amended by Laws 1977, Chapter 4.

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

Section 1. Minnesota Statutes 1976, Section 268.09, Subdivision 1, as amended by Laws 1977, Chapter 4, is amended to read:

268.09 UNEMPLOYMENT COMPENSATION; DISQUALIFIED FROM BENEFITS. Subdivision 1. **DISQUALIFYING CONDITIONS.** An individual shall be disqualified for waiting week credit and benefits for the duration of his unemployment and until he has earned four times his weekly benefit amount in insured work:

(1) **VOLUNTARY LEAVING.** If such individual voluntarily and without good cause attributable to the employer discontinued his employment with such employer.

(2) **DISCHARGE FOR MISCONDUCT.** If such individual was discharged for misconduct, not amounting to gross misconduct connected with his work or for misconduct which interferes with and adversely affects his employment.

An individual shall not be disqualified under clauses (1) and (2) of this subdivision under any of the following conditions:

(a) If such individual voluntarily discontinued his employment to accept work offering substantially better conditions of work or substantially higher wages or both: ;

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(b) If such individual is separated from employment due to his own serious illness provided that such individual has made reasonable efforts to retain his employment; ;

(c) If such individual accepts work from a base period employer which involves a change in his location of work so that said work would not have been deemed to be suitable work under the provisions of subdivision 2 of this section and within a period of 13 weeks from the commencement of said work voluntarily discontinues his employment due to reasons which would have caused the work to be unsuitable under the provision of said subdivision 2; or

(d) If such individual left employment because he had reached mandatory retirement age and was 65 years of age or older.

(3) **DISCHARGE FOR GROSS MISCONDUCT.** If such individual was discharged for gross misconduct connected with his work or gross misconduct which interferes with and adversely affects his employment and provided further that the commissioner is empowered to impose a total disqualification for the benefit year and to cancel part or all of the wage credits from the last employer from whom he was discharged for gross misconduct connected with his work.

For the purpose of this clause "gross misconduct" shall be defined as misconduct involving assault and battery or the malicious destruction of property or the theft of money or property of a value of \$100 or more or arson or sabotage or embezzlement. However, no person shall be deemed to have been discharged for gross misconduct for purposes of chapter 268 unless (1) the person makes an admission to the conduct in writing or under oath, or (2) the person is found to have engaged in such conduct by an appeals tribunal established pursuant to section 268.10, or (3) the person has been convicted by a court of competent jurisdiction of acts constituting gross misconduct.

(4) **LIMITED OR NO CHARGE OF BENEFITS.** Benefits paid subsequent to an individual's separation under any of the foregoing clauses, excepting clause (2)(c), or because of his failure, without good cause, to accept an offer of suitable re-employment, shall not be used as a factor in determining the future contribution rate of the employer from whose employment such individual separated or whose offer of re-employment he refused; provided that this clause shall not apply to an individual involuntarily separated from employment because of pregnancy.

Approved May 25, 1977.

CHAPTER 243—H.F.No.635

[Coded in Part]

An act relating to insurance; increasing solicitors license fees; authorizing issuance of cease and desist orders and injunctions; prescribing and clarifying penalties; amending Minnesota Statutes 1976, Sections 60A.17, Subdivision 4, and by adding subdivisions; and 72A.07.

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