

CHAPTER 442 — H.F.No. 2050

An act relating to crimes; establishing the crime of commercial bribery; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 609.

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

Section 1. [609.86] COMMERCIAL BRIBERY.

Subdivision 1. DEFINITION. "Corruptly" means that the actor intends the action to injure or defraud:

- (1) His employer or principal; or
- (2) The employer or principal of the person to whom he offers, gives or agrees to give the bribe or from whom he requests, receives or agrees to receive the bribe.

Subd. 2. ACTS CONSTITUTING. Whoever does any of the following, when not consistent with usually accepted business practices, is guilty of commercial bribery and may be sentenced as provided in subdivision 3:

(1) Corruptly offers, gives, or agrees to give, directly or indirectly, any benefit, consideration, compensation, or reward to any employee, agent or fiduciary of a person with the intent to influence the person's performance of his duties as an employee, agent, or fiduciary in relation to his employer's or principal's business; or

(2) Being an employee, agent or fiduciary of a person, corruptly requests, receives or agrees to receive, directly or indirectly, from another person any benefit, consideration, compensation, or reward with the understanding or agreement that he shall be influenced in the performance of his duties as an employee, agent, or fiduciary in relation to his employer's or principal's business.

Subd. 3. SENTENCE. Whoever commits commercial bribery may be sentenced as follows:

(1) To imprisonment for not more than three years or to payment of a fine of not more than \$3,000, or both, if the value of the benefit, consideration, compensation or reward is greater than \$500;

(2) In all other cases where the value of the benefit, consideration, compensation or reward is \$500 or less, to imprisonment for not more than 90 days or to payment of a fine of not more than \$500; provided, however, in any prosecution of the value of the benefit, consideration, compensation or reward received by the defendant within any six month period may be aggregated and the defendant charged accordingly in applying the provisions of this subdivision; provided that when two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed, or all of the offenses aggregated under this clause.

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

Sec. 2. EFFECTIVE DATE.

Section 1 is effective August 1, 1982, and applies to crimes committed on or after that date.

Approved March 18, 1982

CHAPTER 443 — H.F.No. 1701

An act relating to the city of Hibbing; authorizing increases in certain firefighters service pensions and survivor benefits; amending Laws 1977, Chapter 169, Section 1; and Laws 1971, Chapter 614, Section 1, Subdivision 2.

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

Section 1. Laws 1977, Chapter 169, Section 1, is amended to read:

Subd. 1a. **HIBBING, CITY OF; SERVICE PENSIONS; INCREASE IN CERTAIN PENSIONS.** The Hibbing ~~firemen's~~ firefighters relief association shall pay to any retired fireman who retired prior to ~~May 28, 1974,~~ \$100 September 1, 1972, \$200 per month in addition to any service pension payable pursuant to subdivision 1.

Sec. 2. Laws 1971, Chapter 614, Section 1, Subdivision 2, is amended to read:

Subd. 2. **DEPENDENCY PENSIONS.** When a pensioned and retired or active member of the association dies leaving

(1) A widow who was his legally married wife, residing with him, and who was married to him while or prior to the time he was on the payroll of the fire department; and who, in case the deceased member was a service pensioner, was legally married to the member at least three years before his retirement from the fire department; or

(2) A child or children who were living while the deceased was on the payroll of the fire department, or born within nine months after the decedent was withdrawn from the payroll of the fire department, the widow and the child or children shall be entitled to a pension or pensions, as follows:

(a) To the widow, not to exceed the sum of ~~\$150~~ \$250 per month, as the bylaws of the association provide, for her natural life which amount may be applicable to widows already receiving pension payments before the effective date of the most recent amendment hereto which affects the amount if the bylaws should so provide; provided, that if she shall remarry then the pension shall cease and terminate as of the date of her remarriage;

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