

Sec. 2. This act is effective upon approval by the Savage city council and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 26, 1977.

CHAPTER 296—H.F.No.1275

An act relating to agriculture; grain inspection and weighing; fees; providing a basis for establishing and adjusting fees; amending Minnesota Statutes 1976, Section 17B.15, Subdivision 2.

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

Section 1. Minnesota Statutes 1976, Section 17B.15, Subdivision 2, is amended to read:

Subd. 2. **AGRICULTURE; GRAIN INSPECTION; FEES.** The commissioner is directed to adjust his schedule of fees before the end of each fiscal year to provide that the initial charge made for services to be rendered during the next fiscal year shall be sufficient to provide an income during the latter fiscal year equal to the amount of the expenditures for that year for salaries, overtime, expenses, which shall include without limitation, an amount for state retirement and social security contributions. If the income from the fees provided for herein during any fiscal year is more than 103 percent of the expenditures for that year, the commissioner in adjusting his schedule of fees for use in the next fiscal year shall fix the fees to produce income in the amount of that expenditure less the amount of the excess over 103 percent of the expenditures first referred to herein. If the income from the fees provided for herein during any fiscal year is less than the expenditures for that year, the commissioner in adjusting his schedule of fees for use in the next fiscal year shall fix the fees to produce income in the amount of such expenditure for the latter year plus the amount of the difference between the expenditure for the year first referred to herein and the total income from the fees during that year, and plus three percent of the total expenditure for both the latter and the first year referred to herein. The commissioner is directed to review the fee schedule each April and October. If income for the two-year period ending December and June prior to each review period is not equal to 100 percent, or is greater than 110 percent, of expenditures for salaries, overtime and expenses which shall include without limitation, an amount for state retirement and social security contributions, the commissioner shall adjust fees accordingly. Such adjustments shall be effective the first of January and July following the review. The department shall have a two-year initial period to reach 100 percent of expenditures.

Subd. 3. The schedule of fees shall provide that any elevator, mill, or other business requesting a weighing or inspection service, shall pay a minimum charge per hour for each employee requested or assigned. Any fees earned by the employee shall be credited against the charge made therefor. The minimum charge shall be assessed only after taking into consideration all fees earned and all hours charged. ~~Excess fees earned over hours~~

Changes or additions indicated by underline deletions by strikeout

charged shall be carried forward from month to month during any one fiscal year. When deemed necessary by the commissioner, a charge for actual overtime costs may be made.

Sec. 2. This act is effective July 1, 1977.

Approved May 26, 1977.

CHAPTER 297—H.F.No.1310

[Coded in Part]

An act relating to unemployment compensation; providing for conformity with federal requirements; providing for agricultural and domestic service employees; altering covered employment; regulating employer's contributions; providing for the noncharging of certain benefits; providing for extended benefits; providing for certain public employees; changing total disqualification based on receipt of social security; allowing certain political activities; amending Minnesota Statutes 1976, Sections 268.04, Subdivisions 10, 12, 22, and 23, and by adding a subdivision; 268.06, Subdivisions 1, 5, 25 and 28, and by adding subdivisions; 268.07, by adding a subdivision; 268.071, Subdivisions 1 and 6; 268.08, Subdivisions 3, 4, and 5, and by adding subdivisions; 268.09, Subdivision 1; and 268.12, Subdivision 5; repealing Minnesota Statutes 1976, Section 268.08, Subdivision 5; and a portion of Laws 1975, Chapter 433, Section 11, Subdivision 4.

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

Section 1. Minnesota Statutes 1976, Section 268.04, Subdivision 10, is amended to read:

Subd. 10. **UNEMPLOYMENT COMPENSATION; REVISION.** "Employer" means: (1) Any employing unit which, for some portion of a day, in each of 20 different weeks, whether or not such weeks are or were consecutive, and whether or not all of such weeks of employment are or were within the state within either the current or preceding calendar year, has or had in employment one or more individuals (irrespective of whether the same individual or individuals were employed in each such day) or in any calendar quarter in either the current or preceding calendar year paid \$1,500 or more for services in employment, except as provided in clause (18) of this subdivision;

(2) Any employing unit (whether or not an employing unit at the time of acquisition) which acquired the organization, trade, or business, or substantially all of the assets thereof, of another employing unit which at the time of such acquisition was an employer subject to this law; or which acquired a part of the organization, trade, or business of another employing unit which at the time of such acquisition was an employer subject to this law;

(3) For purposes of clause (1), employment shall include service which would constitute employment but for the fact that such service is deemed to be performed entirely within another state pursuant to an election under an arrangement entered into

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