

Bruce R. Munstermann, 5534 - 28th Avenue South, Minneapolis, Minnesota
55417.....\$465.00

Marvin H. Lans, 4937 - 38th Avenue South, Minneapolis, Minnesota
55417.....\$120.00

John A. Cordes, 19 Pearsall Avenue, Glen Cove, New York 11542.....\$600.00

Michael K. Holmgren, 653 East Lawson, St. Paul, Minnesota 55106.....\$100.00

John E. Mattson, 108 Nebraska Avenue, Gilbert, Minnesota 55741.....\$600.00

Richard H. Carlson, 3750 Inglewood Avenue South, St. Louis Park, Minnesota
55416.....\$300.00

Kevin L. Burmeister, 1299 Bonnie Lane, Mayfield Heights, Ohio 44124.....\$100.00

John W. DeLong, 1299 Grand Avenue, Apartment 301, St. Paul, Minnesota
55105.....\$600.00

Charles E. Intlekofer, 223 North 3rd Street, St. James, Minnesota 56081.....\$100.00

Donald E. Nelson, 16027 Wood Drive, Omaha, Nebraska 68130.....\$300.00

John T. Powell, Westview Apartments #3, Young America, Minnesota
55397.....\$600.00

Karen L. Bower, 1041 Hill Road, Willmar, Minnesota 56201.....\$300.00

Robert E. Belden, 136 - 11th Avenue North, Apartment 28, South St. Paul,
Minnesota 55075.....\$600.00

Reginald C. Wuornos, 8735 1/2 Midway Place, Santa Ana, California
92709.....\$100.00

Sec. 5. **EFFECTIVE DATE.** This act is effective the day following final enactment.

Approved March 28, 1978.

CHAPTER 669-H.F.No.2197

[Coded in Part]

An act relating to the organization and operation of state government; the payment of claims against the state and its employees; amending Minnesota Statutes 1976, Sections 3.732, Subdivision 1; and 3.736, Subdivision 9, and by adding a subdivision.

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

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

Section 1. Minnesota Statutes 1976, Section 3.732, Subdivision 1, is amended to read:

3.732 **SETTLEMENT OF CLAIMS.** Subdivision 1. As used in this section and section 3.736 the terms defined in this section have the meanings given them.

(1) "State" means includes each of its the departments, boards, agencies, commissions; and officers in the executive branch financed in whole or in part with moneys appropriated by the legislature of the state of Minnesota and includes but is not limited to the Minnesota Housing Finance Agency, the Minnesota Higher Education Coordinating Board, the Minnesota Higher Education Facilities Authority, the Armory Building Commission, the State Zoological Board, the University of Minnesota, state universities, community colleges, state hospitals, and state penal institutions; and other state agencies. It does not include a city, town, county, school district, or other local governmental body corporate and politic.

(2) "Employee of the state" means all present or former officers, members, directors or employees of the state or of any of the aforesaid enumerated agencies thereof, members of the national guard, or persons acting on behalf of such enumerated agencies the state in an official capacity, temporarily or permanently, with or without compensation, but does not include an independent contractor.

(3) "Scope of his office or employment" means that the employee was acting on behalf of the state in the performance of duties or tasks lawfully assigned to him by competent authority.

Sec. 2. Minnesota Statutes 1976, Section 3.736, is amended by adding a subdivision to read:

Subd. 4a. SECURITIES CLAIMS LIMITS. The total liability of the state and its employees acting within the scope of their employment on any claim of whatever matter arising from the issuance and sale of securities by the state shall not exceed:

(a) \$100,000 to any one person or

(b) \$500,000 to all claimants in respect of the securities of the same series.

The foregoing limitations in clauses (a) and (b) shall not affect the obligation of the issuing state entity to pay the indebtedness under the securities in accordance with their terms and from the sources pledged to their payment.

Sec. 3. Minnesota Statutes 1976, Section 3.736, Subdivision 9, is amended to read:

Subd. 9. **INDEMNIFICATION.** The state of Minnesota shall defend, save harmless, and indemnify any state employee of the state against expenses, attorneys' fees, judgments, fines, and amounts paid in settlement actually and reasonably incurred by the

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employee of the state in connection with any tort claim or demand, or expenses, attorneys' fees, judgments, fines, and amounts paid in settlement actually and reasonably incurred by the employee of the state in connection with any claim or demand arising from the issuance and sale of any securities by the state, whether groundless or otherwise, arising out of an alleged act or omission occurring heretofore or hereafter during his period of employment if the employee provides complete disclosure and cooperation in the defense of the claim or demand and if; except for elected employees, the employee's appointing authority certifies that the employee was acting within the scope of his employment. Except for elected employees, an employee of the state shall be conclusively presumed to have been acting within the scope of his employment if the employee's appointing authority issues a certificate to that effect. This determination may be overruled by the attorney general. The determination of whether an employee of the state was acting within the scope of his employment shall be a question of fact to be determined by the trier of fact based upon the circumstances of each case (j) in the absence of a certification, (ii) if a certification is overruled by the attorney general, (iii) if an unfavorable certification is made, or (iv) with respect to an elected official, The absence of the certification or an unfavorable certification shall not be evidence relevant to such a determination. It is the express intent of this provision to defend, save harmless, and indemnify any employee of the state against the full amount of any final judgment rendered by a court of competent jurisdiction arising from a claim or demand described herein, regardless of whether the limitations on liability specified in subdivision 4 or 4a hereof are, for any reason, found to be inapplicable. This subdivision does not apply in case of malfeasance in office or willful or wanton actions or neglect of duty.

Sec. 4. **EFFECTIVE DATE.** This act is effective the day following final enactment.

Approved March 28, 1978.

CHAPTER 670-H.F.No.2201

[Coded in Part]

An act relating to housing; providing funds for housing programs for native Americans; appropriating money; amending Minnesota Statutes 1976, Sections 462A.07, by adding a subdivision; 462A.21, by adding a subdivision.

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

Section 1. Minnesota Statutes 1976, Section 462A.07, is amended by adding a subdivision to read:

Subd. 15. It may engage in housing programs for low and moderate income native Americans as that term is defined in section 254A.02, subdivision 11, residing in the metropolitan area defined in section 473.121, subdivision 2, and cities with a population greater than 50,000 persons. The programs may involve the construction, purchase and rehabilitation of residential housing and may be administered through any other provision of chapter 462A. The agency shall consult with the advisory council on urban Indians

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