

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 (i) 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

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

created pursuant to section 3.922, subdivision 8, in the development of programs pursuant to this subdivision. Rules to implement this section may be promulgated as emergency rules pursuant to chapter 15.

Sec. 2. Minnesota Statutes 1976, Section 462A.21, is amended by adding a subdivision to read:

Subd. 4d. It may expend moneys for the purpose of section 1, including the establishment of revolving loan funds for programs for urban native Americans, and may pay the costs and expenses necessary and incidental to the development and operation of the programs.

Sec. 3. **APPROPRIATIONS.** Subdivision 1. The sums set forth in this section are appropriated from the general fund to the housing development fund created in section 462A.20, for the purpose specified in this section and for the payment of related costs and expenses.

Subd. 2. For the native American revolving fund provided in section 462A.21, subdivision 4c . . . \$2,500,000.

The terms and conditions of the appropriation made pursuant to Laws 1976, Chapter 254, Section 16, Subdivision 1, Clause (b), and carried forward pursuant to section 462A.21, subdivision 10, shall apply to this subdivision.

Subd. 3. For the urban native American housing programs provided in section 1 . . . \$1,500,000. To the extent possible the agency shall combine this appropriation with proceeds of bond sales.

Approved March 28, 1978.

CHAPTER 671-H.F.No.2216

[Coded]

An act relating to insurance companies; providing for the reporting of certain claims and other information to the commissioner of insurance; amending Minnesota Statutes 1976, Chapter 72A, by adding a section.

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

Section 1. Minnesota Statutes 1976, Chapter 72A, is amended by adding a section to read:

[72A.062] MANDATORY FILINGS. Subdivision 1. On or before March 15 of each year, each insurer licensed to write general liability insurance and each surplus line insurer, providing insurance covering liabilities under section 340.95, or excess insurance above self-insured retention to one or more persons licensed to sell at retail intoxicating

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