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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **1200**

February 19, 2007

Authored by Kranz

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

March 1, 2007

Committee Recommendation and Adoption of Report:

To Pass and placed on the Consent Calendar

Read Second Time

1.1 A bill for an act
1.2 relating to legislation; correcting erroneous, ambiguous, and omitted text and
1.3 obsolete references; eliminating certain redundant, conflicting, and superseded
1.4 provisions; making miscellaneous technical corrections to statutes and other
1.5 laws; amending Minnesota Statutes 2006, sections 3.97, subdivision 2; 5.25,
1.6 subdivisions 1, 3, 5; 5.29; 13.461, subdivision 1; 13.632, subdivision 1;
1.7 13.7931, subdivision 1; 13.871, by adding a subdivision; 17.81, subdivision
1.8 4; 37.21, subdivision 1; 47.61, subdivision 3; 85.054, subdivision 5; 115.55,
1.9 subdivision 7; 115A.193; 115A.28, subdivision 2; 115A.9157, subdivision
1.10 5; 115A.97, subdivision 6; 115A.99, subdivision 2; 116L.03, subdivision 1;
1.11 116L.665, subdivision 1; 119A.03, subdivision 2; 119A.04, subdivision 1;
1.12 147.02, subdivision 1; 256.741, subdivision 1; 256J.68, subdivision 1; 273.032;
1.13 289A.42, subdivision 1; 296A.26; 297A.62, subdivision 1; 297A.70, subdivision
1.14 3; 297F.23; 323A.0901; 323A.0902; 336.9-334; 336B.01, subdivision 2;
1.15 340A.412, subdivision 4; 340A.414, subdivision 2; 347.06; 469.321, subdivision
1.16 1; 469.333, subdivision 2; 469.335; 469.336; 477A.014, subdivision 1;
1.17 504B.321, subdivision 1; 518A.40, subdivision 3; 523.24, subdivision 9;
1.18 611.27, subdivisions 13, 15; 611A.55, subdivisions 1, 2; 626.89, subdivision 1;
1.19 626.90, subdivision 7; Laws 2003, chapter 118, sections 28, as amended; 29,
1.20 as amended; Laws 2005, First Special Session chapter 3, article 5, section 44,
1.21 subdivision 1, as amended; Laws 2006, chapter 259, article 13, sections 7; 8;
1.22 repealing Minnesota Statutes 2006, sections 1.33; 1.34; 1.35; 1.36; 1.37; 1.38;
1.23 1.39; 1.40; 13.319, subdivision 2; 60A.13, subdivision 4a; 92.67, subdivision
1.24 1a; 115A.055, subdivision 2; 115A.545; 115A.9157, subdivision 4; 116O.091,
1.25 subdivision 7; 135A.153, subdivision 5; 148B.55; 273.1398, subdivisions 4a, 4c;
1.26 383E.40; 383E.41; 383E.42; 383E.43; 383E.44; 383E.45; 383E.46; 383E.47;
1.27 383E.48; 383E.49; 477A.011, subdivision 28; 611A.201, subdivision 3; Laws
1.28 2004, chapter 206, section 8; Laws 2005, chapter 136, article 3, section 22;
1.29 Laws 2005, First Special Session chapter 8, article 1, section 23; article 10,
1.30 section 6; Laws 2006, chapter 236, article 1, section 2; Laws 2006, chapter 253,
1.31 section 5; Laws 2006, chapter 258, section 37; Laws 2006, chapter 260, article 5,
1.32 section 43; Laws 2006, chapter 263, article 3, section 13; Laws 2006, chapter
1.33 271, article 8, section 3.

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

ARTICLE 1

GENERAL PROVISIONS

Section 1. Minnesota Statutes 2006, section 3.97, subdivision 2, is amended to read:

Subd. 2. **Membership; terms; meetings; compensation; powers.** The Legislative Audit Commission consists of:

(1) three members of the senate appointed by the ~~senate committee~~ Subcommittee on Committees of the Committee on Rules and Administration of the senate;

(2) three members of the senate appointed by the senate minority leader;

(3) three members of the house appointed by the speaker of the house; and

(4) three members of the house appointed by the house minority leader.

Members shall serve until replaced, or until they are not members of the legislative body from which they were appointed. Appointing authorities shall fill vacancies on the commission within 30 days of a vacancy being created.

The commission shall meet in January of each odd-numbered year to elect its chair and vice-chair. They shall serve until successors are elected. The chair and vice-chair shall alternate biennially between the senate and the house. The commission shall meet at the call of the chair. The members shall serve without compensation but be reimbursed for their reasonable expenses as members of the legislature. The commission may exercise the powers prescribed by section 3.153.

Sec. 2. Minnesota Statutes 2006, section 13.632, subdivision 1, is amended to read:

Subdivision 1. **Beneficiary and survivor data.** The following data on beneficiaries and survivors of ~~the Minneapolis Teachers Retirement Fund Association~~; the St. Paul Teachers Retirement Fund Association; and the Duluth Teachers Retirement Fund Association members are private data on individuals: home address, date of birth, direct deposit number, and tax withholding data.

Sec. 3. Minnesota Statutes 2006, section 13.871, is amended by adding a subdivision to read:

Subd. 10. **Discharge and dismissal records.** Data contained in discharge and dismissal records are classified under section 609.3751, subdivision 5.

Sec. 4. Minnesota Statutes 2006, section 37.21, subdivision 1, is amended to read:

Subdivision 1. **Liquor prohibited.** Except as provided under Laws 2003, chapter 126, section 29, as amended by Laws 2005, chapter 25, section 6, no person may sell,

3.1 barter, give away, or otherwise dispose of or introduce, have, or keep for barter, gift,
3.2 or sale, any intoxicating liquors of any kind upon or within one-half mile of the State
3.3 Fairgrounds, or aid and abet any of those acts. The presence and possession of any kind of
3.4 these liquors, in any quantity, upon the person or upon the premises leased or occupied
3.5 by any person within these limits is a public nuisance and is prima facie evidence of the
3.6 purpose of the person to barter, give away, or sell the liquor. Any person who violates this
3.7 section is guilty of a misdemeanor.

3.8 Sec. 5. Minnesota Statutes 2006, section 85.054, subdivision 5, is amended to read:

3.9 Subd. 5. **Gooseberry Falls State Park.** A state park permit is not required and a
3.10 fee must not be charged for motor vehicle entry or parking at the Class I highway rest
3.11 area parking lot located adjacent to ~~U.S. Route No.~~ marked Trunk Highway 61 and the
3.12 Gooseberry River at Gooseberry Falls State Park.

3.13 Sec. 6. Minnesota Statutes 2006, section 115.55, subdivision 7, is amended to read:

3.14 Subd. 7. **Local standards.** (a) **Existing systems.** Counties may adopt by ordinance
3.15 local standards that are less restrictive than the agency's rules in order to define an
3.16 acceptable existing system. The local standards may include soil separation, soil
3.17 classification, vegetation, system use, localized well placement and construction, localized
3.18 density of systems and wells, extent of area to be covered by local standards, groundwater
3.19 flow patterns, and existing natural or artificial drainage systems. The local standards
3.20 and criteria shall be submitted to the commissioner for comment prior to adoption to
3.21 demonstrate that, based on local circumstances in that jurisdiction, they adequately protect
3.22 public health and the environment.

3.23 (b) **New or replacement systems.** Counties, after providing documentation of
3.24 conditions listed in this paragraph to the commissioner, may adopt by ordinance local
3.25 standards that are less restrictive than the agency's rules for new system construction or
3.26 replacement in areas of sustained and projected low population density where conditions
3.27 render conformance to applicable requirements difficult or otherwise inappropriate.
3.28 Documentation may include a map delineating the area of the county to be served by the
3.29 local standards, a description of the hardship that would result from strict adherence to the
3.30 agency's rules, and evidence of sustained and projected low population density. The local
3.31 standards must protect human health and the environment and be based on considerations
3.32 that may include, but need not be limited to, soil separation, soil classification, vegetation,
3.33 system use, localized well placement and construction, localized density of systems
3.34 and wells, extent of area to be covered by local standards, groundwater flow patterns,

4.1 and existing natural or artificial drainage systems. The local standards must provide
4.2 cost-effective and long-term treatment alternatives. The draft ordinance incorporating
4.3 the local standards must be submitted ~~to the local water planning advisory committee,~~
4.4 ~~created under section 103B.321, subdivision 3, and then submitted~~ with justification to the
4.5 commissioner 30 days before adoption for review and comment.

4.6 (c) **New or replacement systems; local ordinances.** A local unit of government
4.7 may adopt and enforce ordinances or rules affecting new or replacement individual
4.8 sewage treatment systems that are more restrictive than the agency's rules. A local unit
4.9 of government may not adopt or enforce an ordinance or rule if its effect is to prevent or
4.10 delay recording with the county recorder or registrar of titles of a deed or other instrument
4.11 that is otherwise entitled to be recorded.

4.12 (d) **Local standards; conflict with state law.** Local standards adopted under
4.13 paragraph (a) or (b) must not conflict with any requirements under other state laws or rules
4.14 or local ordinances, including, but not limited to, requirements for:

- 4.15 (1) systems in shoreland areas, regulated under sections 103F.201 to 103F.221;
4.16 (2) well construction and location, regulated under chapter 103I; and
4.17 (3) systems used in connection with food, beverage, and lodging establishments,
4.18 regulated under chapter 157.

4.19 The local standards must include references to applicable requirements under other state
4.20 laws or rules or local ordinances.

4.21 Sec. 7. Minnesota Statutes 2006, section 115A.193, is amended to read:

4.22 **115A.193 REPORT ON FACILITY DEVELOPMENT.**

4.23 The commissioner shall prepare a report concerning the development of a
4.24 stabilization and containment facility. The report must include:

4.25 (a) a conceptual plan that describes and evaluates the proposed design and
4.26 operation of the facility, including an evaluation of technical feasibility, a description and
4.27 evaluation of the types and quantities of hazardous waste and nonhazardous residual waste
4.28 from hazardous waste processing that the facility would be designed to accept, and a
4.29 description and evaluation of technologies needed or desired at the facility for processing,
4.30 stabilization, and containment, including above grade containment;

4.31 (b) procedures and standards for the operation of the facility that require the use of
4.32 reduction, recycling, and recovery of any hazardous waste before the waste is accepted for
4.33 stabilization when the alternative or additional management method is feasible and prudent
4.34 and would materially reduce adverse impact on human health and the environment;

5.1 (c) evaluation of the design and use of the facility for processing, stabilization, or
5.2 containment of industrial waste, including technical and regulatory issues and alternative
5.3 management methods;

5.4 (d) evaluation of feasible and prudent technologies that may substantially reduce the
5.5 possibility of migration of any hazardous constituents of wastes that the facility would be
5.6 designed to accept;

5.7 (e) a general analysis of the necessary and desirable physical, locational, and other
5.8 characteristics of a site for the facility;

5.9 (f) an evaluation of the prospects of and conditions required for the regulatory
5.10 delisting of residual waste from hazardous waste processing;

5.11 (g) an evaluation of the feasibility of an interstate, regional approach to the
5.12 management of hazardous waste; and

5.13 (h) an economic feasibility analysis of the development and operation of the facility,
5.14 including the anticipated use of the facility by Minnesota generators from within and
5.15 outside the state, and sources of private and public financing that may be available or
5.16 necessary for development or operation.

5.17 The commissioner shall submit a draft of the report to the agency ~~and the Legislative~~
5.18 ~~Commission on Waste Management by July 1, 1988,~~ and before executing contracts
5.19 under section 115A.191.

5.20 Sec. 8. Minnesota Statutes 2006, section 115A.9157, subdivision 5, is amended to read:

5.21 Subd. 5. **Collection and management programs.** By September 20, 1995, the
5.22 manufacturers or their representative organization shall implement permanent programs,
5.23 based on the results of the pilot projects required in Minnesota Statutes 1994, section
5.24 115A.9157, subdivision 4, that may be reasonably expected to collect 90 percent of the
5.25 waste rechargeable batteries and the participating manufacturers' products powered by
5.26 rechargeable batteries that are generated in the state. The batteries and products collected
5.27 must be recycled or otherwise managed or disposed of properly.

5.28 In every odd-numbered year after 1995, each manufacturer or a representative
5.29 organization shall provide information to the senate and house committees having
5.30 jurisdiction over environment and natural resources and environment and natural resources
5.31 finance that specifies at least the estimated amount of rechargeable batteries subject to this
5.32 section sold in the state by each manufacturer and the amount of batteries each collected
5.33 during the previous two years. A representative organization may report the amounts in
5.34 aggregate for all the members of the organization.

6.1 Sec. 9. Minnesota Statutes 2006, section 115A.97, subdivision 6, is amended to read:

6.2 Subd. 6. **Permits; agency report.** An application for a permit to build or operate
 6.3 a mixed municipal solid waste incinerator, including an application for permit renewal,
 6.4 must clearly state how the applicant will achieve the goals in subdivision 1 of reducing
 6.5 the toxicity and quantity of incinerator ash and of reducing the quantity of processing
 6.6 residuals that require disposal. The agency, in cooperation with the counties, may develop
 6.7 guidelines for applicants to use to identify ways to meet the goals in subdivision 1.

6.8 ~~If, by January 1, 1990, the rules required by subdivision 3 are not in at least final~~
 6.9 ~~draft form, the agency shall report to the Legislative Commission on Waste Management~~
 6.10 ~~on the status of current incinerator ash management programs with recommendations for~~
 6.11 ~~specific legislation to meet the goals of subdivision 1.~~

6.12 Sec. 10. Minnesota Statutes 2006, section 116L.03, subdivision 1, is amended to read:

6.13 Subdivision 1. **Members.** The partnership shall be governed by a board of ~~13~~ 12
 6.14 directors.

6.15 Sec. 11. Minnesota Statutes 2006, section 147.02, subdivision 1, is amended to read:

6.16 Subdivision 1. **United States or Canadian medical school graduates.** The board
 6.17 shall issue a license to practice medicine to a person not currently licensed in another state
 6.18 or Canada and who meets the requirements in paragraphs (a) to (i).

6.19 (a) An applicant for a license shall file a written application on forms provided by
 6.20 the board, showing to the board's satisfaction that the applicant is of good moral character
 6.21 and satisfies the requirements of this section.

6.22 (b) The applicant shall present evidence satisfactory to the board of being a graduate
 6.23 of a medical or osteopathic school located in the United States, its territories or Canada,
 6.24 and approved by the board based upon its faculty, curriculum, facilities, accreditation by a
 6.25 recognized national accrediting organization approved by the board, and other relevant
 6.26 data, or is currently enrolled in the final year of study at the school.

6.27 (c) The applicant must have passed an examination as described in clause (1) or (2).

6.28 (1) The applicant must have passed a comprehensive examination for initial licensure
 6.29 prepared and graded by the National Board of Medical Examiners, the Federation of
 6.30 State Medical Boards, ~~the National Board of Medical Examiners,~~ the Medical Council of
 6.31 Canada, or the appropriate state board that the board determines acceptable. The board
 6.32 shall by rule determine what constitutes a passing score in the examination.

6.33 (2) The applicant taking the United States Medical Licensing Examination (USMLE)
 6.34 must have passed steps one, two, and three within a seven-year period. This seven-year

7.1 period begins when the applicant first passes either step one or two, as applicable.
7.2 Applicants actively enrolled in or graduated from accredited MD/PhD, MD/JD, MD/MBA,
7.3 or MD/MPH dual degree programs or osteopathic equivalents must have passed each of
7.4 steps one, two, and three within three attempts in seven years plus the time taken to obtain
7.5 the non-MD degree or ten years, whichever occurs first. The applicant must pass each of
7.6 steps one, two, and three with passing scores as recommended by the USMLE program
7.7 within three attempts. The applicant taking combinations of Federation of State Medical
7.8 Boards, National Board of Medical Examiners, and USMLE may be accepted only if the
7.9 combination is approved by the board as comparable to existing comparable examination
7.10 sequences and all examinations are completed prior to the year 2000.

7.11 (d) The applicant shall present evidence satisfactory to the board of the completion
7.12 of one year of graduate, clinical medical training in a program accredited by a national
7.13 accrediting organization approved by the board or other graduate training approved
7.14 in advance by the board as meeting standards similar to those of a national accrediting
7.15 organization.

7.16 (e) The applicant shall make arrangements with the executive director to appear in
7.17 person before the board or its designated representative to show that the applicant satisfies
7.18 the requirements of this section. The board may establish as internal operating procedures
7.19 the procedures or requirements for the applicant's personal presentation.

7.20 (f) The applicant shall pay a fee established by the board by rule. The fee may not be
7.21 refunded. Upon application or notice of license renewal, the board must provide notice
7.22 to the applicant and to the person whose license is scheduled to be issued or renewed of
7.23 any additional fees, surcharges, or other costs which the person is obligated to pay as a
7.24 condition of licensure. The notice must:

7.25 (1) state the dollar amount of the additional costs; and

7.26 (2) clearly identify to the applicant the payment schedule of additional costs.

7.27 (g) The applicant must not be under license suspension or revocation by the
7.28 licensing board of the state or jurisdiction in which the conduct that caused the suspension
7.29 or revocation occurred.

7.30 (h) The applicant must not have engaged in conduct warranting disciplinary action
7.31 against a licensee, or have been subject to disciplinary action other than as specified in
7.32 paragraph (g). If the applicant does not satisfy the requirements stated in this paragraph,
7.33 the board may issue a license only on the applicant's showing that the public will be
7.34 protected through issuance of a license with conditions and limitations the board considers
7.35 appropriate.

8.1 (i) If the examination in paragraph (c) was passed more than ten years ago, the
8.2 applicant must either:

8.3 (1) pass the special purpose examination of the Federation of State Medical Boards
8.4 with a score of 75 or better within three attempts; or

8.5 (2) have a current certification by a specialty board of the American Board of
8.6 Medical Specialties, of the American Osteopathic Association Bureau of Professional
8.7 Education, the Royal College of Physicians and Surgeons of Canada, or of the College
8.8 of Family Physicians of Canada.

8.9 Sec. 12. Minnesota Statutes 2006, section 273.032, is amended to read:

8.10 **273.032 MARKET VALUE DEFINITION.**

8.11 For the purpose of determining any property tax levy limitation based on market
8.12 value, any qualification to receive state aid based on market value, or any state aid amount
8.13 based on market value, the terms "market value," "taxable market value," and "market
8.14 valuation," whether equalized or unequalized, mean the total taxable market value of
8.15 property within the local unit of government before any adjustments for tax increment,
8.16 fiscal disparity, powerline credit, or wind energy values, but after the limited market
8.17 adjustments under section 273.11, subdivision 1a, and after the market value exclusions of
8.18 certain improvements to homestead property under section 273.11, subdivision 16. Unless
8.19 otherwise provided, "market value," "taxable market value," and "market valuation" for
8.20 purposes of this paragraph, refer to the taxable market value for the previous assessment
8.21 year.

8.22 For the purpose of determining any net debt limit based on market value, or any limit
8.23 on the issuance of bonds, certificates of indebtedness, or capital notes based on market
8.24 value, the terms "market value," "taxable market value," and "market valuation," whether
8.25 equalized or unequalized, mean the total taxable market value of property within the local
8.26 unit of government before any adjustments for tax increment, fiscal disparity, powerline
8.27 credit, or wind energy values, but after the limited market value adjustments under section
8.28 273.11, subdivision 1a, and after the market value exclusions of certain improvements to
8.29 homestead property under section 273.11, subdivision 16. Unless otherwise provided,
8.30 "market value," "taxable market value," and "market valuation" for purposes of this
8.31 paragraph, mean the taxable market value as last finally equalized.

8.32 Sec. 13. Minnesota Statutes 2006, section 297A.70, subdivision 3, is amended to read:

9.1 Subd. 3. **Sales of certain goods and services to government.** (a) The following
9.2 sales to or use by the specified governments and political subdivisions of the state are
9.3 exempt:

9.4 (1) repair and replacement parts for emergency rescue vehicles, fire trucks, and
9.5 fire apparatus to a political subdivision;

9.6 (2) machinery and equipment, except for motor vehicles, used directly for mixed
9.7 municipal solid waste management services at a solid waste disposal facility as defined in
9.8 section 115A.03, subdivision 10;

9.9 (3) chore and homemaking services to a political subdivision of the state to be
9.10 provided to elderly or disabled individuals;

9.11 (4) telephone services to the ~~Department of Administration~~ Office of Enterprise
9.12 Technology that are used to provide telecommunications services through the
9.13 ~~intertechnologies~~ enterprise technology revolving fund;

9.14 (5) firefighter personal protective equipment as defined in paragraph (b), if purchased
9.15 or authorized by and for the use of an organized fire department, fire protection district, or
9.16 fire company regularly charged with the responsibility of providing fire protection to the
9.17 state or a political subdivision;

9.18 (6) bullet-resistant body armor that provides the wearer with ballistic and trauma
9.19 protection, if purchased by a law enforcement agency of the state or a political subdivision
9.20 of the state, or a licensed peace officer, as defined in section 626.84, subdivision 1;

9.21 (7) motor vehicles purchased or leased by political subdivisions of the state if the
9.22 vehicles are exempt from registration under section 168.012, subdivision 1, paragraph (b),
9.23 exempt from taxation under section 473.448, or exempt from the motor vehicle sales tax
9.24 under section 297B.03, clause (12);

9.25 (8) equipment designed to process, dewater, and recycle biosolids for wastewater
9.26 treatment facilities of political subdivisions, and materials incidental to installation of
9.27 that equipment;

9.28 (9) sales to a town of gravel and of machinery, equipment, and accessories, except
9.29 motor vehicles, used exclusively for road and bridge maintenance, and leases by a town of
9.30 motor vehicles exempt from tax under section 297B.03, clause (10); and

9.31 (10) the removal of trees, bushes, or shrubs for the construction and maintenance
9.32 of roads, trails, or firebreaks when purchased by an agency of the state or a political
9.33 subdivision of the state.

9.34 (b) For purposes of this subdivision, "firefighters personal protective equipment"
9.35 means helmets, including face shields, chin straps, and neck liners; bunker coats and
9.36 pants, including pant suspenders; boots; gloves; head covers or hoods; wildfire jackets;

10.1 protective coveralls; goggles; self-contained breathing apparatus; canister filter masks;
10.2 personal alert safety systems; spanner belts; optical or thermal imaging search devices;
10.3 and all safety equipment required by the Occupational Safety and Health Administration.

10.4 Sec. 14. Minnesota Statutes 2006, section 340A.412, subdivision 4, is amended to read:

10.5 Subd. 4. **Licenses prohibited in certain areas.** (a) No license to sell intoxicating
10.6 liquor may be issued within the following areas:

10.7 (1) where restricted against commercial use through zoning ordinances and other
10.8 proceedings or legal processes regularly had for that purpose, except licenses may be
10.9 issued to restaurants in areas which were restricted against commercial uses after the
10.10 establishment of the restaurant;

10.11 (2) within the Capitol or on the Capitol grounds, except as provided under Laws
10.12 1983, chapter 259, section 9, or Laws 1999, chapter 202, section 13;

10.13 (3) on the State Fairgrounds or at any place in a city of the first class within one-half
10.14 mile of the fairgrounds, except as provided under Laws 2003, chapter 126, section 29, as
10.15 amended by Laws 2005, chapter 25, section 6, or as otherwise provided by charter;

10.16 (4) on the campus of the College of Agriculture of the University of Minnesota or at
10.17 any place in a city of the first class within one-half mile of the campus, provided that a city
10.18 may issue one on-sale wine license and one off-sale intoxicating liquor license in this area
10.19 that is not included in the area described in clause (3), except as provided by charter;

10.20 (5) within 1,000 feet of a state hospital, training school, reformatory, prison, or other
10.21 institution under the supervision or control, in whole or in part, of the commissioner of
10.22 human services or the commissioner of corrections;

10.23 (6) in a town or municipality in which a majority of votes at the last election
10.24 at which the question of license was voted upon were not in favor of license under
10.25 section 340A.416, or within one-half mile of any such town or municipality, except that
10.26 intoxicating liquor manufactured within this radius may be sold to be consumed outside it;

10.27 (7) at any place on the east side of the Mississippi River within one-tenth of a mile
10.28 of the main building of the University of Minnesota unless (i) the licensed establishment
10.29 is on property owned or operated by a nonprofit corporation organized prior to January
10.30 1, 1940, for and by former students of the University of Minnesota, or (ii) the licensed
10.31 premises is Northrop Auditorium;

10.32 (8) within 1,500 feet of a state university, except that:

10.33 (i) the minimum distance in the case of Winona and Southwest State University is
10.34 1,200 feet, measured by a direct line from the nearest corner of the administration building
10.35 to the main entrance of the licensed establishment;

11.1 (ii) within 1,500 feet of St. Cloud State University one on-sale wine and two off-sale
 11.2 intoxicating liquor licenses may be issued, measured by a direct line from the nearest
 11.3 corner of the administration building to the main entrance of the licensed establishment;

11.4 (iii) at Mankato State University the distance is measured from the front door of
 11.5 the student union of the Highland campus;

11.6 (iv) a temporary license under section 340A.404, subdivision 10, may be issued to
 11.7 a location on the grounds of a state university for an event sponsored or approved by
 11.8 the state university; and

11.9 (v) this restriction does not apply to the area surrounding the premises of
 11.10 Metropolitan State University in Minneapolis; and

11.11 (9) within 1,500 feet of any public school that is not within a city.

11.12 (b) The restrictions of this subdivision do not apply to a manufacturer or wholesaler
 11.13 of intoxicating liquor or to a drugstore or to a person who had a license originally issued
 11.14 lawfully prior to July 1, 1967.

11.15 Sec. 15. Minnesota Statutes 2006, section 347.06, is amended to read:

11.16 **347.06 HEARING; JUDGMENT; EXECUTION.**

11.17 The judge shall hear the evidence in the case. Upon finding that the dog is a public
 11.18 nuisance, the judge shall enter judgment accordingly, and shall order the ~~constable~~
 11.19 appropriate public official to kill and dispose of the dog.

11.20 Sec. 16. Minnesota Statutes 2006, section 523.24, subdivision 9, is amended to read:

11.21 Subd. 9. **Fiduciary transactions.** In a statutory short form power of attorney, the
 11.22 language conferring general authority with respect to fiduciary transactions, means that
 11.23 the principal authorizes the agent:

11.24 (1) to represent and act for the principal in all ways and in all matters affecting any
 11.25 fund with respect to which the principal is a fiduciary;

11.26 (2) to initiate, participate in, and oppose any proceeding, judicial or otherwise, for
 11.27 the removal, substitution, or surcharge of a fiduciary, to conserve, to invest or to disburse
 11.28 anything received for the purposes of the fund for which it is received, and to reimburse
 11.29 the attorney-in-fact for any expenditures properly made by the attorney-in-fact in the
 11.30 execution of the powers conferred on the attorney-in-fact by the statutory short form
 11.31 power of attorney;

11.32 (3) to agree and contract, in any manner, with any person, and on any terms which
 11.33 the attorney-in-fact selects for the accomplishment of the purposes enumerated in this

12.1 subdivision, and to perform, rescind, reform, release, or modify the agreement or contract
 12.2 or any other similar agreement or contract made by or on behalf of the principal;

12.3 (4) to execute, acknowledge, verify, seal, file, and deliver any consent, designation,
 12.4 pleading, notice, demand, election, conveyance, release, assignment, check, pledge,
 12.5 waiver, admission of service, notice of appearance, or other instrument which the
 12.6 attorney-in-fact deems useful for the accomplishment of any of the purposes enumerated
 12.7 in this subdivision;

12.8 (5) to hire, discharge, and compensate any attorney, accountant, expert witness, or
 12.9 other assistants, when the attorney-in-fact deems that action to be desirable for the proper
 12.10 execution by the attorney-in-fact of any of the powers described in this subdivision, and
 12.11 for the keeping of needed records; and

12.12 (6) in general, and in addition to all the specific acts listed in this subdivision, to do
 12.13 any other acts with respect to a fund of which the principal is a fiduciary.

12.14 Nothing in this subdivision authorizes delegation of any power of a fiduciary unless
 12.15 the power is one the fiduciary is authorized to delegate under the terms of the instrument
 12.16 governing the exercise of the power or under local law.

12.17 For the purposes of clauses (1) to (6), "fund" means any trust, probate estate,
 12.18 guardianship, conservatorship, escrow, custodianship, or any other fund in which the
 12.19 principal has, or claims to have, an interest as a fiduciary.

12.20 All powers described in this subdivision are exercisable equally with respect to any
 12.21 fund of which the principal is a fiduciary prior to the giving of the power of attorney
 12.22 or becomes a fiduciary after that time, and whether located in the state of Minnesota
 12.23 or elsewhere.

12.24 Sec. 17. Minnesota Statutes 2006, section 611A.55, subdivision 1, is amended to read:

12.25 Subdivision 1. **Creation of board.** There is created in the Department of Public
 12.26 Safety, for budgetary and administrative purposes, the Crime Victims Reparations Board,
 12.27 which shall consist of five members appointed by the commissioner of public safety
 12.28 ~~and selected from among the membership of the Crime Victim and Witness Advisory~~
 12.29 ~~Council created in section 611A.71.~~ One of the members shall be designated as chair by
 12.30 the commissioner of public safety and serve as such at the commissioner's pleasure. At
 12.31 least one member shall be a medical or osteopathic physician licensed to practice in this
 12.32 state, and at least one member shall be a victim, as defined in section 611A.01.

12.33 Sec. 18. Minnesota Statutes 2006, section 611A.55, subdivision 2, is amended to read:

13.1 Subd. 2. **Membership, terms and compensation.** The membership terms,
 13.2 compensation, removal of members, and filling of vacancies on the board shall be
 13.3 as provided in section 15.0575. ~~Members of the board who are also members of the~~
 13.4 ~~Crime Victim and Witness Advisory Council created in section 611A.71 shall not be~~
 13.5 ~~compensated while performing duties for the advisory council.~~

13.6 Sec. 19. Laws 2003, chapter 118, section 28, as amended by Laws 2004, chapter
 13.7 279, article 5, section 9, is amended to read:

13.8 Sec. 28. **REVISOR INSTRUCTION.**

13.9 (a) The revisor of statutes shall insert the "board of behavioral health and therapy"
 13.10 or "board" wherever "commissioner of health" or "commissioner" appears in Minnesota
 13.11 Statutes, chapter 148C, and Minnesota Rules, chapter 4747.

13.12 **EFFECTIVE DATE.** This paragraph is effective July 1, 2005.

13.13 (b) ~~The revisor of statutes shall strike the terms "unlicensed mental health~~
 13.14 ~~practitioner" and "the office of unlicensed mental health practice" from Minnesota Statutes~~
 13.15 ~~and Minnesota Rules.~~

13.16 ~~**EFFECTIVE DATE.** This paragraph is effective July 1, 2005.~~

13.17 Sec. 20. Laws 2003, chapter 118, section 29, as amended by Laws 2004, chapter 279,
 13.18 article 5, section 10, and Laws 2005, chapter 147, article 8, section 3, is amended to read:

13.19 Sec. 29. **REPEALER.**

13.20 (a) Minnesota Statutes, sections 13.383, subdivision 11; 148B.60; 148B.61;
 13.21 148B.63; 148B.64; 148B.65; 148B.66; 148B.67; 148B.68; 148B.69; 148B.70; and
 13.22 148B.71, are repealed.

13.23 **EFFECTIVE DATE.** This paragraph is effective July 1, 2009.

13.24 (b) Minnesota Statutes 2002, section 148C.01, subdivision 6, is repealed.

13.25 ~~**EFFECTIVE DATE.** This paragraph is effective July 1, 2005.~~

13.26 Sec. 21. Laws 2005, First Special Session chapter 3, article 5, section 44, subdivision
 13.27 1, as amended by Laws 2006, chapter 259, article 3, section 8, is amended to read:

13.28 Subdivision 1. **Sales and use tax.** Notwithstanding Minnesota Statutes, section
 13.29 477A.016, or any other provision of law, ordinance, or city charter, if approved by the
 13.30 voters pursuant to Minnesota Statutes, section 297A.99, at a general election held before
 13.31 January 1, ~~2008~~ 2009, the city of Worthington may impose by ordinance a sales and use

14.1 tax of up to one-half of one percent for the purpose specified in subdivision 3. Except as
 14.2 otherwise provided in this section, the provisions of Minnesota Statutes, section 297A.99,
 14.3 govern the imposition, administration, collection, and enforcement of the tax authorized
 14.4 under this subdivision.

14.5 Sec. 22. Laws 2006, chapter 259, article 13, section 7, the effective date, is amended to
 14.6 read:

14.7 **EFFECTIVE DATE.** This section is effective for ~~sales~~ cigarette and tobacco
 14.8 products tax payments in June 2007 and thereafter.

14.9 Sec. 23. Laws 2006, chapter 259, article 13, section 8, the effective date, is amended to
 14.10 read:

14.11 **EFFECTIVE DATE.** This section is effective for ~~sales~~ excise tax payments in
 14.12 June 2007 and thereafter.

14.13 Sec. 24. **REVISOR'S INSTRUCTION; FEDERAL AGENCY NAMES.**

14.14 In Minnesota Statutes and Minnesota Rules, the revisor shall change the following
 14.15 names of federal agencies as appropriate:

14.16 (a) "Immigration and Naturalization Service" to "United States Citizenship and
 14.17 Immigrations Services";

14.18 (b) "Customs Service" to "United States Customs and Border Protection"; and

14.19 (c) "Bureau of Alcohol, Tobacco, and Firearms" to "Bureau of Alcohol, Tobacco,
 14.20 Firearms, and Explosives."

14.21 ARTICLE 2

14.22 OBSOLETE AND CONFLICTING PROVISIONS

14.23 Section 1. **REPEALER; MINNESOTA-WISCONSIN BOUNDARY COMPACT**
 14.24 **AND COMMISSION.**

14.25 Minnesota Statutes 2006, sections 1.33; 1.34; 1.35; 1.36; 1.37; 1.38; 1.39; and
 14.26 1.40, are repealed.

14.27 Sec. 2. **REPEALER; DATA PRACTICES REFERENCE REGARDING GRANTS**
 14.28 **FOR ABUSED CHILDREN SERVICE PROVIDER PROGRAMS.**

14.29 Minnesota Statutes 2006, section 13.319, subdivision 2, is repealed.

- 15.1 Sec. 3. **REPEALER; OBSOLETE RULEMAKING AUTHORITY.**
- 15.2 Minnesota Statutes 2006, section 60A.13, subdivision 4a, is repealed.
- 15.3 Sec. 4. **REPEALER; OBSOLETE HORSESHOE BAY LAND SALE.**
- 15.4 Minnesota Statutes 2006, section 92.67, subdivision 1a, is repealed.
- 15.5 Sec. 5. **REPEALER; DUTIES TRANSFERRED FROM OFFICE OF**
- 15.6 **ENVIRONMENTAL ASSISTANCE TO POLLUTION CONTROL AGENCY.**
- 15.7 Minnesota Statutes 2006, section 115A.055, subdivision 2, is repealed.
- 15.8 Sec. 6. **REPEALER; EXPIRED MUNICIPAL SOLID WASTE PROCESSING**
- 15.9 **PAYMENTS.**
- 15.10 Minnesota Statutes 2006, section 115A.545, is repealed.
- 15.11 Sec. 7. **REPEALER; OBSOLETE PILOT PROJECTS AND REPORTS.**
- 15.12 Minnesota Statutes 2006, section 115A.9157, subdivision 4, is repealed.
- 15.13 Sec. 8. **REPEALER; EXPIRED PROJECT OUTREACH COMMITTEE.**
- 15.14 Minnesota Statutes 2006, section 116O.091, subdivision 7, is repealed.
- 15.15 Sec. 9. **REPEALER; OBSOLETE PROGRESS REPORT.**
- 15.16 Minnesota Statutes 2006, section 135A.153, subdivision 5, is repealed.
- 15.17 Sec. 10. **REPEALER; EXPIRED TRANSITION PERIOD FOR LICENSING OF**
- 15.18 **CERTAIN THERAPISTS AND COUNSELORS.**
- 15.19 Minnesota Statutes 2006, section 148B.55, is repealed.
- 15.20 Sec. 11. **REPEALER; OBSOLETE, TEMPORARY AID FOR COURT COSTS.**
- 15.21 Minnesota Statutes 2006, section 273.1398, subdivisions 4a and 4c, are repealed.
- 15.22 Sec. 12. **REPEALER; OBSOLETE ANOKA COUNTY CORONER LAWS.**
- 15.23 Minnesota Statutes 2006, sections 383E.40; 383E.41; 383E.42; 383E.43; 383E.44;
- 15.24 383E.45; 383E.46; 383E.47; 383E.48; and 383E.49, are repealed.
- 15.25 Sec. 13. **REPEALER; OBSOLETE REFERENCE TO REPEALED LOCAL**
- 15.26 **AID PROVISION.**

16.1 Minnesota Statutes 2006, section 477A.011, subdivision 28, is repealed.

16.2 Sec. 14. **REPEALER; EXPIRED TASK FORCE DUTIES.**

16.3 Minnesota Statutes 2006, section 611A.201, subdivision 3, is repealed.

16.4 Sec. 15. **REPEALER; NONSUBSTANTIVE AMENDMENT TO REPEALED**
16.5 **PROVISION.**

16.6 Laws 2004, chapter 206, section 8, is repealed.

16.7 Sec. 16. **REPEALER; SUPERSEDED AMENDMENT TO REPEALED LAW.**

16.8 Laws 2005, chapter 136, article 3, section 22, is repealed.

16.9 Sec. 17. **REPEALER; AMENDMENT TO REPEALED PROVISION.**

16.10 Laws 2005, First Special Session chapter 8, article 1, section 23, is repealed.

16.11 Sec. 18. **REPEALER; NONSUBSTANTIVE, CONFLICTING AMENDMENT.**

16.12 Laws 2005, First Special Session chapter 8, article 10, section 6, is repealed.

16.13 Sec. 19. **REPEALER; DUPLICATIVE PROVISION.**

16.14 Laws 2006, chapter 236, article 1, section 2, is repealed.

16.15 Sec. 20. **REPEALER; DUPLICATIVE PROVISION.**

16.16 Laws 2006, chapter 253, section 5, is repealed.

16.17 Sec. 21. **REPEALER; DUPLICATIVE LANGUAGE.**

16.18 Laws 2006, chapter 258, section 37, is repealed.

16.19 Sec. 22. **REPEALER; OBSOLETE AMENDMENT TO REPEALED COUNTY**
16.20 **AND MUNICIPAL COURT LAW.**

16.21 Laws 2006, chapter 260, article 5, section 43, is repealed.

16.22 Sec. 23. **REPEALER; SUPERSEDED AMENDATORY LANGUAGE.**

16.23 Laws 2006, chapter 263, article 3, section 13, is repealed.

16.24 Sec. 24. **REPEALER; NONSUBSTANTIVE AMENDMENT TO REPEALED**
16.25 **PROVISION.**

17.1 Laws 2006, chapter 271, article 8, section 3, is repealed.

17.2 **ARTICLE 3**

17.3 **CROSS-REFERENCES**

17.4 Section 1. Minnesota Statutes 2006, section 5.25, subdivision 1, is amended to read:

17.5 Subdivision 1. **Who may be served.** A process, notice, or demand required or
17.6 permitted by law to be served upon an entity governed by chapter 221, 302A, 303, 317A,
17.7 321, ~~322A~~, 322B, 323, 330, 540, or 543 may be served on: (1) the registered agent, if any;
17.8 (2) if no agent has been appointed then on an officer, manager, or general partner of the
17.9 entity; or (3) if no agent, officer, manager, or general partner can be found at the address
17.10 on file with the secretary of state, the secretary of state as provided in this section.

17.11 Sec. 2. Minnesota Statutes 2006, section 5.25, subdivision 3, is amended to read:

17.12 Subd. 3. **Service on certain business entities; auctioneers.** When service of
17.13 process is to be made on the secretary of state for entities governed by chapter 302A,
17.14 317A, ~~322A~~ 321, 322B, 323, 330, or 543, the procedure in this subdivision applies.
17.15 Service must be made by filing with the secretary of state one copy of the process, notice,
17.16 or demand along with payment of a \$35 fee.

17.17 Sec. 3. Minnesota Statutes 2006, section 5.25, subdivision 5, is amended to read:

17.18 Subd. 5. **Service on dissolved, withdrawn, or revoked business entity.** (a)
17.19 Process, notice, or demand may be served on a dissolved, withdrawn, or revoked business
17.20 entity that was governed by chapter 302A, 303, 317A, ~~322A~~ 321, 322B, or 323 as
17.21 provided in this subdivision. The court shall determine if service is proper.

17.22 (b) If a business entity has voluntarily dissolved or has withdrawn its request for
17.23 authority to transact business in this state, or a court has entered a decree of dissolution or
17.24 revocation of authority to do business, service must be made according to subdivision 3
17.25 or 4, so long as claims are not barred under the provisions of the chapter that governed
17.26 the business entity.

17.27 (c) If a business entity has been involuntarily dissolved or its authority to transact
17.28 business in this state has been revoked, service must be made according to subdivision 3
17.29 or 4.

17.30 Sec. 4. Minnesota Statutes 2006, section 5.29, is amended to read:

17.31 **5.29 BULK AGENT NAME AND ADDRESS CHANGES.**

18.1 The filing fee charged for filing an amendment is charged for each document filed
 18.2 when a registered agent changes its name or office address pursuant to sections 302A.123,
 18.3 subdivision 3, 303.10, 308A.025, subdivision 5, 317A.123, subdivision 3, 318.02, and
 18.4 322B.135, subdivision 3, and chapters ~~322A~~ 321, 323, and 323A, but the cumulative fee
 18.5 shall not exceed \$10,000 for entities governed by the provisions of chapters 302A, 303,
 18.6 308A, 317A, 318, 322A, 322B, 323, and 323A.

18.7 Sec. 5. Minnesota Statutes 2006, section 13.461, subdivision 1, is amended to read:

18.8 Subdivision 1. **Scope.** The sections referred to in ~~subdivisions 2 to 26~~ this section are
 18.9 codified outside this chapter. Those ~~subdivisions~~ sections classify human services data as
 18.10 other than public, place restrictions on access to government data, or involve data sharing.

18.11 Sec. 6. Minnesota Statutes 2006, section 13.7931, subdivision 1, is amended to read:

18.12 Subdivision 1. **Scope.** The sections referred to in subdivisions ~~2~~ 1a to 4 are codified
 18.13 outside this chapter. Those sections classify natural resource data as other than public,
 18.14 place restrictions on access to government data, or involve data sharing.

18.15 Sec. 7. Minnesota Statutes 2006, section 17.81, subdivision 4, is amended to read:

18.16 Subd. 4. **Agricultural use.** "Agricultural use" means use of land for the production
 18.17 of livestock, dairy animals, dairy products, poultry and poultry products, fur bearing
 18.18 animals, horticultural and nursery stock which is under ~~sections 18.44 to 18.61~~ chapter
 18.19 18H, fruit of all kinds, vegetables, forage, grains, bees, and apiary products. Wetlands,
 18.20 pasture and woodlands accompanying land in agricultural use shall be considered to be
 18.21 in agricultural use.

18.22 Sec. 8. Minnesota Statutes 2006, section 47.61, subdivision 3, is amended to read:

18.23 Subd. 3. **Electronic financial terminal.** (a) "Electronic financial terminal" means
 18.24 an electronic information processing device that is established to do either or both of
 18.25 the following:

18.26 (1) capture the data necessary to initiate financial transactions; or

18.27 (2) through its attendant support system, store or initiate the transmission of the
 18.28 information necessary to consummate a financial transaction.

18.29 (b) "Electronic financial terminal" does not include:

18.30 (1) a telephone;

18.31 (2) an electronic information processing device that is used internally by a financial
 18.32 institution to conduct the business activities of the institution;

19.1 (3) an electronic point-of-sale terminal operated by a retailer that is used to process
 19.2 payments for the purchase of goods and services by consumers, and which also may be
 19.3 used to obtain cash advances or cash back not to exceed \$25 and only if incidental to the
 19.4 retail sale transactions, through the use of credit cards or debit cards, provided that the
 19.5 payment transactions using debit cards are subject to the federal Electronic Funds Transfer
 19.6 Act, United States Code, title ~~12~~ 15, sections 1693 et seq., and Regulation E of the Federal
 19.7 Reserve Board, Code of Federal Regulations, title 12, subpart 205.2; this clause does not
 19.8 exempt the retailer from liability for negligent conduct or intentional misconduct of the
 19.9 operator under section 47.69, subdivision 5;

19.10 (4) stored-value cards to only process transactions other than those authorized by
 19.11 this section. Stored-value cards are transaction cards having magnetic stripes or computer
 19.12 chips that enable electronic value to be added or deducted as needed; or

19.13 (5) a personal computer possessed by and operated exclusively by the account holder.

19.14 Sec. 9. Minnesota Statutes 2006, section 115A.28, subdivision 2, is amended to read:

19.15 Subd. 2. **Decision paramount.** The agency's decision ~~under subdivision 1~~ shall
 19.16 be final and shall supersede and preempt requirements of state agencies and political
 19.17 subdivisions and the requirements of sections 473H.02 to 473H.17; except that a facility
 19.18 established pursuant to the decision shall be subject to terms, conditions, and requirements
 19.19 in permits of state or federal permitting agencies, the terms of lease determined by the
 19.20 agency under section 115A.06, subdivision 4, and any requirements imposed pursuant
 19.21 to subdivision 3. Except as otherwise provided in this section, no charter provision,
 19.22 ordinance, rule, permit, or other requirement of any state agency or political subdivision
 19.23 shall prevent or restrict the establishment, operation, expansion, continuance, or closure
 19.24 of a facility in accordance with the final decision and leases of the agency and permits
 19.25 issued by state or federal permitting agencies.

19.26 Sec. 10. Minnesota Statutes 2006, section 115A.99, subdivision 2, is amended to read:

19.27 Subd. 2. **Deposit of penalties and damages.** Civil penalties and damages collected
 19.28 under subdivision 1 must be collected and distributed as required in ~~section 487.33~~
 19.29 chapter 484.

19.30 Sec. 11. Minnesota Statutes 2006, section 116L.665, subdivision 1, is amended to read:

19.31 Subdivision 1. **Creation.** The governor's Workforce Development Council is
 19.32 created under the authority of the Workforce Investment Act, United States Code, title 29,
 19.33 section ~~2911~~ 2801, et seq. Local workforce development councils are authorized under

20.1 the Workforce Investment Act. The governor's Workforce Development Council serves
 20.2 as Minnesota's Workforce Investment Board for the purposes of the federal Workforce
 20.3 Investment Act.

20.4 Sec. 12. Minnesota Statutes 2006, section 119A.03, subdivision 2, is amended to read:

20.5 Subd. 2. **Duties of commissioner.** The commissioner shall:

20.6 (1) identify measurable outcomes by which programs administered by the
 20.7 department will be evaluated at the state and local level;

20.8 (2) develop linkages with other state departments to ensure coordination and
 20.9 consistent state policies promoting healthy development of children and families;

20.10 (3) prepare, in consultation with the Children's Cabinet and affected parties, prior
 20.11 to July 1 of each year, guidelines governing planning, reporting, and other procedural
 20.12 requirements necessary to administer this chapter;

20.13 (4) facilitate inclusive processes when designing or implementing guidelines and
 20.14 strategies to achieve agency goals for children and families ~~listed in section 119A.01,~~
 20.15 ~~subdivision 3;~~

20.16 (5) facilitate intergovernmental and public-private partnership strategies necessary
 20.17 to implement this chapter;

20.18 (6) submit to the federal government, or provide assistance to local governments and
 20.19 organizations in submitting, where appropriate and feasible, requests for federal waivers
 20.20 or recommendations for changes in federal law necessary to carry out the purposes
 20.21 of this chapter;

20.22 (7) coordinate review of all plans and other documents required under the guidelines
 20.23 provided for in clause (3);

20.24 (8) coordinate development of the management support system components required
 20.25 for implementation of this chapter;

20.26 (9) review other programs serving children and families to determine the feasibility
 20.27 for transfer to the Department of Education or the feasibility of inclusion in the funding
 20.28 consolidation process; and

20.29 (10) monitor local compliance with this chapter.

20.30 Sec. 13. Minnesota Statutes 2006, section 119A.04, subdivision 1, is amended to read:

20.31 Subdivision 1. **Department of Education.** The powers and duties of the Department
 20.32 of Education with respect to the following programs are transferred to the Department
 20.33 of Human Services under section 15.039. The programs needing federal approval to

21.1 transfer shall be transferred when the federal government grants transfer authority to
21.2 the commissioner:

- 21.3 (1) children's trust fund under sections 256E.20 to 256E.27;
- 21.4 (2) the family services and community-based collaboratives under section 124D.23;
- 21.5 (3) the child care programs under sections 119B.011 to 119B.16;
- 21.6 (4) the migrant child care program under section 256.01;
- 21.7 (5) the child care resource and referral program under ~~sections~~ section 119B.19
- 21.8 ~~and 119B.211~~; and
- 21.9 (6) the child care service development program under sections 119B.189 to 119B.24.

21.10 Sec. 14. Minnesota Statutes 2006, section 256.741, subdivision 1, is amended to read:

21.11 Subdivision 1. **Public assistance.** (a) The term "direct support" as used in this
21.12 chapter and chapters 257, 518, 518A, and 518C refers to an assigned support payment
21.13 from an obligor which is paid directly to a recipient of TANF or MFIP.

21.14 (b) The term "public assistance" as used in this chapter and chapters 257, 518,
21.15 518A, and 518C, includes any form of assistance provided under the AFDC program
21.16 formerly codified in sections 256.72 to 256.87, MFIP and MFIP-R formerly codified
21.17 under chapter 256, MFIP under chapter 256J, work first program under chapter 256K;
21.18 child care assistance provided through the child care fund under chapter 119B; any form
21.19 of medical assistance under chapter 256B; MinnesotaCare under chapter 256L; and foster
21.20 care as provided under title IV-E of the Social Security Act.

21.21 (c) The term "child support agency" as used in this section refers to the public
21.22 authority responsible for child support enforcement.

21.23 (d) The term "public assistance agency" as used in this section refers to a public
21.24 authority providing public assistance to an individual.

21.25 Sec. 15. Minnesota Statutes 2006, section 256J.68, subdivision 1, is amended to read:

21.26 Subdivision 1. **Applicability.** (a) This section must be used to determine payment of
21.27 any claims resulting from an alleged injury or death of a person participating in a county
21.28 or a tribal community work experience program that is approved by the commissioner
21.29 and is operated by:

- 21.30 (i) the county agency;
- 21.31 (ii) the tribe;
- 21.32 (iii) a department of the state; or
- 21.33 (iv) a community-based organization under contract, prior to April 1, 1997, with
21.34 a county agency to provide a community work experience program or a food stamp

22.1 community work experience program, provided the organization has not experienced any
22.2 individual injury loss or claim greater than \$1,000.

22.3 (b) This determination method is available to the community-based organization
22.4 under paragraph (a), clause (iv), only for claims incurred by participants in the community
22.5 work experience program or the food stamp community work experience program.

22.6 (c) This determination method applies to work experience programs authorized
22.7 by the commissioner for persons applying for or receiving cash assistance and food
22.8 stamps, and to the Minnesota parent's fair share program ~~and the community service~~
22.9 ~~program under section 518.551, subdivision 5a~~, in a county with an approved community
22.10 investment program for obligors.

22.11 Sec. 16. Minnesota Statutes 2006, section 289A.42, subdivision 1, is amended to read:

22.12 Subdivision 1. **Extension agreement.** If before the expiration of time prescribed in
22.13 sections ~~270C.58, subdivision 3~~, 289A.38; and 289A.40 for the assessment of tax or the
22.14 filing of a claim for refund, both the commissioner and the taxpayer have consented in
22.15 writing to the assessment or filing of a claim for refund after that time, the tax may be
22.16 assessed or the claim for refund filed at any time before the expiration of the agreed upon
22.17 period. The period may be extended by later agreements in writing before the expiration
22.18 of the period previously agreed upon. The taxpayer and the commissioner may also agree
22.19 to extend the period for collection of the tax.

22.20 Sec. 17. Minnesota Statutes 2006, section 296A.26, is amended to read:

22.21 **296A.26 JUDICIAL REVIEW; APPEAL TO TAX COURT.**

22.22 In lieu of an administrative appeal under ~~this chapter~~ section 270C.35, any person
22.23 aggrieved by an order of the commissioner fixing a tax, penalty, or interest under this
22.24 chapter may, within 60 days from the date of the notice of the order, appeal to the Tax
22.25 Court in the manner provided under section 271.06.

22.26 Sec. 18. Minnesota Statutes 2006, section 297A.62, subdivision 1, is amended to read:

22.27 Subdivision 1. **Generally.** Except as otherwise provided in subdivision ~~2~~ or 3 or in
22.28 this chapter, a sales tax of 6.5 percent is imposed on the gross receipts from retail sales as
22.29 defined in section 297A.61, subdivision 4, made in this state or to a destination in this
22.30 state by a person who is required to have or voluntarily obtains a permit under section
22.31 297A.83, subdivision 1.

23.1 Sec. 19. Minnesota Statutes 2006, section 297F.23, is amended to read:

23.2 **297F.23 JUDICIAL REVIEW.**

23.3 In lieu of an administrative appeal under ~~this chapter~~ section 270C.35, a person
23.4 aggrieved by an order of the commissioner fixing a tax, penalty, or interest under this
23.5 chapter may, within 60 days from the date of the notice of the order, appeal to the Tax
23.6 Court in the manner provided under section 271.06.

23.7 Sec. 20. Minnesota Statutes 2006, section 323A.0901, is amended to read:

23.8 **323A.0901 DEFINITIONS.**

23.9 In this article:

23.10 (1) "General partner" means a partner in a partnership and a general partner in a
23.11 limited partnership.

23.12 (2) "Limited partner" means a limited partner in a limited partnership.

23.13 (3) "Limited partnership" means a limited partnership created under chapter ~~322A~~
23.14 321, predecessor law, or comparable law of another jurisdiction.

23.15 (4) "Partner" includes both a general partner and a limited partner.

23.16 Sec. 21. Minnesota Statutes 2006, section 323A.0902, is amended to read:

23.17 **323A.0902 CONVERSION OF PARTNERSHIP TO LIMITED**
23.18 **PARTNERSHIP.**

23.19 (a) A partnership may be converted to a limited partnership pursuant to this section.

23.20 (b) The terms and conditions of a conversion of a partnership to a limited partnership
23.21 must be approved by all of the partners or by a number or percentage specified for
23.22 conversion in the partnership agreement.

23.23 (c) After the conversion is approved by the partners, the partnership shall file a
23.24 certificate of limited partnership in the jurisdiction in which the limited partnership is to
23.25 be formed. The certificate must include:

23.26 (1) a statement that the partnership was converted to a limited partnership from
23.27 a partnership;

23.28 (2) its former name; and

23.29 (3) a statement of the number of votes cast by the partners for and against the
23.30 conversion and, if the vote is less than unanimous, the number or percentage required to
23.31 approve the conversion under the partnership agreement.

23.32 (d) The conversion takes effect when the certificate of limited partnership is filed or
23.33 at any later date specified in the certificate.

24.1 (e) A general partner who becomes a limited partner as a result of the conversion
24.2 remains liable as a general partner for an obligation incurred by the partnership before
24.3 the conversion takes effect. If the other party to a transaction with the limited partnership
24.4 reasonably believes when entering the transaction that the limited partner is a general
24.5 partner, the limited partner is liable for an obligation incurred by the limited partnership
24.6 within 90 days after the conversion takes effect. The limited partner's liability for all other
24.7 obligations of the limited partnership incurred after the conversion takes effect is that of a
24.8 limited partner as provided in chapter ~~322A~~ 321.

24.9 Sec. 22. Minnesota Statutes 2006, section 336.9-334, is amended to read:

24.10 **336.9-334 PRIORITY OF SECURITY INTERESTS IN FIXTURES AND**
24.11 **CROPS.**

24.12 (a) **Security interest in fixtures under this article.** A security interest under this
24.13 article may be created in goods that are fixtures or may continue in goods that become
24.14 fixtures. A security interest does not exist under this article in ordinary building materials
24.15 incorporated into an improvement on land.

24.16 (b) **Security interest in fixtures under real property law.** This article does not
24.17 prevent creation of an encumbrance upon fixtures under real property law.

24.18 (c) **General rule: subordination of security interest in fixtures.** In cases not
24.19 governed by subsections (d) through (h), a security interest in fixtures is subordinate
24.20 to a conflicting interest of an encumbrancer or owner of the related real property other
24.21 than the debtor.

24.22 (d) **Fixtures purchase-money priority.** Except as otherwise provided in subsection
24.23 (h), a perfected security interest in fixtures has priority over a conflicting interest of an
24.24 encumbrancer or owner of the real property if the debtor has an interest of record in or
24.25 is in possession of the real property and:

24.26 (1) the security interest is a purchase-money security interest;

24.27 (2) the interest of the encumbrancer or owner arises before the goods become
24.28 fixtures; and

24.29 (3) the security interest is perfected by a fixture filing before the goods become
24.30 fixtures or within 20 days thereafter.

24.31 (e) **Priority of security interest in fixtures over interests in real property.**

24.32 A perfected security interest in fixtures has priority over a conflicting interest of an
24.33 encumbrancer or owner of the real property if:

24.34 (1) the debtor has an interest of record in the real property or is in possession of
24.35 the real property and the security interest:

25.1 (A) is perfected by a fixture filing before the interest of the encumbrancer or owner
25.2 is of record; and

25.3 (B) has priority over any conflicting interest of a predecessor in title of the
25.4 encumbrancer or owner;

25.5 (2) before the goods become fixtures, the security interest is perfected by any method
25.6 permitted by this article and the fixtures are readily removable:

25.7 (A) factory or office machines;

25.8 (B) equipment that is not primarily used or leased for use in the operation of the
25.9 real property; or

25.10 (C) replacements of domestic appliances that are consumer goods;

25.11 (3) the conflicting interest is a lien on the real property obtained by legal or equitable
25.12 proceedings after the security interest was perfected by any method permitted by this
25.13 article; or

25.14 (4) the security interest is:

25.15 (A) created in a manufactured home in a manufactured home transaction; and

25.16 (B) perfected pursuant to a statute described in section 336.9-311(a)(2).

25.17 (f) **Priority based on consent, disclaimer, or right to remove.** A security interest
25.18 in fixtures, whether or not perfected, has priority over a conflicting interest of an
25.19 encumbrancer or owner of the real property if:

25.20 (1) the encumbrancer or owner has, in an authenticated record, consented to the
25.21 security interest or disclaimed an interest in the goods as fixtures; or

25.22 (2) the debtor has a right to remove the goods as against the encumbrancer or owner.

25.23 (g) **Continuation of paragraph (f)(2) priority.** The priority of the security interest
25.24 under paragraph (f)(2) continues for a reasonable time if the debtor's right to remove the
25.25 goods as against the encumbrancer or owner terminates.

25.26 (h) **Priority of construction mortgage.** A mortgage is a construction mortgage to
25.27 the extent that it secures an obligation incurred for the construction of an improvement on
25.28 land, including the acquisition cost of the land, if a recorded record of the mortgage so
25.29 indicates. Except as otherwise provided in subsections (e) and (f), a security interest in
25.30 fixtures is subordinate to a construction mortgage if a record of the mortgage is recorded
25.31 before the goods become fixtures and the goods become fixtures before the completion
25.32 of the construction. A mortgage has this priority to the same extent as a construction
25.33 mortgage to the extent that it is given to refinance a construction mortgage.

25.34 (i) **Priority of security interest in crops.** A perfected security interest in crops
25.35 growing on real property has priority over a conflicting interest of an encumbrancer or

26.1 owner of the real property except a perfected landlord's lien if the debtor has an interest of
 26.2 record in or is in possession of the real property.

26.3 ~~(j) Subsection (i) prevails. Subsection (i) prevails over any inconsistent provisions~~
 26.4 ~~of section 559.2091.~~

26.5 Sec. 23. Minnesota Statutes 2006, section 336B.01, subdivision 2, is amended to read:

26.6 Subd. 2. **Taconite company.** When used in sections 336B.01 to 336B.03 the
 26.7 term "taconite company" means a person, corporation, or other legal entity, its lessees,
 26.8 trustees, and receivers, engaged in or preparing to engage in the business of mining and
 26.9 beneficiating taconite, ~~as the term "taconite" is defined in section 298.23,~~ whether or not
 26.10 the taconite company may also engage in another business.

26.11 Sec. 24. Minnesota Statutes 2006, section 340A.414, subdivision 2, is amended to read:

26.12 Subd. 2. **Eligibility for permit.** (a) The commissioner may issue a permit under
 26.13 this section only to:

26.14 (1) an applicant who has not, within five years prior to the application, been
 26.15 convicted of a felony or of violating any provision of this chapter or rule adopted under
 26.16 this chapter;

26.17 (2) a restaurant;

26.18 (3) a hotel;

26.19 (4) an establishment licensed for the sale of 3.2 percent malt liquor;

26.20 (5) a resort as defined in section 157.15;

26.21 (6) a club as defined in section 340A.101, subdivision 7, or an unincorporated club
 26.22 otherwise meeting that definition; and

26.23 (7) a bed and breakfast facility as defined in section ~~340A.411~~ 340A.4011,
 26.24 subdivision 1.

26.25 (b) The commissioner may not issue a permit to a club holding an on-sale
 26.26 intoxicating liquor license.

26.27 Sec. 25. Minnesota Statutes 2006, section 469.321, subdivision 1, is amended to read:

26.28 Subdivision 1. **Scope.** For purposes of sections 469.321 to ~~469.328~~ 469.329, the
 26.29 following terms have the meanings given.

26.30 Sec. 26. Minnesota Statutes 2006, section 469.333, subdivision 2, is amended to read:

26.31 Subd. 2. **Application content.** The application must include:

26.32 (1) a development plan meeting the requirements of section 469.331;

- 27.1 (2) the proposed duration of the zone, not to exceed 12 years;
- 27.2 (3)(i) a resolution or ordinance adopted by each of the cities or towns and the
 27.3 counties in which the zone is located, agreeing to provide all of the local sales and use
 27.4 tax exemptions provided under section 469.336; ~~or (ii) a resolution or ordinance adopted~~
 27.5 ~~by each of the cities or towns and the counties in which the zone is located that declares~~
 27.6 ~~whether it will provide property tax exemptions under section 469.336;~~
- 27.7 (4) an agreement by the applicant to treat incentives provided under the zone
 27.8 designation as business subsidies under sections 116J.993 to 116J.995 and to comply with
 27.9 the requirements of that law; and
- 27.10 (5) supporting evidence to allow the commissioner to evaluate the application under
 27.11 the criteria in section 469.334.

27.12 Sec. 27. Minnesota Statutes 2006, section 469.335, is amended to read:

27.13 **469.335 APPLICATION FOR TAX BENEFITS.**

- 27.14 (a) To claim a tax credit or exemption against a state tax under section 469.336,
 27.15 ~~clauses (2) through (5)~~, a business must apply to the commissioner for a tax credit
 27.16 certificate. As a condition of its application, the business must agree to furnish information
 27.17 to the commissioner that is sufficient to verify the eligibility for any credits or exemptions
 27.18 claimed. The total amount of the state tax credits and exemptions allowed for the
 27.19 specified period may not exceed the amount of the tax credit certificates provided by the
 27.20 commissioner to the business. The commissioner must verify to the commissioner of
 27.21 revenue the amount of tax exemptions or credits for which each business is eligible.
- 27.22 (b) A tax credit certificate issued under this section may specify the particular tax
 27.23 exemptions or credits against a state tax that the qualified business is eligible to claim
 27.24 under section 469.336, ~~clauses (2) through (5)~~, and the amount of each exemption or
 27.25 credit allowed.
- 27.26 (c) The commissioner may issue \$1,000,000 of tax credits or exemptions in fiscal
 27.27 year 2004. Any tax credits or exemptions not awarded in fiscal year 2004 may be awarded
 27.28 in fiscal year 2005.
- 27.29 (d) A qualified business must use the tax credits or tax exemptions granted under
 27.30 this section by the later of the end of the state fiscal year or the taxpayer's tax year in
 27.31 which the credits or exemptions are granted.

27.32 Sec. 28. Minnesota Statutes 2006, section 469.336, is amended to read:

27.33 **469.336 TAX INCENTIVES AVAILABLE IN ZONES.**

28.1 Qualified businesses that operate in a biotechnology and health sciences industry
 28.2 zone, individuals who invest in a qualified business that operates in a biotechnology
 28.3 and health sciences industry zone, and property of a qualified business located in a
 28.4 biotechnology and health sciences industry zone qualify for:

28.5 ~~(1) exemption from the property tax as provided in section 272.02, subdivision 65;~~
 28.6 ~~(2) (1) exemption from corporate franchise taxes as provided under section 469.337;~~
 28.7 ~~(3) (2) exemption from the state sales and use tax and any local sales and use taxes~~
 28.8 on qualifying purchases as provided in section 297A.68, subdivision 38;
 28.9 ~~(4) (3) research and development credits as provided under section 469.339;~~
 28.10 ~~(5) (4) jobs credits as provided under section 469.338.~~

28.11 Sec. 29. Minnesota Statutes 2006, section 477A.014, subdivision 1, is amended to read:

28.12 Subdivision 1. **Calculations and payments.** (a) The commissioner of revenue
 28.13 shall make all necessary calculations and make payments pursuant to sections 477A.013;
 28.14 ~~477A.0132~~, and 477A.03 directly to the affected taxing authorities annually. In addition,
 28.15 the commissioner shall notify the authorities of their aid amounts, as well as the
 28.16 computational factors used in making the calculations for their authority, and those
 28.17 statewide total figures that are pertinent, before August 1 of the year preceding the aid
 28.18 distribution year.

28.19 (b) For the purposes of this subdivision, aid is determined for a city or town based
 28.20 on its city or town status as of June 30 of the year preceding the aid distribution year. If
 28.21 the effective date for a municipal incorporation, consolidation, annexation, detachment,
 28.22 dissolution, or township organization is on or before June 30 of the year preceding
 28.23 the aid distribution year, such change in boundaries or form of government shall be
 28.24 recognized for aid determinations for the aid distribution year. If the effective date for a
 28.25 municipal incorporation, consolidation, annexation, detachment, dissolution, or township
 28.26 organization is after June 30 of the year preceding the aid distribution year, such change in
 28.27 boundaries or form of government shall not be recognized for aid determinations until
 28.28 the following year.

28.29 (c) Changes in boundaries or form of government will only be recognized for the
 28.30 purposes of this subdivision, to the extent that: (1) changes in market values are included
 28.31 in market values reported by assessors to the commissioner, and changes in population,
 28.32 household size, and the road accidents factor are included in their respective certifications
 28.33 to the commissioner as referenced in section 477A.011, or (2) an annexation information
 28.34 report as provided in paragraph (d) is received by the commissioner on or before July 15
 28.35 of the aid calculation year. Revisions to estimates or data for use in recognizing changes

29.1 in boundaries or form of government are not effective for purposes of this subdivision
29.2 unless received by the commissioner on or before July 15 of the aid calculation year.
29.3 Clerical errors in the certification or use of estimates and data established as of July 15 in
29.4 the aid calculation year are subject to correction within the time periods allowed under
29.5 subdivision 3.

29.6 (d) In the case of an annexation, an annexation information report may be completed
29.7 by the annexing jurisdiction and submitted to the commissioner for purposes of this
29.8 subdivision if the net tax capacity of annexed area for the assessment year preceding the
29.9 effective date of the annexation exceeds five percent of the city's net tax capacity for the
29.10 same year. The form and contents of the annexation information report shall be prescribed
29.11 by the commissioner. The commissioner shall change the net tax capacity, the population,
29.12 the population decline, the commercial industrial percentage, and the transformed
29.13 population for the annexing jurisdiction only if the annexation information report provides
29.14 data the commissioner determines to be reliable for all of these factors used to compute city
29.15 revenue need for the annexing jurisdiction. The commissioner shall adjust the pre-1940
29.16 housing percentage, the road accidents factor, and household size only if the entire area of
29.17 an existing city or town is annexed or consolidated and only if reliable data is available for
29.18 all of these factors used to compute city revenue need for the annexing jurisdiction.

29.19 Sec. 30. Minnesota Statutes 2006, section 504B.321, subdivision 1, is amended to read:

29.20 Subdivision 1. **Procedure.** (a) To bring an eviction action, the person complaining
29.21 shall file a complaint with the court, stating the full name and date of birth of the person
29.22 against whom the complaint is made, unless it is not known, describing the premises of
29.23 which possession is claimed, stating the facts which authorize the recovery of possession,
29.24 and asking for recovery thereof.

29.25 (b) The lack of the full name and date of birth of the person against whom the
29.26 complaint is made does not deprive the court of jurisdiction or make the complaint invalid.

29.27 (c) The court shall issue a summons, commanding the person against whom the
29.28 complaint is made to appear before the court on a day and at a place stated in the summons.

29.29 (d) The appearance shall be not less than seven nor more than 14 days from the day
29.30 of issuing the summons, except as provided by ~~paragraph (b)~~ subdivision 2.

29.31 (e) A copy of the complaint shall be attached to the summons, which shall state that
29.32 the copy is attached and that the original has been filed.

29.33 Sec. 31. Minnesota Statutes 2006, section 518A.40, subdivision 3, is amended to read:

30.1 Subd. 3. **Determining costs.** (a) The court must require verification of employment
 30.2 or school attendance and documentation of child care expenses from the obligee and
 30.3 the public authority, if applicable.

30.4 (b) If child care expenses fluctuate during the year because of the obligee's seasonal
 30.5 employment or school attendance or extended periods of parenting time with the obligor,
 30.6 the court must determine child care expenses based on an average monthly cost.

30.7 (c) The amount allocated for child care expenses is considered child support but is
 30.8 not subject to a cost-of-living adjustment under section ~~518A.515~~ 518A.75.

30.9 (d) The court may allow the parent with whom the joint child does not reside to
 30.10 care for the joint child while the parent with whom the joint child resides is working or
 30.11 attending school, as provided in section 518.175, subdivision 8. Allowing the parent with
 30.12 whom the joint child does not reside to care for the joint child under section 518.175,
 30.13 subdivision 8, is not a reason to deviate from the guidelines.

30.14 Sec. 32. Minnesota Statutes 2006, section 611.27, subdivision 13, is amended to read:

30.15 Subd. 13. **Public defense services; correctional facility inmates.** All billings for
 30.16 services rendered and ordered under subdivision 7 shall require the approval of the chief
 30.17 district public defender before being forwarded on a monthly basis to the state public
 30.18 defender. In cases where adequate representation cannot be provided by the district public
 30.19 defender and where counsel has been appointed under a court order, the state public
 30.20 defender shall forward to the commissioner of finance all billings for services rendered
 30.21 under the court order. The commissioner shall pay for services ~~from county criminal~~
 30.22 ~~justice aid retained by the commissioner of revenue for that purpose under section~~
 30.23 ~~477A.0121, subdivision 4, or~~ from county program aid retained by the commissioner of
 30.24 revenue for that purpose under section 477A.0124, subdivision 1, clause (4), or 477A.03,
 30.25 subdivision 2b, paragraph (a).

30.26 The costs of appointed counsel and associated services in cases arising from new
 30.27 criminal charges brought against indigent inmates who are incarcerated in a Minnesota
 30.28 state correctional facility are the responsibility of the state Board of Public Defense. In
 30.29 such cases the state public defender may follow the procedures outlined in this section for
 30.30 obtaining court-ordered counsel.

30.31 Sec. 33. Minnesota Statutes 2006, section 611.27, subdivision 15, is amended to read:

30.32 Subd. 15. **Costs of transcripts.** In appeal cases and postconviction cases where
 30.33 the state public defender's office does not have sufficient funds to pay for transcripts and
 30.34 other necessary expenses because it has spent or committed all of the transcript funds in

31.1 its annual budget, the state public defender may forward to the commissioner of finance
 31.2 all billings for transcripts and other necessary expenses. The commissioner shall pay for
 31.3 these transcripts and other necessary expenses ~~from county criminal justice aid retained~~
 31.4 ~~by the commissioner of revenue under section 477A.0121, subdivision 4, or from county~~
 31.5 program aid retained by the commissioner of revenue for that purpose under section
 31.6 477A.0124, subdivision 1, clause (4), or 477A.03, subdivision 2b, paragraph (a).

31.7 Sec. 34. Minnesota Statutes 2006, section 626.89, subdivision 1, is amended to read:

31.8 Subdivision 1. **Definitions.** For purposes of this section, the terms defined in this
 31.9 subdivision have the meanings given them.

31.10 (a) "Administrative hearing" means a nonjudicial hearing or arbitration authorized to
 31.11 recommend, approve, or order discipline.

31.12 (b) "Formal statement" means the questioning of an officer in the course of obtaining
 31.13 a recorded, stenographic, or signed statement to be used as evidence in a disciplinary
 31.14 proceeding against the officer.

31.15 (c) "Officer" means a licensed peace officer or part-time peace officer, as defined
 31.16 in section 626.84, subdivision 1, paragraphs (c) and ~~(f)~~ (d), who is employed by a unit
 31.17 of government.

31.18 Sec. 35. Minnesota Statutes 2006, section 626.90, subdivision 7, is amended to read:

31.19 Subd. 7. **Construction.** This section is limited to law enforcement authority only,
 31.20 and nothing in this section shall affect any other jurisdictional relationships or disputes
 31.21 involving the band or current reservation boundaries or entitle the band as a municipality
 31.22 or subdivision of government to any fine or penalty revenue allocation under section
 31.23 ~~487.33~~ 484.90.

31.24 Sec. 36. **REVISOR'S INSTRUCTION; CROSS-REFERENCE IN**
 31.25 **ADMINISTRATIVE RULE.**

31.26 The revisor of statutes shall change the reference to Minnesota Statutes, section
 31.27 270.761, in Minnesota Rules, part 9560.0440, subpart 3, item B, to Minnesota Statutes,
 31.28 section 260.761.

31.29 Sec. 37. **REVISOR'S INSTRUCTION; CROSS-REFERENCES TO FORMER**
 31.30 **SEX OFFENDER LAW.**

31.31 In each section of Minnesota Statutes referred to in column A, the revisor of statutes
 31.32 shall delete the reference in column B and insert the reference in column C.

	<u>Column A</u>	<u>Column B</u>	<u>Column C</u>
32.1			
32.2	<u>244.04, subdivision 1</u>	<u>609.109</u>	<u>Minnesota Statutes 2004, section 609.109</u>
32.3			
32.4	<u>244.05, subdivision 1</u>	<u>609.108, subdivision 5</u>	<u>Minnesota Statutes 2004, section 609.108, subdivision 5</u>
32.5			
32.6			
32.7	<u>244.05, subdivision 3</u>	<u>609.108, subdivision 5</u>	<u>Minnesota Statutes 2004, section 609.108, subdivision 5</u>
32.8			
32.9			
32.10	<u>244.05, subdivision 4</u>	<u>609.109, subdivision 3</u>	<u>Minnesota Statutes 2004, section 609.109, subdivision 3</u>
32.11			
32.12			
32.13	<u>244.05, subdivision 5</u>	<u>609.185, clause (3), (5), or (6); 609.109, subdivision 3; 609.3455, subdivision 3 or 4; or 609.385</u>	<u>609.185, clause (3), (5), or (6); 609.3455, subdivision 3 or 4; 609.385; or Minnesota Statutes 2004, section 609.109, subdivision 3</u>
32.14			
32.15			
32.16			
32.17			
32.18	<u>244.195, subdivision 1</u>	<u>609.108, subdivision 6, or 609.109, subdivision 7</u>	<u>section 609.3455, subdivision 6, 7, or 8; Minnesota Statutes 2004, section 609.108, subdivision 6; or Minnesota Statutes 2004, section 609.109, subdivision 7</u>
32.19			
32.20			
32.21			
32.22			
32.23			
32.24			
32.25	<u>253B.185, subdivision 2</u>	<u>609.108, subdivision 6, or 609.109, subdivision 7</u>	<u>609.3455, subdivision 6, 7, or 8; Minnesota Statutes 2004, section 609.108, subdivision 6; or Minnesota Statutes 2004, section 609.109, subdivision 7</u>
32.26			
32.27			
32.28			
32.29			
32.30			
32.31	<u>401.01, subdivision 2</u>	<u>609.108, subdivision 6, or 609.109, subdivision 7</u>	<u>609.3455, subdivision 6, 7, or 8; Minnesota Statutes 2004, section 609.108, subdivision 6; or Minnesota Statutes 2004, section 609.109, subdivision 7</u>
32.32			
32.33			
32.34			
32.35			
32.36			
32.37	<u>609.115, subdivision 2a</u>	<u>609.106, subdivision 2; 609.109, subdivision 3; 609.185; 609.3455; or 609.385, subdivision 2</u>	<u>609.106, subdivision 2; 609.185; 609.3455; 609.385, subdivision 2; or Minnesota Statutes 2004, section 609.109, subdivision 3</u>
32.38			
32.39			
32.40			
32.41			
32.42			
32.43	<u>609.2231, subdivision 3a</u>	<u>609.109</u>	<u>609.3455, subdivision 6, 7, or 8; and Minnesota Statutes 2004, section 609.109</u>
32.44			
32.45			
32.46	<u>609.342, subdivision 2</u>	<u>609.109 or 609.3455</u>	<u>609.3455; or Minnesota Statutes 2004, section 609.109</u>
32.47			
32.48			
32.49	<u>609.342, subdivision 3</u>	<u>609.109 or 609.3455</u>	<u>609.3455; or Minnesota Statutes 2004, section 609.109</u>
32.50			
32.51			

33.1	<u>609.343, subdivision 2</u>	<u>609.109 or 609.3455</u>	<u>609.3455; or Minnesota Statutes 2004, section 609.109</u>
33.2			
33.3			
33.4	<u>609.343, subdivision 3</u>	<u>609.109 or 609.3455</u>	<u>609.3455; or Minnesota Statutes 2004, section 609.109</u>
33.5			
33.6			
33.7	<u>609.344, subdivision 3</u>	<u>609.109 or 609.3455</u>	<u>609.3455; or Minnesota Statutes 2004, section 609.109</u>
33.8			
33.9			
33.10	<u>609.345, subdivision 3</u>	<u>609.109 or 609.3455</u>	<u>609.3455; or Minnesota Statutes 2004, section 609.109</u>
33.11			
33.12			
33.13	<u>609.347, subdivision 1</u>	<u>609.109, 609.342 to 609.3451, or 609.3453</u>	<u>609.342 to 609.3451; 609.3453; or Minnesota Statutes 2004, section 609.109</u>
33.14			
33.15			
33.16			
33.17	<u>609.347, subdivision 2</u>	<u>609.109, 609.342 to 609.3451, or 609.3453</u>	<u>609.342 to 609.3451; 609.3453; or Minnesota Statutes 2004, section 609.109</u>
33.18			
33.19			
33.20			
33.21	<u>609.347, subdivision 3</u>	<u>609.109, 609.342 to 609.3451, 609.3453, or 609.365</u>	<u>609.342 to 609.3451; 609.3453; 609.365; or Minnesota Statutes 2004, section 609.109</u>
33.22			
33.23			
33.24			
33.25	<u>609.347, subdivision 5</u>	<u>609.109, 609.342 to 609.3451, or 609.3453</u>	<u>609.342 to 609.3451; 609.3453; or Minnesota Statutes 2004, section 609.109</u>
33.26			
33.27			
33.28			
33.29	<u>609.347, subdivision 6</u>	<u>609.109, 609.342 to 609.3451, or 609.3453</u>	<u>609.342 to 609.3451; 609.3453; or Minnesota Statutes 2004, section 609.109</u>
33.30			
33.31			
33.32			
33.33	<u>609.348</u>	<u>609.109, 609.342 to 609.3451, and 609.3453</u>	<u>609.342 to 609.3451; 609.3453; and Minnesota Statutes 2004, section 609.109</u>
33.34			
33.35			
33.36			
33.37	<u>631.045</u>	<u>609.109, 609.341 to 609.3451, 609.3453, or 617.246, subdivision 2</u>	<u>609.341 to 609.3451; 609.3453; 617.246, subdivision 2; or Minnesota Statutes 2004, section 609.109</u>
33.38			
33.39			
33.40			
33.41			