

HOUSE RESEARCH

Bill Summary

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Overview

This is the annual revisor's bill which corrects technical errors in the statutes. Following is a memorandum of explanation prepared by the Revisor of Statutes regarding the provisions of the bill

Section

- 1 **Explanation.** This section corrects an erroneous reference.
- 2 **Explanation.** This amendment corrects an erroneous reference.
- 3 **Explanation.** This amendment removes a reference to the Panama Canal Zone, which is no longer a possession of the United States.
- 4 **Explanation.** This advisory council expired June 30, 2000.
- 5 **Explanation.** This amendment corrects an erroneous reference. Low-income housing property was in class 4c and is now in class 4d.
- 6 **Explanation.** This amendment corrects an erroneous reference. Low-income housing property was in class 4c and is now in class 4d.
- 7 **Explanation.** (a) The intergovernmental information systems advisory council has expired.
(b) The expiration of the Minnesota organic task force was extended to June 30, 2003, in Laws 1999, chapter 231, section 57, and supersedes the expiration date in this section under Minnesota Statutes, section 645.26.
(c) Laws 2000, chapter 382, section 14, provided that the wetland heritage advisory committee expired on July 1, 2000.
(d) The remaining amendments correct erroneous references and move the text to the appropriate order in the subdivision.
- 8 **Explanation.** This amendment corrects a cross reference that is changed in section 10.
- 9 **Explanation.** State employee collective bargaining agreements are negotiated under chapter

179A, not chapter 179.

10 **Explanation.** Paragraph (g) of this subdivision referred to sections repealed by Laws 2000, chapter 490, article 11, section 44. The paragraph is now meaningless.

11 **Explanation.** This advisory council expired June 30, 2000.

12 **Explanation.** Section 268.04 was repealed and recodified as section 268.035 in Laws 1998, chapter 265.

13 **Explanation.** This amendment removes a reference to the Panama Canal Zone, which is no longer a possession of the United States.

14 **Explanation.** This amendment corrects a reference. Section 60A.17, subdivision 6, was repealed and reenacted in section 60K.09 and 60K.11 in Laws 1992, chapter 564, article 3.

The corrected reference refers to the subdivision as it was reenacted.

15 **Explanation.** Section 62R.17 expired on December 31, 1999, according to Laws 1995, chapter 234, article 10, section 10, making the reference in this section obsolete.

16 **Explanation.** This amendment corrects a range reference that begins with a repealed section.

17 **Explanation.** This amendment corrects an obsolete reference. Section 60A.152 was repealed and recodified by Laws 2000, chapter 394, article 1. The correct reference is to

section 297I.05, subdivision 8.

18 **Explanation.** This amendment corrects a grammatical error relating to verb number form.

19 **Explanation.** This amendment corrects a grammatical error so that the clauses are parallel.

20 **Explanation.** Section 268.04 was repealed and recodified as section 268.035 in Laws 1998, chapter 265.

21 **Explanation.** Section 268.04 was repealed and recodified as section 268.035 in Laws 1998, chapter 265.

22 **Explanation.** This amendment corrects an erroneous reference. Laws 2000, chapter 278, section 2, eliminated the two-day state park permit and made it valid for one day only.

23 **Explanation.** Laws 2000, chapter 478, essentially reorganized the provisions formerly in Minnesota Statutes, chapter 169, relating to driving while impaired, into a new statutory chapter 169A. This amendment adds a reference to continue to include applicable sanctions under chapter 169A for operating a motor boat while impaired.

24 **Explanation.** This amendment corrects an erroneous reference. Section 103F.22 does not exist. Sections 103F.201 to 103F.221 relate to shoreland management classification.

25 **Explanation.** This amendment corrects a cross reference error resulting from amendments to the wetlands law in Laws 2000, chapter 382, section 5.

26 **Explanation.** This amendment corrects a cross reference error resulting from amendments to the wetlands law in Laws 2000, chapter 382, section 5

27 **Explanation.** This amendment corrects an erroneous reference. The stricken reference was to the Minneapolis-St. Paul Sanitary District whose authorizing legislation under chapter 445 was repealed in 1973. The area comprising this district is covered by the definition of

municipality in section 115.41 and is therefore incorporated into the reference to "municipality" which precedes each stricken clause.

28 **Explanation.** This amendment corrects an erroneous reference. The levy limit law, including the definition of implicit price deflator contained in it, expired. This section replaces the

reference to section 275.70, subdivision 2, with the definition of implicit price deflator that was contained in it.

29 **Explanation.** This amendment corrects an erroneous reference. The levy limit law, including the definition of implicit price deflator contained in it, expired. This section replaces the reference to section 275.70, subdivision 2, with a reference to the definition added in section 28.

30 **Explanation.** This amendment corrects an erroneous reference.

31 **Explanation.** Section 116.162 was repealed, making the stricken clause unnecessary.

32 **Explanation.** This section corrects sentence structure.

33 **Explanation.** Sections 62R.17 to 62R.25 expired on December 31, 1999, and section 62R.26 became obsolete thereafter, according to Laws 1995, chapter 234, article 10, section 10, making the reference in this section obsolete.

34 **Explanation.** Minnesota Rules, part 8700.5505, was repealed. It was essentially replaced by part 8710.6000 but the entire reference to Minnesota Rules was stricken to avoid future citation errors.

Explanation. This amendment deletes references to nonexistent provisions.

36 **Explanation.** This amendment deletes references to nonexistent provisions.

37 **Explanation.** This amendment deletes superfluous references.

38 **Explanation.** This amendment corrects a grammatical error.

39 **Explanation.** This amendment deletes a reference to a nonexistent provision.

40 **Explanation.** This amendment deletes a reference to a nonexistent provision and corrects a reference to provisional licensure which existed only in an earlier version of the bill.

41 **Explanation.** This amendment corrects a reference to provisional licensure which existed only in an earlier version of the bill.

42 **Explanation.** The rules governing audiologists were repealed and recodified in Minnesota Statutes, chapter 148.

43 **Explanation.** This amendment corrects a grammatical error.

44 **Explanation.** This amendment corrects an erroneous reference. Section 340A.503, subdivision 1, paragraph (c), was essentially recodified in Laws 1996, chapter 442,

sections 12 and 24, as section 169.1218, which has subsequently been recodified as section 169A.33.

45 **Explanation.** This amendment corrects a grammatical error.

46 **Explanation.** This amendment corrects an erroneous reference. The reference to subdivision 8 was inadvertently omitted in an amendment to the bill.

47 **Explanation.** Section 237.625 expired, making the reference in this section obsolete.

48 **Explanation.** Sections 237.58, 237.62, and 237.625 expired, making the references in this section obsolete.

49 **Explanation.** Section 237.625 expired. The reference to that section is still valid for plans approved prior to its expiration, but should make it clear that the section has expired.

50 **Explanation.** Sections 237.58, 237.62, and 237.625 expired, making the references in this section obsolete.

51 **Explanation.** Section 144.0723 was repealed by Laws 1999, chapter 245, article 3, section 51, making the reference in this section obsolete.

52 **Explanation.** Laws 1999, chapter 139, recodified the Juvenile Court Act into chapters 260

(General Provisions), 260B (Delinquency), and 260C (Child Protection). Laws 1998,

chapter 367, article 10, section 5, amended section 260.015, subdivision 21, which defined juvenile petty offenders, by adding some cross-references to crimes. This amendment codifies these changes in the recodified section 260B.007, subdivision 16.

53 **Explanation.** Section 268.04 was repealed and recodified as section 268.035 in Laws 1998, chapter 265.

54 **Explanation.** Section 268.04 was repealed and recodified as section 268.035 in Laws 1998, chapter 265.

55 **Explanation.** This amendment corrects an erroneous reference. The correct reference to the authority of the commissioner to accept offers of installment payments is subdivision 1, not subdivision 2.

56 **Explanation.** This amendment corrects an erroneous reference. Laws 1994, chapter 510, article 3, section 8, struck the language in section 289A.20, subdivision 4, paragraph (c), and renumbered paragraph (d) as paragraph (c).

57 **Explanation.** This amendment adds a new subdivision to section 289A.40. The language was stricken in section 59 (289A.60, subdivision 12), a penalties section, and moved to this section, which relates to time limits on refund claims.

58 **Explanation.** This amendment corrects a grammatical error.

59 **Explanation.** This amendment strikes language relating to a statute of limitations of property tax refund claims from section 289A.60, a penalties section, and section 57

reenacts it as a new subdivision of section 289A.40. Section 289A.40 is the section relating to time limits on refund claims.

60 **Explanation.** This amendment corrects an erroneous reference. Laws 1994, chapter 510, article 3, section 8, struck the language in section 289A.20, subdivision 4, paragraph (c), and renumbered paragraph (d) as paragraph (c).

61 **Explanation.** This amendment corrects a grammatical error.

62 **Explanation.** This amendment corrects erroneous references. Attempts are covered by clause (2) rather than clause (1).

63 **Explanation.** This amendment corrects an erroneous reference. Attempts are covered by clause (2) rather than clause (1).

64 **Explanation.** This amendment corrects a term used in the notice that accompanies the annual registration form sent to limited liability companies. Domestic limited liability

companies may have their existence terminated by the state, and foreign limited liability companies may have their authority to do business revoked, for failure to annually register with the state. The corrected terms are consistent with the underlying law that provides the authority to terminate or revoke.

65 **Explanation.** This amendment corrects an erroneous reference.

66 **Explanation.** This amendment corrects an erroneous reference.

67 **Explanation.** This amendment corrects an erroneous reference.

68 **Explanation.** This section referred to a repealed subdivision relating to detaining persons on conditional release. This amendment replaces the repealed subdivision reference with the appropriate replacement section.

69 **Explanation.** The stricken clause in this subdivision referred to sections repealed by Laws

2000, chapter 490, article 11, section 44. The clause is now meaningless.

70 **Explanation.** The stricken clause in this subdivision referred to sections repealed by Laws 2000, chapter 490, article 11, section 44. The clause is now meaningless.

71 **Explanation.** The stricken clause in this subdivision referred to sections repealed by Laws 2000, chapter 490, article 11, section 44. The clause is now meaningless.

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73 **Explanation.** The stricken clause in this subdivision referred to sections repealed by Laws 2000, chapter 490, article 11, section 44. The clause is now meaningless.

74 **Explanation.** The stricken sentence in this subdivision referred to sections repealed by Laws 2000, chapter 490, article 11, section 44. The sentence is now unnecessary.

75 **Explanation.** Clause (5) of this subdivision referred to sections repealed by Laws 2000, chapter 490, article 11, section 44. The clause is now meaningless.

76 **Explanation.** Sections 469.305 to 469.308 were repealed by Laws 1999, chapter 223, article 2, section 80.

77 **Explanation.** The tax credit program in section 469.305 was repealed by Laws 1999, chapter 223, article 2, section 80.

78 **Explanation.** This amendment corrects an erroneous reference.

79 **Explanation.** This amendment corrects a typographical error.

80 **Explanation.** This correction corrects a drafting error in the landlord-tenant law dating from 1984. The 1984 law required a landlord to post a notice prepared by the attorney

general summarizing tenants' and owners' rights. The 1984 law also added a provision that the failure to post this notice would not preclude the landlord from beginning an action for

nonpayment of rent. This added provision referred to section 3 of the bill even though only a portion of section 3 was relevant. Section 3 has now been recodified into paragraphs (a) and (b). Paragraph (b) contains the relevant language.

81 **Explanation.** This amendment corrects an error that occurred in the recodification of the landlord-tenant law in Laws 1999, chapter 199.

82 **Explanation.** Section 515B.1-111 was repealed by Laws 1996, chapter 310, section 1. This section deletes the reference to the repealed section.

83 **Explanation.** This amendment corrects an erroneous reference.

84 **Explanation.** This amendment updates a reference in the marriage license fee statute to reflect a change in the name of supervised parenting time facilities to parenting time centers.

85 **Explanation.** Laws 1990, chapter 574, section 8, added a new clause (d) to section 518.131, subdivision 10, resulting in the relettering of the remaining clauses. This

amendment replaces the old clause references with the correct relettered clauses.

86 **Explanation.** This amendment corrects a typographical error.

87 **Explanation.** The proposed amendment replaces gender-specific words with gender-neutral words.

88 **Explanation.** This amendment corrects a paragraph cross-reference in the criminal statute of limitations for criminal sexual conduct cases where DNA evidence is preserved. The general limitations are contained in paragraph (d), not paragraph (c).

- 89 **Explanation.** This amendment corrects erroneous references. The subdivisions in section 13.82 were renumbered.
- 90 **Explanation.** This amendment corrects erroneous references. Chapter 118 was recodified as chapter 118A in Laws 1996, chapter 399.
- 91 **Explanation.** (a) This amendment repeals a reference in the data practices act to a classification in section 303.14 relating to disclosure of taxable net income for foreign corporations that has been repealed.
- (b) This subdivision refers to a range of subdivisions repealed and renumbered as a result of the data practices act recodification under Laws 1999, chapter 227, section 22. This introductory subdivision is now meaningless and has been essentially replaced by language in section 13.01, subdivision 5.
- (c) This subdivision refers to review of hazardous waste taxes by the legislative commission on waste management. This commission no longer exists, and there is no apparent successor for these duties.
- (d) This repealer deletes a definition of provisional licensure for occupational licensure. Provisional licensure existed in an earlier version of the bill, but was deleted in the final version.
- (e) This subdivision refers to a revolving fund that was abolished in 1979.
- (f) This repealer removes the sections of chapter 181B on private pension benefits protection. Section 181B.17 states that "sections 181B.01 to 181B.17 shall become null and void upon the institution of a mandatory plan of termination insurance guaranteeing the payment of a substantial portion of an employee's vested pension benefits pursuant to any law of the United States." Such a plan was instituted upon passage in 1974 of the Employee Retirement Income Security Act (ERISA).
- (g) This repealer removes the only remaining statutory section in chapter 383. The section is an application section and is not substantive.
- (h) This subdivision provided definitions relating to mined underground space development for sections of law repealed by Laws 2000, chapter 490, article 11, section 44. The subdivision is now unnecessary.
- (i) These subdivisions are definitions of terms that do not appear within the sections covered by the definition section.
- (j) Three subdivisions of this section were inadvertently omitted from the repealer in Laws 1998, chapter 253, which repealed chapter 566 as part of the recodification of the landlord-tenant law.
- (k) This section amended section 268.676, subdivision 1, relating to wage subsidies. Section 268.676 was also repealed in the same legislative session in Laws 1997, chapter 200, article 3, section 19. The repeal was printed in the main text and the amendment was printed as a note. The amendment was not substantive and this repealer allows the revisor to remove the note containing the amendatory language.
- (l) This section amended section 124D.53, subdivision 2, relating to funding for adult basic education. Section 124D.53 was also repealed in the same legislative session in Laws 2000, chapter 489, article 1, section 46. The repeal was noted in the main text and the amendment was printed as a note. The amendatory text was not substantive and this repealer allows the revisor to remove the note containing the amendatory language.
- (m) These sections amended sections 257A.01, subdivision 2, and 257A.03, subdivision 2, relating to designated caregiver agreements. Sections 257A.01 and 257A.03 were also repealed in the same legislative session in Laws 2000, chapter 404, section 13, as part of a recodification

of chapter 257A as chapter 257B. The repeal was printed in the main text and the amendment was printed as a note. The amendment changed terminology that

is not contained in chapter 257B and is therefore now unnecessary. This repealer allows the revisor to remove the note containing the amendatory language.

92 **Explanation.** This section makes section 52 immediately effective. If the section 52 amendment had been included in the Juvenile Court Act recodification it would have

been effective in 1999. This effective date section gives the amendment the earliest effective date possible without making the amendment retroactive.