

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

Section 1. Minnesota Statutes 1982, section 462.36, subdivision 1, is amended to read:

Subdivision 1. **REQUIRED DOCUMENTS.** A certified copy of every ordinance, resolution, map, regulation adopted, or variance granted under the provisions of sections ~~368.01, subdivisions 1 and 1a and 462.357 to 462.358 and~~ 462.359 shall be filed with the county recorder of the county or counties in which the municipality adopting it is located. Ordinances, resolutions, maps ~~or~~ regulations or variances filed with the county recorder pursuant to this subdivision do not constitute encumbrances on real property. The order issued by the governing body or board of appeals and adjustments as the case may be, shall include the legal description of the property involved. Failure to file an ordinance, resolution, map, regulation, variance, or order shall not affect its validity or enforceability.

Sec. 2. **EFFECTIVE DATE.**

This act is effective the day after final enactment.

Approved May 19, 1983

CHAPTER 188 — H.F.No. 491

An act relating to administrative rulemaking; providing for consideration of and participation by small business; proposing new law coded in Minnesota Statutes, chapter 14.

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

Section 1. **[14.115] SMALL BUSINESS CONSIDERATIONS IN RULEMAKING.**

Subdivision 1. **DEFINITION.** For purposes of this section, "small business" means a business entity, including its affiliates, that (a) is independently owned and operated; (b) is not dominant in its field; and (c) employs fewer than 50 full-time employees or has gross annual sales of less than \$4,000,000. For purposes of a specific rule, an agency may define small business to include more employees if necessary to adapt the rule to the needs and problems of small businesses.

Subd. 2. **IMPACT ON SMALL BUSINESS.** When an agency proposes a new rule, or an amendment to an existing rule, which may affect small businesses as defined by this section, the agency shall consider each of the following methods for reducing the impact of the rule on small businesses:

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

(a) the establishment of less stringent compliance or reporting requirements for small businesses;

(b) the establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;

(c) the consolidation or simplification of compliance or reporting requirements for small businesses;

(d) the establishment of performance standards for small businesses to replace design or operational standards required in the rule; and

(e) the exemption of small businesses from any or all requirements of the rule.

In its statement of need and reasonableness, the agency shall document how it has considered these methods and the results.

Subd. 3. FEASIBILITY. The agency shall incorporate into the proposed rule or amendment any of the methods specified under subdivision 2 that it finds to be feasible, unless doing so would be contrary to the statutory objectives that are the basis of the proposed rulemaking.

Subd. 4. SMALL BUSINESS PARTICIPATION IN RULEMAKING. In addition to the requirements under section 14.14, the agency shall provide an opportunity for small businesses to participate in the rulemaking process, utilizing one or more of the following methods:

(a) the inclusion in any advance notice of proposed rulemaking of a statement that the rule will have an impact on small businesses which shall include a description of the probable quantitative and qualitative impact of the proposed rule, economic or otherwise, upon affected classes of persons; or

(b) the publication of a notice of the proposed rulemaking in publications likely to be obtained by small businesses that would be affected by the rule; or

(c) the direct notification of any small business that may be affected by the rule; or

(d) the conduct of public hearings concerning the impact of the rule on small businesses.

Subd. 5. COMPLIANCE. If a hearing examiner or the attorney general finds that an agency has failed to comply with subdivisions 1 to 4 of this section the rules shall not be adopted.

Subd. 6. AGENCY REVIEW OF RULES. Each agency shall, during the five-year period beginning with the effective date of this section, review the current rules of the agency which were in effect prior to that date and shall consider methods of reducing their impact on small businesses as provided under subdivision 2. If a method appears feasible, the agency shall propose an

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amendment to the rule. No review is necessary for a rule that is repealed during the five-year period. This subdivision shall not apply to rules governing licensure of occupations listed in section 116J.70, subdivision 2a, clause (3), paragraphs (a) through (pp).

Subd. 7. APPLICABILITY. This section does not apply to:

(a) temporary rules adopted under sections 14.29 to 14.36;

(b) agency rules that do not affect small businesses directly, including, but not limited to, rules relating to county or municipal administration of state and federal programs;

(c) service businesses regulated by government bodies, for standards and costs, such as nursing homes, long-term care facilities, hospitals, providers of medical care, day care centers, group homes, and residential care facilities; and

(d) agency rules adopted under section 16.085.

Subd. 8. LCRAR REVIEW. The legislative commission to review administrative rules shall review the implementation of section 1, and shall include in the biennial report required by section 14.40 a report on the implementation of section 1.

Approved May 19, 1983

CHAPTER 189 — H.F.No. 540

An act relating to crimes; creating the crimes of unlawfully obtaining services from a provider of regular route transit and unlawfully interfering with a transit operator while the operator is performing his or her duties; prohibiting disruptive behavior on a transit vehicle; providing penalties; proposing new law coded in Minnesota Statutes, chapter 609.

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

Section 1. [609.855] **CRIMES AGAINST TRANSIT PROVIDERS AND OPERATORS.**

Subdivision 1. UNLAWFULLY OBTAINING SERVICES. Whoever intentionally obtains service from a provider of regular route transit as defined in section 174.22, subdivision 8, without making the required fare deposit or otherwise obtaining the consent of the transit operator or other authorized transit representative is guilty of unlawfully obtaining services and may be sentenced as provided in subdivision 4.

Subd. 2. UNLAWFUL INTERFERENCE WITH TRANSIT OPERATOR. Whoever intentionally interferes with the transit operator or representa-

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