

**628.26 LIMITATIONS.**

(a) Indictments or complaints for murder may be found or made at any time after the death of the person killed.

(b) Indictments or complaints for violation of section 609.42, subdivision 1, clauses (1) or (2) shall be found or made and filed in the proper court within six years after the commission of the offense.

(c) Indictments or complaints for violation of sections 609.3641 to 609.3644, or for violation of sections 609.342 to 609.345 if the victim ~~and the actor were in a familial relationship as defined in section 609.364, subdivision 9~~ was under the age of 18 years at the time the offense was committed, shall be found or made and filed in the proper court within 7 years after the commission of the offense.

(d) In all other cases, indictments or complaints shall be found or made and filed in the proper court within three years after the commission of the offense; but the time during which the defendant shall not be an inhabitant of, or usually resident within, this state, shall not constitute any part of the limitations imposed by this section.

Approved April 25, 1984

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**CHAPTER 497 — H.F.No. 1735**

*An act relating to crimes; requiring the court to impose a stay of execution of sentence with a 90-day period of incarceration as a condition of probation for certain offenders convicted of a first offense of burglary of a dwelling; amending Minnesota Statutes 1983 Supplement, section 609.583.*

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

Section 1. Minnesota Statutes 1983 Supplement, section 609.583, is amended to read:

**609.583 SENTENCING; FIRST BURGLARY OF A DWELLING.**

In determining an appropriate ~~sentene~~ disposition for a first offense of burglary of a dwelling, the court shall presume that a stay of execution with a ~~120~~ 90-day period of incarceration as a condition of probation shall be imposed unless the defendant's criminal history score determined according to the sentencing guidelines indicates a presumptive executed sentence, in which case the presumptive executed sentence shall be imposed unless the court departs from the sentencing guidelines pursuant to section 244.10. A stay of imposition of sentence may be granted only if accompanied by a statement on the record of the

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reasons for it. The presumptive period of incarceration may be waived in whole or in part by the court if the defendant provides restitution or performs community work service.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective August 1, 1984 and applies to crimes committed on or after that date.

Approved April 25, 1984

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**CHAPTER 498 — H.F.No. 1753**

*An act relating to the city of St. Cloud; giving the city the powers of a port authority.*

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

**Section 1. ST. CLOUD; PORT AUTHORITY.**

The governing body of the city of St. Cloud may exercise all the powers of a port authority provided by Minnesota Statutes, chapter 458.

**Sec. 2. LOCAL APPROVAL.**

Section 1 is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of the city of St. Cloud.

Approved April 25, 1984

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**CHAPTER 499 — H.F.No. 1770**

*An act relating to the city of Minneapolis; authorizing compensation for members of the park and recreation board and the library board; amending Laws 1974, chapters 181, section 1, as amended; and 182, section 1.*

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

Section 1. Laws 1974, chapter 181, section 1, as amended by Laws 1978, chapter 653, section 1, is amended to read:

Section 1. **MINNEAPOLIS, CITY OF; PARK AND RECREATION COMMISSIONERS' COMPENSATION.** Notwithstanding any provision of the home rule charter to the contrary, each member of the park and recreation board of the city of Minneapolis ~~may, upon his request therefor,~~ may be compensated at

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