

(7) The clerk of the appellate courts appointed pursuant to Article VI, Section 2, of the Constitution of the state of Minnesota,

(8) The chief executive officers of correctional facilities operated by the department of corrections and of hospitals and nursing homes operated by the department of welfare, and

(9) Any employee whose principal employment is at the state ceremonial house, and

(10) Employees of the Minnesota educational computing corporation.

**Sec. 15. TRANSITION.**

Subdivision 1. INITIAL BOARD OF DIRECTORS. The members of the consortium management committee shall act as the board of directors until the initial board of directors is appointed. The initial members of the board of directors shall all be appointed in 1984, but their terms shall be of varied length so that the staggered terms required by section 4 will become effective. The governor shall designate what the term of each initial member shall be.

Subd. 2. FISCAL YEAR 1985 APPROPRIATION. The appropriation of \$280,000 for fiscal year 1985 for the MECC regional instructional computing coordinators included in Laws 1983, chapter 314, article 8, section 27, subdivision 2, to the Minnesota educational computing consortium shall be transferred to the corporation for the service specified in Laws 1983, chapter 314, article 8, section 15.

**Sec. 16. USE OF NAME.**

The secretary of state shall record M.E.C.C., MECC, Minnesota Educational Computing Consortium, Minnesota Educational Computing Corporation, and Software Minnesota as reserved for the exclusive use by the corporation.

**Sec. 17. REPEALER.**

Minnesota Statutes 1982, section 120.83, is repealed; Minnesota Statutes 1983 Supplement, sections 120.801, 120.802, 120.803, 120.804, 120.805, 120.806, and 120.81 are repealed.

**Sec. 18. EFFECTIVE DATE.**

Sections 1 to 17 are effective the day following final enactment.

Approved May 2, 1984

**CHAPTER 620 — S.F.No. 120**

*An act relating to local government; authorizing counties or cities to enact ordinances against trespassing under certain conditions; prescribing penalties; proposing new law coded in Minnesota Statutes, chapter 471.*

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

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

**Section 1. [471.985] COUNTY AND CITY ORDINANCES PROHIBITING TRESPASSING.**

Subdivision 1. AUTHORITY. The county board of any county or the city council of any home rule charter or statutory city may enact ordinances to prohibit persons from entering uninvited onto the land of another to consume alcohol or controlled substances.

The county board or city council may enact ordinances to prohibit a person from bringing a motor vehicle onto the land of another without invitation to facilitate the consumption of alcohol or controlled substances on that land.

Subd. 2. DETERMINATION OF PURPOSE. To determine the purpose of an uninvited entry of a person or motor vehicle, factors to be considered shall include, but are not limited to, the following:

- (a) time of day;
- (b) presence of containers intended to contain or containing alcohol;
- (c) presence of equipment used to dispense alcoholic beverages;
- (d) presence of paraphernalia containing identifiable residues of a controlled substance;
- (e) noise level;
- (f) lighting;
- (g) identified physiological responses; and
- (h) conduct of persons in the presence of a peace officer.

Subd. 3. VIOLATIONS. A person who violates an ordinance enacted pursuant to subdivision 1 is guilty of a misdemeanor.

Subd. 4. DEFENSES. Express consent, endorsement, or ratification by a landowner of an entry onto land is an absolute defense to charges under an ordinance enacted pursuant to subdivision 1.

A landowner who expressly consents to, endorses, or ratifies an entry onto land shall not be presumed to be in control of the persons gathered on land, nor is the landowner presumed to have knowledge of an unlawful act merely because of the express consent, endorsement, or ratification.

Approved May 2, 1984

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