

Sec. 2. DUTIES.

Subdivision 1. GENERAL DUTIES. The task force shall study the energy needs of low-income Minnesotans. The task force shall review the efficiency, coordination, and effectiveness of existing programs that assist low-income Minnesotans in meeting their energy needs. The task force shall examine, but is not limited to, the following subjects: the low-income home energy assistance program; the department of energy weatherization program; programs funded by the conservation improvement program; and the state energy housing code. The task force shall examine the federal commitment to these programs, the role of oil overcharge funds in continuing these programs, and what the state role is in relation to these programs. The task force shall develop a policy on the energy needs of low-income Minnesotans and develop strategies for implementing this policy.

Subd. 2. LEGISLATIVE REPORT. The task force shall submit a report on its findings to the governor and legislature by January 15, 1989. The report must include a review of existing low-income energy-related programs, a proposed state energy policy for low-income Minnesotans, recommendations concerning state support for low-income energy-related programs, and strategies for implementing the policy.

Sec. 3. REPEALER.

Sections 1 and 2 are repealed May 1, 1989.

Approved April 18, 1988

CHAPTER 563—H.F.No. 1659

An act relating to constables; authorizing town boards to form law enforcement agencies; abolishing the office of constable; authorizing the board of peace officer standards and training to issue peace officer licenses to persons possessing constable licenses; amending Minnesota Statutes 1986, sections 367.40, subdivision 3, and by adding a subdivision; and 367.42, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 367; repealing Minnesota Statutes 1986, sections 367.41, subdivisions 4 and 5; 367.42, subdivision 2; 626.843, subdivision 1a; and 626.845, subdivision 2; and Minnesota Statutes 1987 Supplement, sections 367.03, subdivision 3; and 367.41, subdivision 1.

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

Section 1. Minnesota Statutes 1986, section 367.40, subdivision 3, is amended to read:

Subd. 3. "Constable" means any individual employed or appointed by a political subdivision and licensed by the board of peace officer standards and

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training on or before the effective date of sections 1 to 8, who is charged with the prevention and detecting of crime, the enforcement of the general criminal laws of the state, and who has full powers of arrest. The term shall apply even though the individual exercises powers and duties on a part-time basis with or without receipt of compensation.

Sec. 2. Minnesota Statutes 1986, section 367.40, is amended by adding a subdivision to read:

Subd. 5. PART-TIME PEACE OFFICER. "Part-time peace officer" has the meaning assigned to it in section 626.84.

Sec. 3. [367.401] LAW ENFORCEMENT OFFICERS; APPOINTMENT; CONSTABLES; ENDING LICENSURE.

Subdivision 1. APPOINTMENT. The town, by majority vote at its annual meeting, may decide to authorize the town board to form a law enforcement agency and to appoint law enforcement officers. These positions may be filled by a combination of peace officers or part-time peace officers. The number of part-time peace officers must not exceed three.

Subd. 2. CHIEF LAW ENFORCEMENT OFFICER. The board of supervisors shall designate one of its law enforcement officers as the chief law enforcement officer of the agency.

Subd. 3. RESERVE OFFICERS. A town may appoint reserve officers as defined by section 626.84.

Subd. 4. REQUIREMENTS. Those towns that have either peace officers or constables, or both, on the effective date of sections 1 to 8, are considered to have met the requirements for forming a law enforcement agency.

Sec. 4. [367.411] PEACE OFFICER LICENSE ISSUED TO CONSTABLES.

Subdivision 1. LICENSE ISSUANCE. The board of peace officer standards and training shall issue a peace officer license to a person who possesses a constable license, who is employed as a constable on the effective date of sections 1 to 8, and who makes written application to the board.

Subd. 2. ABOLITION OF CONSTABLE POSITION. The position of constable is abolished and all constable licenses are canceled 30 days after the effective date of sections 1 to 8.

Sec. 5. Minnesota Statutes 1986, section 367.42, subdivision 1, is amended to read:

Subdivision 1. Notwithstanding any general or local law or charter to the contrary, any deputy constable employed on or after March 23, 1982, by a ~~political subdivision~~ town of the state of Minnesota ~~shall have~~ has the following powers and duties:

New language is indicated by underline, deletions by ~~strikeout~~.

- (a) to have the powers of arrest of a private person;
- (b) to perform the duties of a constable prescribed by law relative to election procedure;
- (c) to perform the following duties at the direction of the county sheriff or constable a peace officer:
 - (i) to inspect communication wire and cable or records of such wire and cable pursuant to section 325E.21;
 - (ii) to conduct hotel lien sales pursuant to section 327.06; and
 - (iii) to conduct public auction sales of unclaimed property pursuant to sections 345.04 and 345.05.
- (d) ~~to arrest any individual who, in the deputy constable's presence, commits a violation of the Intoxicating Liquor Act, chapter 340;~~
- (e) to provide general administrative or clerical assistance to county sheriffs, local police departments or constables; and
- (f) ~~to provide traffic or crowd control assistance to county sheriffs, local police departments or constables~~ the town's law enforcement agency.

Sec. 6. Minnesota Statutes 1986, section 367.42, is amended by adding a subdivision to read:

Subd. 3. CRIMINAL RECORDS CHECK. No person may be employed as a deputy constable unless the person submits proof from the sheriff that shows that the sheriff has checked the criminal records system and that the applicant has not been convicted of a felony within the past ten years.

Sec. 7. **[367.43] CONTINUATION OF DUTIES AND POWERS.**

All investigations, law enforcement matters, and other business involving a person holding the position of constable 30 days after the effective date of sections 1 to 8, may be conducted and completed by that person holding the successor position of peace officer in the same manner and under the same terms and conditions, and with the same effect, as though they involved a person holding the position of constable before the effective date of sections 1 to 8.

Sec. 8. **REPEALER.**

Minnesota Statutes 1986, sections 367.41, subdivisions 4 and 5; 367.42, subdivision 2; 626.843, subdivision 1a; and 626.845, subdivision 2; and Minnesota Statutes 1987 Supplement, sections 367.03, subdivision 3; and 367.41, subdivision 1, are repealed.

Sec. 9. **EFFECTIVE DATE.**

New language is indicated by underline, deletions by ~~strikeout~~.

Sections 1 to 8 are effective the day following final enactment.

Approved April 20, 1988

CHAPTER 564—H.F.No. 1850

An act relating to local improvements; special assessments; authorizing towns to make certain improvements; amending Minnesota Statutes 1986, section 429.011, subdivision 2b.

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

Section 1. Minnesota Statutes 1986, section 429.011, subdivision 2b, is amended to read:

Subd. 2b. "Municipality" also includes any town not having the powers granted herein pursuant to any other law in the case of construction, reconstruction or improvement of a town road including curbs and gutters and storm sewers and in the case of those improvements designated in section 429.021, subdivision 1, clauses (1), (2), (4), (5), (6), (7), (8) and (10). ~~Any improvement authorized and undertaken pursuant to the authority granted in this subdivision may be made only upon the affirmative vote of the electors of the town at the annual town meeting or at a special town meeting. The requirement for approval by the town electors provided in this subdivision shall not apply when 75 percent of the owners of the land which would be benefited by the improvement petition for the improvement.~~

Approved April 20, 1988

CHAPTER 565—H.F.No. 1980

An act relating to highways; designating I-90 as AMVETS memorial highway; adding, deleting, and substituting routes on the trunk highway system; amending Minnesota Statutes 1986, section 161.14, by adding a subdivision.

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

Section 1. Minnesota Statutes 1986, section 161.14, is amended by adding a subdivision to read:

Subd. 23. AMVETS MEMORIAL HIGHWAY. Trunk highway No. 391, described in section 161.12 and marked as interstate highway I-90, is named and designated as the "AMVETS Memorial Highway." The commissioner of transportation shall adopt a suitable marking design to mark this highway and shall erect appropriate signs.

New language is indicated by underline, deletions by ~~strikeout~~.