

Signed by the governor May 19, 1989, 4:40 p.m.

CHAPTER 162—H.F.No. 1104

*An act relating to Ramsey county; increasing the size of the personnel board; permitting the personnel director to issue certain subpoenas; amending Minnesota Statutes 1988, sections 383A.287, subdivision 2; and 383A.294, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1988, section 383A.287, subdivision 2, is amended to read:

Subd. 2. **ORGANIZATION.** The county board, by a majority vote, shall appoint ~~five~~ seven persons to the personnel review board to serve four-year staggered terms. Any vacancies shall be filled by a majority vote of the county board for the unexpired term. Each member shall hold office until a successor has been appointed. Membership on the personnel review board shall be limited as follows:

(a) each member shall take an oath of office before assuming the duties of office;

(b) no person shall be a member of the personnel review board while holding a public office, or while holding office in a political party above the state legislative district level, nor for two years after having held that kind of public or political office; and

(c) each member shall be a resident of the county and if a member becomes a nonresident, the member forfeits the office.

Sec. 2. Minnesota Statutes 1988, section 383A.294, is amended by adding a subdivision to read:

Subd. 6. PRODUCTION OF DOCUMENTS. The personnel director may make a written request to an employee to produce relevant documents or to a person to appear for the purpose of giving relevant oral statements or testimony relating to a disciplinary action of an employee. An employee who is the subject of a disciplinary action may make a written request to the personnel director for the production of relevant documents or for the appearance of a person to give relevant oral statements or testimony relating to the disciplinary action. The request for the appearance of a person may be to appear and testify at a hearing of the personnel review board or to appear at a specified place to give an oral statement prior to a hearing of the personnel review board. The personnel director, or the employee upon receipt of a request for production of relevant documents, shall furnish the requesting party the documents within ten days of receipt of the written request. A person to whom a request for an

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appearance has been made shall appear at the time and place designated in the request. If a party to whom a request for relevant documents has been made fails to furnish the documents to the requesting party within ten days of receipt of the request, the requesting party may make an application to the district court for a determination that the refusal to produce the documents was unreasonable. If a person to whom a request for appearance has been made fails to appear at the time and place designated in the request, the party making the request for appearance may make an application to the district court for a determination that the failure to appear was unreasonable. If the district court determines that a failure to produce requested documents or to appear was unreasonable, it may assess costs not exceeding \$100 to the requesting party against the refusing party or person.

Sec. 3. LOCAL APPROVAL:

This act takes effect the day after the Ramsey county board complies with Minnesota Statutes, section 645.021, subdivision 3.

Presented to the governor May 16, 1989

Signed by the governor May 17, 1989, 5:05 p.m.

CHAPTER 163—H.F.No. 1151

*An act relating to probate; changing procedure for notice to certain creditors; changing certain time limits; amending Minnesota Statutes 1988, sections 524.3-801; 524.3-802; 524.3-803; and 524.3-807.*

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

Section 1. Minnesota Statutes 1988, section 524.3-801, is amended to read:

524.3-801 NOTICE TO CREDITORS.

(a) Unless notice has already been given under this section, upon appointment of a general personal representative in informal proceedings or upon the filing of a petition for formal appointment of a general personal representative, notice thereof, in the form prescribed by court rule, shall be given under the direction of the court administrator by publication once a week for two successive weeks in a legal newspaper in the county wherein the proceedings are pending giving the name and address of the general personal representative and notifying creditors of the estate to present their claims within four months after the date of the court administrator's notice which is subsequently published or be forever barred, unless they are entitled to further service of notice under paragraph (b) or (c).

(b)(1) Within three months after: (i) the date of the first publication of the notice; or (ii) the effective date of this section, whichever is later, the personal

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