

## CHAPTER 23—S.F.No. 286

*An act relating to the military; clarifying the authority of the adjutant general to establish the pay grade for certain staff positions; amending Minnesota Statutes 1988, section 190.08, subdivision 6.*

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

Section 1. Minnesota Statutes 1988, section 190.08, subdivision 6, is amended to read:

Subd. 6. The adjutant general shall receive the pay and allowances provided by law for an officer of similar rank and length of service in the armed forces of the United States. All other officers, warrant officers, and enlisted members in active service on the staff of the adjutant general shall receive the pay and allowances prescribed for personnel of similar grade and length of service in the armed forces of the United States subject to the following provisions: (1) The adjutant general by general orders may ~~limit~~ establish for pay purposes the grade authorized for any staff position, and (2) Enlisted members may be paid the additional pay authorized by section 192.51, subdivision 2.

Presented to the governor April 5, 1989

Signed by the governor April 7, 1989, 8:41 a.m.

## CHAPTER 24—H.F.No. 897

*An act relating to local government; clarifying certain procedures for adoption of town optional plans of government; amending Minnesota Statutes 1988, sections 367.31, subdivisions 1, 2, 3, and 5; and 367.33, subdivisions 1 and 5.*

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

Section 1. Minnesota Statutes 1988, section 367.31, subdivision 1, is amended to read:

Subdivision 1. **SUBMISSION TO ELECTORS.** Except as provided otherwise in subdivision 2, the town board may, and upon a petition signed by electors equal in number to at least 15 percent of the electors voting at the last previous town election shall, submit to the electors at an annual town ~~meeting~~ election the question of adopting option A, B, C, or D.

Sec. 2. Minnesota Statutes 1988, section 367.31, subdivision 2, is amended to read:

Subd. 2. **MANDATORY SUBMISSION OF OPTION A IN URBAN TOWNS.** The town board of a town exercising the powers of a statutory city

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pursuant to section 368.01 or pursuant to a special law granting substantially similar powers shall submit the adoption of option A to the electors at the annual town ~~meeting~~ election next following June 3, 1975. The town board of any town hereafter qualifying under section 368.01 or receiving substantially similar powers pursuant to a special law adopted after June 3, 1975 shall submit the adoption of option A to the electors at the annual town ~~meeting~~ election next following the grant of powers pursuant to section 368.01 or special act.

Sec. 3. Minnesota Statutes 1988, section 367.31, subdivision 3, is amended to read:

Subd. 3. **NOTICE OF QUESTION.** When the adoption of a specific option is to be voted on at the annual ~~meeting~~ election, the town clerk shall include notice of the question in the notice of the annual ~~meeting~~ election.

Sec. 4. Minnesota Statutes 1988, section 367.31, subdivision 5, is amended to read:

Subd. 5. **ADOPTION BY AFFIRMATIVE VOTE.** If a majority of the votes cast on the question of adoption of option A, B, C, or D is in the affirmative, the option so voted upon shall be adopted in the town, and once placed in effect, shall remain in effect until abandoned by a similar majority at a subsequent annual town ~~meeting~~ election at which the question of abandonment is submitted.

Sec. 5. Minnesota Statutes 1988, section 367.33, subdivision 1, is amended to read:

Subdivision 1. **ELECTION AT ANNUAL ELECTION OR SPECIAL ELECTION.** Following the adoption of option A in a town, except a town exercising the powers of a statutory city, the town board may call a special town election to be held not less than 30 days nor more than 60 days after the annual town ~~meeting~~ election at which the option is adopted, for the purpose of electing two additional members to the board of supervisors. In lieu of calling a special election, the town board may determine to elect the additional two members of the town board at the next annual town election. If the town is exercising the powers of a statutory city pursuant to section 368.01 or pursuant to a special law granting substantially similar powers, the town board shall call a special election to be held not less than 30 days nor more than 60 days after the annual ~~meeting~~ election at which option A is adopted for the purpose of electing the two additional supervisors.

Sec. 6. Minnesota Statutes 1988, section 367.33, subdivision 5, is amended to read:

Subd. 5. **ABANDONMENT OF OPTION A.** In a town in which option A is abandoned, the terms of incumbent supervisors shall not be affected, but if one or more supervisors are to be elected at the annual town election held on the same day as the annual town ~~meeting~~ election at which the option is abandoned,

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the election of one supervisor, or two if there be more than one elected, shall be considered null. Otherwise the offices of the two incumbent supervisors expiring at the annual town election or elections next following the annual ~~meeting~~ election at which the option is abandoned shall not be filled. Thereafter the town board shall be composed of three supervisors unless option A is again adopted in that town.

Presented to the governor April 5, 1989

Signed by the governor April 6, 1989, 8:35 a.m.

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### CHAPTER 25—H.F.No. 323

*An act relating to commerce; regulating motor vehicle sales and distribution; determining reasonable compensation for warranty services performed by dealers; amending Minnesota Statutes 1988, section 80E.04, subdivision 2.*

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

Section 1. Minnesota Statutes 1988, section 80E.04, subdivision 2, is amended to read:

Subd. 2. **REASONABLE COMPENSATION FOR SERVICES.** In no event shall the schedule of compensation fail to include reasonable compensation for diagnostic work, as well as repair service, parts, and labor. Time allowances for the diagnosis and performance of warranty work and service shall be reasonable and adequate for the work to be performed. ~~In the determination of what constitutes reasonable compensation under this section, the principal factors to be given consideration shall be the prevailing wage rates paid by dealers in the community in which the dealer is doing business, and in no event shall~~ The hourly labor rate paid to and the reimbursement for parts purchased by a dealer for warranty services shall not be less than the rate charged by the dealer for like service to nonwarranty customers for nonwarranty service and repairs ~~unless the rate is determined to be unreasonable.~~

Presented to the governor April 5, 1989

Signed by the governor April 7, 1989, 8:40 a.m.

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