

who have that status on the effective date of the change. ~~Sections 1 to 11 do not apply to, and to~~ persons who formerly were receiving surviving spouse benefits and had those benefits discontinued by virtue of a remarriage ~~and may not be considered to.~~ Sections 1 to 11 do not authorize the payment of any retroactive survivor benefit amounts to any person or to an estate, except that a person who was formerly receiving surviving spouse benefits and who had those benefits discontinued by virtue of remarriage prior to July 1, 1991, is eligible to receive benefit amount payments retroactive to July 1, 1991, or 12 months prior to the month in which application for benefits is received in the office of the association, whichever is sooner.

**Sec. 50. [353.011] BOARD OF TRUSTEE TERMS.**

Notwithstanding section 353.03, in January 1993, the governor shall appoint two persons to the board of trustees of the public employees retirement association to one-year terms expiring in January 1994, one person to a three-year term expiring in January 1996, and two persons to four-year terms expiring in January 1997. Thereafter, persons appointed to the board of trustees serve four-year terms under section 353.03, subdivision 1.

**Sec. 51. REPEALER.**

Minnesota Statutes 1990, sections 353.656, subdivision 7, and 353.71, subdivision 3, are repealed.

**Sec. 52. EFFECTIVE DATE.**

Sections 1 to 5 and 7 to 48, 50, and 51 are effective the day following final enactment. Section 6 is effective January 1, 1993. Section 49 is effective July 1, 1992.

Presented to the governor April 6, 1992

Signed by the governor April 9, 1992, 4:25 p.m.

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**CHAPTER 433—H.F.No. 1827**

*An act relating to livestock diseases; modifying requirements for certain tests; amending Minnesota Statutes 1990, sections 35.245, subdivisions 1 and 2; and 35.251; proposing coding for new law in Minnesota Statutes, chapter 35; repealing Minnesota Statutes 1990, section 35.245, subdivision 1a.*

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

**Section 1. [35.243] RULES FOR CONTROL OF BRUCELLOSIS IN CATTLE.**

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

The board of animal health shall adopt rules to provide for the control of brucellosis in cattle. The rules may include provisions for quarantine, tests, and vaccinations, and such other measures as the board deems appropriate.

Sec. 2. Minnesota Statutes 1990, section 35.245, subdivision 1, is amended to read:

Subdivision 1. **LIMITATION ON SALE.** No person may sell, lease, or loan or offer for sale, lease, or loan cattle ~~over six months of age at public auction, livestock auction markets, private stockyards or concentration points, mortgage foreclosure sales or court-ordered sales, or lease or loan cattle for breeding purposes in violation of the board's rules. This subdivision does not apply to steers, spayed heifers, or calves of beef type and breed which are under eight months of age and not known to have brucellosis.~~

Sec. 3. Minnesota Statutes 1990, section 35.245, subdivision 2, is amended to read:

Subd. 2. **TESTS AND VACCINATION.** A test and vaccination must be made at the time and in the manner prescribed by the board and a certificate of the test and vaccination or both, approved by the board, must be furnished to the purchaser by the vendor at the time of sale. ~~When cattle are sold at public auction, a certificate of test or vaccination or both may be posted in a place plainly visible to the purchasers at the sale, and the auctioneer or other person conducting the sale shall publicly announce prior to conducting the sale, that the certificate of the test or vaccination or both, approved by the board, has been posted and is available for inspection. No auctioneer or other person conducting a sale may conduct any public sale in this state unless a certificate of the test or vaccination or both, approved by the board, is posted by the vendor of the cattle at the time of the sale.~~

Sec. 4. Minnesota Statutes 1990, section 35.251, is amended to read:

**35.251 ANAPLASMOSIS TESTING.**

Breeding cattle entering Minnesota from a country or a state not exempted by the board must have a health certificate of veterinary inspection evidencing a negative test for anaplasmosis conducted at a state or federal laboratory within 30 days of entry. Cattle without a certificate must be immediately quarantined and tested for anaplasmosis at the expense of the cattle owner. Cattle having a positive reaction to the anaplasmosis test must remain quarantined until they test free of anaplasmosis or be slaughtered. An anaplasmosis test is not required of steers, cattle shipped directly to a slaughtering establishment, cattle sent to a quarantine feed lot, and other cattle excepted by board rule. The board may adopt rules to implement this section.

Sec. 5. **REPEALER.**

Minnesota Statutes 1990, section 35.245, subdivision 1a, is repealed.

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

Presented to the governor April 6, 1992

Signed by the governor April 8, 1992, 4:48 p.m.

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CHAPTER 434—H.F.No. 2388

VETOED

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CHAPTER 435—H.F.No. 1489

*An act relating to cooperatives; applying the open meeting law to certain electric cooperatives; proposing coding for new law in Minnesota Statutes, chapter 308A.*

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

Section 1. [308A.327] ELECTRIC COOPERATIVE; BOARD MEETINGS.

A regular or special meeting of the board of directors of an electric cooperative that has more than 50,000 members must be open to all members of the cooperative. The board shall give reasonable prior notice of meetings. The board may close a meeting or a portion of a meeting, provided the board has made a written determination that a closed meeting is necessary for one of the following reasons:

(1) to discuss personnel matters, compensation issues, labor negotiations, billing and credit information, or an issue that may tend to prejudice the reputation of an individual;

(2) to discuss threatened or pending litigation, issues subject to an attorney-client privilege, or other legal information, the knowledge of which may have an adverse effect on the cooperative's legal position; or

(3) to discuss or disclose information that, if discussed in an open meeting, would result in impairment of the cooperative's competitive or financial position, interfere with a business opportunity, or reveal proprietary information.

For the purposes of clause (3), a business opportunity means an opportunity for substantial financial improvement of the cooperative that, if generally known, would likely jeopardize the opportunity itself.

The board may close a portion of a meeting after announcing during an open meeting the item of business to be discussed during the closed portion.

Presented to the governor April 6, 1992

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