

CHAPTER 10—H.F.No. 227

An act relating to human services; modifying adult foster care license requirements; amending Minnesota Statutes 1992, section 245A.11, subdivision 2a.

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

Section 1. Minnesota Statutes 1992, section 245A.11, subdivision 2a, is amended to read:

Subd. 2a. **ADULT FOSTER CARE LICENSE CAPACITY.** An adult foster care license holder may have a maximum license capacity of five if all persons in care are age 60 or over and ~~who~~ do not have a serious and persistent mental illness or a developmental disability. ~~A license holder who is incorporated as a business may operate a maximum of two programs with a licensed capacity of five in each program.~~

Presented to the governor March 25, 1993

Signed by the governor March 25, 1993, 3:30 p.m.

CHAPTER 11—S.F.No. 19

An act relating to taxation; providing for purchase of certain tax-forfeited lands; providing a refund; amending Minnesota Statutes 1992, sections 282.01, subdivision 7; and 282.241.

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

Section 1. Minnesota Statutes 1992, section 282.01, subdivision 7, is amended to read:

Subd. 7. **COUNTY SALES; NOTICE, PURCHASE PRICE, DISPOSITION.** The sale herein provided for shall commence at such time as the county board of the county wherein such parcels lie, shall direct. The county auditor shall offer the parcels of land in order in which they appear in the notice of sale, and shall sell them to the highest bidder, but not for a less sum than the appraised value, until all of the parcels of land shall have been offered, and thereafter shall sell any remaining parcels to anyone offering to pay the appraised value thereof, except that if the person could have repurchased a parcel of property under section 282.012 or 282.241, that person shall not be allowed to purchase that same parcel of property at the sale under this subdivision ~~unless approved by the county board for a purchase price less than the sum of all delinquent taxes and assessments computed under section 282.251, together with penalties, interest, and costs that accrued or would have accrued if the parcel had not forfeited to the state.~~ Said sale shall continue until all such

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parcels are sold or until the county board shall order a reappraisal or shall withdraw any or all such parcels from sale. Such list of lands may be added to and the added lands may be sold at any time by publishing the descriptions and appraised values of such parcels of land as shall have become forfeited and classified as nonconservation since the commencement of any prior sale or such parcels as shall have been reappraised, or such parcels as shall have been reclassified as nonconservation or such other parcels as are subject to sale but were omitted from the existing list for any reason in the same manner as hereinafter provided for the publication of the original list, provided that any parcels added to such list shall first be offered for sale to the highest bidder before they are sold at appraised value. All parcels of land not offered for immediate sale, as well as parcels of such lands as are offered and not immediately sold shall continue to be held in trust by the state for the taxing districts interested in each of said parcels, under the supervision of the county board, and such parcels may be used for public purposes until sold, as the county board may direct.

Sec. 2. Minnesota Statutes 1992, section 282.241, is amended to read:

282.241 REPURCHASE AFTER FORFEITURE.

The owner at the time of forfeiture, or the owner's heirs, devisees, or representatives, or any person to whom the right to pay taxes was given by statute, mortgage, or other agreement, may repurchase any parcel of land claimed by the state to be forfeited to the state for taxes unless before the time repurchase is made the parcel is sold under installment payments, or otherwise, by the state as provided by law, or is under mineral prospecting permit or lease, or proceedings have been commenced by the state or any of its political subdivisions or by the United States to condemn such parcel of land. The parcel of land may be repurchased: ~~The repurchase price is the greater of (1) the appraised value of the parcel, or (2) for~~ for the sum of all delinquent taxes and assessments computed under section 282.251, together with penalties, interest, and costs, that accrued or would have accrued if the parcel of land had not forfeited to the state. Except for property which was homesteaded on the date of forfeiture, such repurchase shall be permitted during one year only from the date of forfeiture, and in any case only after the adoption of a resolution by the board of county commissioners determining that thereby undue hardship or injustice resulting from the forfeiture will be corrected, or that permitting such repurchase will promote the use of such lands that will best serve the public interest. If the county board has good cause to believe that a repurchase installment payment plan for a particular parcel is unnecessary and not in the public interest, the county board may require as a condition of repurchase that the entire repurchase price be paid at the time of repurchase. A repurchase shall be subject to any easement, lease, or other encumbrance granted by the state prior thereto, and if said land is located within a restricted area established by any county under Laws 1939, chapter 340, such repurchase shall not be permitted unless said resolution with respect thereto is adopted by the unanimous vote of the board of county commissioners.

Sec. 3. EXTENSION OF TIME FOR REPURCHASE.

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

Property eligible for repurchase on or after April 25, 1992, but before the date of final enactment of this act, may be repurchased as provided in section 2 for an additional period of one year, beginning on the date of final enactment of this act. Any right of repurchase under this section is subject to (1) sale or conveyance of the property; (2) commencement of condemnation proceedings by the state or any of its political subdivisions or by the United States; or (3) the issuance of a mineral prospecting permit or lease.

Sec. 4. EFFECTIVE DATE; REFUND; REPURCHASE PRICE REDUCTION.

(a) Sections 1 and 3 are effective the day following final enactment.

(b) Section 2 is effective retroactive to April 25, 1992. Upon application to the county auditor, a person who repurchased property under the provisions of Minnesota Statutes, section 282.241, as amended by Laws 1992, chapter 511, article 2, section 29, shall receive a refund, if the person paid the total repurchase price, or, if the person is paying the repurchase price in installments, shall receive a reduction in the repurchase price. The refund or reduction in repurchase price is equal to the amount of the property's appraised value at the time of the repurchase in excess of the sum of all delinquent taxes and assessments computed under Minnesota Statutes, section 282.251, together with penalties, interest, and costs that accrued or would have accrued if the parcel of land had not forfeited to the state. The refund shall be paid without interest.

(c) If the repurchase price is being paid in installments, the auditor and the repurchaser shall negotiate a new installment payment plan to reflect the repurchase price under section 2, or the repurchaser may pay any remaining balance in full; or, if the amount already paid exceeds the repurchase price under section 2, the repurchaser shall receive a refund, without interest, equal to the excess.

(d) The refund shall be paid by the county treasurer from the forfeited tax sale fund. Taxing districts that received distributions from the forfeited tax sale fund in regard to a parcel for which a person is receiving a refund under this section must reimburse the fund. The reimbursement shall be determined by the county auditor as part of the next settlement, except that if the forfeited tax sale fund does not contain the funds necessary to make the refund, the taxing districts shall each pay the reimbursement within five business days after notification by the county auditor. The amount of the reimbursement is equal to the ratio of the total distributions from the fund to the total deposits in the fund multiplied by the taxing district's statutory distribution percentage under Minnesota Statutes, section 282.08, multiplied by the total refund. In addition, the county must reimburse the fund in an amount equal to: (1) the percentage of the total deposits retained in the fund or set aside for (i) county costs, (ii) timber development under Minnesota Statutes, section 282.08, clause (4), paragraph (a), and (iii) county parks or recreational areas under Minnesota Statutes, section 282.08, clause (4), paragraph (b); multiplied by (2) the total refund. The reimbursement shall be paid without interest.

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

Presented to the governor March 26, 1993

Signed by the governor March 29, 1993, 4:52 p.m.

CHAPTER 12—H.F.No. 97

An act relating to labor relations; regulating public employment labor relations; modifying the definition of a confidential employee; amending Minnesota Statutes 1992, section 179A.03, subdivision 4.

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

Section 1. Minnesota Statutes 1992, section 179A.03, subdivision 4, is amended to read:

Subd. 4. **CONFIDENTIAL EMPLOYEE.** "Confidential employee" means any employee ~~who works in the personnel offices of a public employer or~~ who:

(1) has access to information subject to use by the public employer in meeting and negotiating; or

(2) actively participates in the meeting and negotiating on behalf of the public employer.

However, for executive branch employees of the state or employees of the regents of the University of Minnesota, "confidential employee" means any employee who:

(a) has access to information subject to use by the public employer in collective bargaining; or

(b) actively participates in collective bargaining on behalf of the public employer.

Presented to the governor March 29, 1993

Became law without the governor's signature March 31, 1993

CHAPTER 13—H.F.No. 358

An act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1992, sections 3.9741; 10A.01, subdivision 18; 10A.49, subdivisions 2 and

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