

advertising device erected or maintained in violation of this paragraph.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day following final enactment.

Presented to the governor May 11, 2001

Signed by the governor May 15, 2001, 1:57 p.m.

CHAPTER 104—S.F.No. 520

An act relating to state observances; designating Combat Wounded Veterans Day; proposing coding for new law in Minnesota Statutes, chapter 10.

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

Section 1. [10.58] COMBAT WOUNDED VETERANS PURPLE HEART DAY.

Beginning in 2001, the day of August 7 is designated as Combat Wounded Veterans Day in honor of military veterans who were wounded by enemy action while bravely serving their country against enemy forces, and whose sacrifices have entitled them to the Purple Heart decoration. This decoration was created by General George Washington, commander-in-chief of the Revolutionary Army and a founder of our country, on August 7, 1782, and is the oldest military decoration in use in the world. Each year the governor shall issue a proclamation honoring this observance and shall send a written copy to the Minnesota department of the Military Order of the Purple Heart.

Presented to the governor May 11, 2001

Signed by the governor May 15, 2001, 2:05 p.m.

CHAPTER 105—S.F.No. 510

An act relating to counties; providing a process for making certain county offices appointive in Hubbard and Cass counties.

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

Section 1. HUBBARD COUNTY; AUDITOR, TREASURER, RECORDER MAY BE APPOINTED.

Subdivision 1. AUTHORITY TO MAKE OFFICES APPOINTIVE. Notwithstanding Minnesota Statutes, section 382.01, upon adoption of a resolution by the

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Hubbard county board of commissioners, any or all of the offices of county auditor, county treasurer, and county recorder are not elective but must be filled by appointment by the county board as provided in the resolution.

Subd. 2. BOARD CONTROLS; MAY CHANGE AS LONG AS DUTIES DONE. Upon adoption of a resolution by the Hubbard county board of commissioners and subject to subdivisions 3 and 4, the duties of the elected official required by statute whose office is made appointive as authorized by this section must be discharged by the board of commissioners of Hubbard county acting through a department head appointed by the board for that purpose. A reorganization, reallocation, or delegation or other administrative change or transfer does not diminish, prohibit, or avoid the discharge of duties required by statute.

Subd. 3. INCUMBENTS TO COMPLETE TERM. The person elected at the last general election to a position made appointed under this section must serve in that capacity and perform the duties, functions, and responsibilities required by statute until the completion of the term of office to which the person was elected or until a vacancy occurs in the office, whichever occurs earlier.

Subd. 4. PUBLISHING RESOLUTION; PETITION, REFERENDUM. The county board may provide for the appointment of the county auditor, county treasurer and the county recorder as permitted in this section if the resolution to make the office appointed is approved by 80 percent of the members of the county board. Before the adoption of the resolution, the county board must publish a resolution notifying the public of its intent to consider adopting the option once each week for two consecutive weeks in the official publication of the county. Following the publication, the county board shall provide an opportunity at its next regular meeting for public comment relating to the option, prior to formally adopting the option. The resolution may be implemented without the submission of the question to the voters of the county unless, within 30 days after the second publication of the resolution, a petition requesting a referendum, signed by at least ten percent of the registered voters of the county, is filed with the county auditor. If a petition is filed, the resolution may be implemented unless disapproved by a majority of the voters of the county voting on the question at a regular or special election.

Subd. 5. EFFECTIVE DATE; LOCAL APPROVAL. This section is effective the day after the governing body of Hubbard county and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 2. CASS COUNTY; AUDITOR-TREASURER; RECORDER MAY BE APPOINTED.

Subdivision 1. AUTHORITY TO MAKE OFFICES APPOINTIVE. Notwithstanding Minnesota Statutes, section 382.01, upon adoption of a resolution by the Cass county board of commissioners, either or both of the offices of county auditor-treasurer and county recorder are not elective but must be filled by appointment by the county board as provided in the resolution.

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Subd. 2. BOARD CONTROLS; MAY CHANGE AS LONG AS DUTIES DONE. Upon adoption of a resolution by the Cass county board of commissioners and subject to subdivisions 3 and 4, the duties of the elected official required by statute whose office is made appointive as authorized by this section must be discharged by the board of commissioners of Cass county acting through a department head appointed by the board for that purpose. A reorganization, reallocation, or delegation or other administrative change or transfer does not diminish, prohibit, or avoid the discharge of duties required by statute.

Subd. 3. INCUMBENTS TO COMPLETE TERM. The person elected at the last general election to a position made appointed under this section must serve in that capacity and perform the duties, functions, and responsibilities required by statute until the completion of the term of office to which the person was elected or until a vacancy occurs in the office, whichever occurs earlier.

Subd. 4. PUBLISHING RESOLUTION; PETITION, REFERENDUM. The county board may provide for the appointment of the county auditor-treasurer and the county recorder as permitted in this section if the resolution to make the office appointed is approved by 80 percent of the members of the county board. Before the adoption of the resolution, the county board must publish a resolution notifying the public of its intent to consider adopting the option once each week for two consecutive weeks in the official publication of the county. Following the publication, the county board shall provide an opportunity at its next regular meeting for public comment relating to the option, prior to formally adopting the option. The resolution may be implemented without the submission of the question to the voters of the county unless, within 30 days after the second publication of the resolution, a petition requesting a referendum, signed by at least ten percent of the registered voters of the county, is filed with the county auditor-treasurer. If a petition is filed, the resolution may be implemented unless disapproved by a majority of the voters of the county voting on the question at a regular or special election.

Subd. 5. EFFECTIVE DATE; LOCAL APPROVAL. This section is effective the day after the governing body of Cass county and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Presented to the governor May 14, 2001

Signed by the governor May 17, 2001, 10:35 a.m.

CHAPTER 106—S.F.No. 780

An act relating to state government; regulating rulemaking by state agencies; making various technical and housekeeping changes; amending Minnesota Statutes 2000, sections 14.05, subdivision 3; 14.07, subdivision 2; 14.08; 14.101, subdivisions 1, 2, and by adding a subdivision; 14.131; 14.14, subdivision 1a; 14.15, subdivision 1; 14.16, subdivision 1; 14.19; 14.22,

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