

MINNESOTA STATUTES 1979 SUPPLEMENT

208.07 PRESIDENTIAL ELECTORS

208.07 Certificate of electors.

Immediately after the vacancies have been filled, the original electors present shall certify to the governor the names of the persons elected to complete their number, and the governor shall at once cause written notice to be given to each person elected to fill a vacancy. The persons so chosen shall be presidential electors and shall meet and act with the other electors.

[1979 c 251 s 6]

208.08 Electors to meet at state capitol.

The original and substituted presidential electors, at 12:00 M., shall meet in the executive chamber at the state capitol and shall perform all the duties imposed upon them as electors by the constitution and laws of the United States and this state.

[1979 c 251 s 7]

CHAPTER 210A. FAIR CAMPAIGN PRACTICES

Sec.
210A.01 Definitions.

210A.01 Definitions.

[For text of subs 1 and 2, see M.S.1978]

Subd. 3. "Candidate" means any individual for whom it is contemplated or desired that votes may be cast at any primary or election, and who either tacitly or expressly consents to be so considered, except candidates for president and vice president of the United States. In sections 210A.22 to 210A.28, 210A.32 and 210A.33, "candidate" does not mean an individual for whom it is contemplated or desired that votes may be cast at any primary or election, and who either tacitly or expressly consents to be so considered for constitutional office, member of the legislature, justice of the supreme court, or district court, county court, probate court, or county municipal court judge.

[For text of subs 4 to 9, see M.S.1978]

[1979 c 59 s 6]

CHAPTER 214. EXAMINING AND LICENSING BOARDS

Sec.
214.10 Complaints; investigation and hearing.

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[For text of subs 1 to 2a, see M.S.1978]

Subd. 3. **Discovery; subpoenas.** In all matters pending before it relating to its lawful regulation activities, a board may issue subpoenas and compel the attendance of witnesses and the production of all necessary papers, books, records, documents, and other evidentiary material. Any person failing or refusing to appear or testify regarding any matter about which he may be lawfully questioned or produce any papers, books, records, documents, or other evidentiary materials in the matter to be heard, after having been required by order of the board or by a subpoena of the board to do so may, upon application to the district court in any district, be ordered to comply therewith; provided that in matters to which the peace officers standards and training board is a party, application shall be made to the district court having jurisdiction where the event giving rise to the matter occurred. The chairman of the board acting on behalf of the board may issue subpoenas and any board member may administer oaths to witnesses, or take their affirmation. Depositions may be taken within or without the state in the manner pro-

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vided by law for the taking of depositions in civil actions. A subpoena or other process or paper may be served upon any person named therein, anywhere within the state by any officer authorized to serve subpoenas or other process or paper in civil actions, with the same fees and mileage and in the same manner as prescribed by law for service of process issued out of the district court of this state. Fees and mileage and other costs shall be paid as the board directs.

Subd. 4. Peace officers standards and training board; receipt of complaint. Notwithstanding the provisions of subdivision 1 to the contrary, when the executive director, or any member of the peace officers standards and training board produces or receives a written statement or complaint which arguably alleges a violation of a statute or rule which the peace officers standards and training board is empowered to enforce, the executive director shall convene a subcommittee of the board, consisting of three members, which shall supervise the processing of the complaint. At least two members of the subcommittee shall be board members who are peace officers. The subcommittee shall determine, by majority vote, whether the complaint constitutes reasonable grounds to believe that a violation within its jurisdiction of enforcement has occurred, and to this end shall afford the complaining party, the chief law enforcement officer of the agency employing the peace officer who is a party to the action, and the subject of the complaint a reasonable opportunity to be heard. Complaints determined by the subcommittee to relate to matters within the jurisdiction of another state or local agency shall be referred to that agency for disposition. Complaints determined by the subcommittee to be within the jurisdiction of the board shall be processed in accordance with subdivisions 5 and 6. Any member of the subcommittee may appeal a subcommittee determination pursuant to this subdivision at the next regularly scheduled meeting of the board.

Subd. 5. Peace officers standards and training board; investigation. Notwithstanding the provisions of subdivision 2 to the contrary, upon a finding pursuant to subdivision 4 that there are reasonable grounds to believe that a violation of a statute or rule which the peace officers standards and training board is empowered to enforce has occurred, the executive director shall determine whether the matter has been investigated by the appropriate law enforcement agency. If the matter has been investigated, a summary of the investigation, any action taken as a result of the investigation, and any other information requested by the executive director may be supplied to the subcommittee established pursuant to subdivision 4 by the investigating agency within one week of the request. If the matter has not been investigated, or any requested information has not been supplied, the executive director shall order an inquiry by the appropriate law enforcement agency into the allegations of the complaint. A summary of any inquiry so ordered shall be supplied to the subcommittee by the investigating agency within 30 days of the order for inquiry. The subcommittee, by majority vote, may grant an investigating agency a reasonable extension for production of information and reports. Upon consideration of the information supplied by the investigating agency, and any additional information offered by the complainant or the subject of the complaint, the subcommittee shall determine, by majority vote, whether further board action is warranted. The executive director shall immediately notify the chief law enforcement officer of the agency employing the peace officer who is a party to the action of the results of the subcommittee's vote. Any member of the subcommittee may appeal a subcommittee determination pursuant to this subdivision at the next regularly scheduled meeting of the board.

Subd. 6. Peace officers standards and training board; settlement, hearing. Notwithstanding the provisions of subdivision 2 to the contrary, upon a finding pursuant to subdivision 5 that further board action is warranted, the executive director of the peace officers standards and training board shall make every effort to resolve grievances or rectify improper activities through education, conference, conciliation and persuasion of appropriate parties.

The executive director shall report to the board the results of his attempts to resolve grievances and rectify improper activities pursuant to the preceding paragraph. The board shall review these results and order further action, including a license revocation hearing to be held in accordance with chapter 15, if deemed necessary. The executive director shall promptly notify the complainant and the subject of the complaint of the final disposition of the matter by the board.

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Subd. 7. **Peace officers standards and training board; definitions.** For purposes of subdivisions 4 to 6 the term "appropriate law enforcement agency" means the agency employing the peace officer who is a party to the complaint. In the event all of the peace officers employed by the agency are parties to the complaint, the board shall designate the appropriate law enforcement agency.

[1979 c 117 s 1-5]

CHAPTER 216A. DEPARTMENT OF PUBLIC SERVICE, ORGANIZATION

Sec.
216A.035 Conflict of interest.

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No person during his term of membership on the public service commission shall receive any significant portion of his income directly or indirectly from any public utility. No person shall be eligible to be appointed as a member of the public service commission unless and until he divests himself of any significant interest or abandons any employment with a utility.

No person who is an employee of the public service department shall participate in any manner in any decision or action of the commission where he has a direct or indirect financial interest. Each commissioner or employee of the public service department who is in the civil service schedule A or management classification level and whose duties are related to public utilities or transportation regulation shall report to the ethical practices board annually before April 15 any interest he has in an industry or business regulated by the commission.

[1979 c 206 s 1]

CHAPTER 221. MOTOR VEHICLE CARRIERS; PIPELINE CARRIERS; FOR HIRE; REGULATION

Sec. 221.011	Definitions.	Sec. 221.81	Building mover regulation.
221.62	Exempt interstate carriers; registration of exemption authority.		

221.011 Definitions.

[For text of subs 1 to 21, see M.S.1978]

Subd. 22. "Exempt carrier" means any carrier exempt from this chapter, or exempted from any other law or rule by the commissioner or commission. The following are so exempt:

(a) Any person engaged in farming or in transporting agricultural, horticultural, dairy, livestock, or other farm products within an area having a 25 mile radius from his home post office. Such carrier may transport other commodities within such area if the destination of each haul is a farm within the above described area. The owner of any truck operating under this provision shall imprint his name and address in prominent visible letters on the outside of the cab of his truck.

(b) Any occasional accommodation service beyond the 25 mile radius from his home post office by any person engaged in farming as his primary means of livelihood and actually residing on a farm and whose truck or trucks are licensed under provisions of section 168.013, subdivision 1c. Occasional accommodation service shall mean not in excess of six trips in any calendar year.

(c) Any person engaged in agricultural pursuits, who owns and uses a truck for transporting the products of his farm, or any person, while engaged exclusively in the transportation of fresh vegetables from farms to canneries or viner stations, or from viner stations to canneries, or from canneries to canneries during the harvesting, canning or packing season, or potatoes, sugar beets, wild rice and rutabagas from the field of production to the first place of delivery or unloading, including but not limited to a pro-