

CHAPTER 383B

HENNEPIN COUNTY

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383B.043 POLITICAL COMMITTEES; COUNTY AND CERTAIN OTHER ELECTIONS.

[For text of subd 1, see M.S.1996]

Subd. 2. Prohibitions; acceptance of certain contributions; commingling of funds. No contribution shall be accepted and no expenditure shall be made by or on behalf of a political committee while the office of treasurer is vacant. No anonymous contribution in excess of \$20 shall be retained by the political committee but shall be forwarded to the state campaign finance and public disclosure board and deposited in the general fund. No funds of the political committee shall be commingled with the personal funds of any officer, member or associate of the committee. Any individual who violates a provision of this subdivision is guilty of a misdemeanor.

History: 1997 c 202 art 2 s 63

383B.044 POLITICAL FUNDS.

[For text of subd 1, see M.S.1996]

Subd. 2. Treasurer; commingling of funds; anonymous contributions. Each association which has a political fund shall elect or appoint a treasurer of the political fund. No contributions to the political fund shall be accepted and no expenditures from the fund shall be made while the office of treasurer is vacant. The contents of the political fund shall not be commingled with any other funds or with the personal funds of any officer or member of the fund. No anonymous contribution in excess of \$20 shall be retained by the political fund but shall be forwarded to the state campaign finance and public disclosure board and deposited in the general fund.

[For text of subs 3 and 4, see M.S.1996]

History: 1997 c 202 art 2 s 63

383B.054 REPORTS AND STATEMENTS; REQUIREMENTS.

[For text of subs 1 to 7, see M.S.1996]

Subd. 8. Any deputy, clerk, employee or other subordinate of a filing officer who has knowledge or reason to believe that a violation of sections 383B.041 to 383B.057 has occurred, shall immediately transmit a report of that knowledge or belief to that filing officer, together with any evidence of the violation coming into the subordinate's possession. Any filing officer who has knowledge or reason to believe that a violation of sections 383B.041 to 383B.058 has occurred shall immediately transmit a report of that knowledge or belief to the county attorney of the county in which the violation is thought to have occurred, together with any evidence of the violation coming into the filing officer's possession. The filing officer shall also immediately send a copy of the report to the campaign finance and public disclosure board. A violation of this subdivision is a misdemeanor.

History: 1997 c 202 art 2 s 63

383B.055 DUTIES OF CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD; FILING OFFICERS.

Subdivision 1. The state campaign finance and public disclosure board shall:

(1) issue and publish advisory opinions concerning the requirements of sections 383B.041 to 383B.057 upon application in writing by the county filing officer of Hennepin county or any individual or association who wishes to use the opinion to guide the applicant's own conduct; and

(2) exempt any individual or association required to disclose information under sections 383B.046 to 383B.05 from any requirement of those sections in the same manner as it exempts any individual or association from disclosure requirements under chapter 10A. An individual or association exempted from the disclosure provisions of chapter 10A, shall also be exempt from the disclosure provisions of sections 383B.046 to 383B.05.

[For text of subs 2 and 3, see M.S.1996]

History: 1997 c 202 art 2 s 63

383B.058 LOCAL ORDINANCES AND CHARTERS SUPERSEDED.

Except as provided in this section, sections 383B.041 to 383B.057 supersede the provisions of any ordinance or resolution of a jurisdiction governed by sections 383B.041 to 383B.058 or any existing special law or home rule charter provision requiring disclosure of information related to the financing of election campaigns or requiring disclosure of economic interests by candidates and elected officials of that jurisdiction. The governing body of Hennepin county, the governing body of any home rule charter city or statutory city located wholly in Hennepin county, and the school board of special school district No. 1, Minneapolis may adopt or continue in force ordinances or resolutions that:

(a) Impose limits on the amount that any individual or association may contribute to any candidate for elected office in that jurisdiction;

(b) Require disclosure of economic interests in addition to those required to be disclosed under section 383B.053; or

(c) Require other public officials of that jurisdiction to make such disclosure. Any home rule charter city that adopts a charter provision modifying or superseding any provision of sections 383B.041 to 383B.057 shall file a copy of the charter provision with the campaign finance and public disclosure board within 60 days of its adoption.

History: 1997 c 202 art 2 s 63

383B.221 EMERGENCY MEDICAL SERVICE.

[For text of subd 1, see M.S.1996]

Subd. 2. **Compliance with state laws.** Emergency medical service established under subdivision 1 shall comply with applicable provisions of sections 144E.001 to 144E.35, 145A.09 to 145A.13, and 383B.56. The county board may also establish and operate a communications system in connection with emergency medical services, may contract with other units of government or private entities and may exercise the authority provided in section 471.59 in the establishment, operation and maintenance of the system.

History: 1997 c 199 s 14

383B.255 PUBLIC SAFETY COMMUNICATIONS.

Subdivision 1. **Radio system.** Hennepin county may establish and rent, lease, construct, equip, and maintain a radio broadcasting station or stations, with land-fixed repeater stations and other necessary communication equipment, to be used for public safety communications. It may acquire land by gift, purchase, lease, or condemnation for use as a site for public safety communications equipment. Public safety communications sites may be acquired by lease for a period of up to 25 years in duration. Public safety communications may include police, fire, highway maintenance, emergency medical service, local government, forestry conservation, and other communications as determined by the county board.

Subd. 1a. **Antenna site use agreements.** Use of county-owned radio towers, building rooftops, lands, rights-of-way, and easements may be made available to commercial wireless service providers for the purpose of installing antennas and equipment necessary for construction of the national wireless telecommunications infrastructure. Hennepin county may acquire site use fees, or by gift or other means, improvements to public safety communications facilities, or other personal property, as compensation for antenna site use. Antenna site use agreements may be entered into by any means available and in the manner determined by the county board, with or without advertisement for bids.

[For text of subs 2 to 4, see M.S.1996]

History: 1997 c 58 s 1,2

383B.51 NO ASSIGNMENT OR GARNISHMENT.

The right of a participant who has shares to the credit of the participant's share account record to redeem all or any portion of the shares is a personal right only and shall be in the state of Minnesota or the state board of investment or the nominee of either, subject to the rights of the county of Hennepin. Any assignment or attempted assignment of shares to the credit of a participant's share account record by any person is null and void. The shares are exempt from garnishment or levy under attachment or execution or other legal process, except as provided in section 518.58, 518.581, or 518.6111. The shares are also exempt from all taxation, except individual income taxation, by the state of Minnesota.

History: 1997 c 203 art 6 s 92

383B.77 HENNEPIN COUNTY HOUSING AND REDEVELOPMENT AUTHORITY.

[For text of subd 1, see M.S.1996]

Subd. 2. **Limitation.** This section does not limit or restrict any existing housing and redevelopment authority or prevent a municipality from creating an authority. For purposes of this subdivision, "housing and redevelopment authority" includes any municipal department, agency, or authority of the city of Minneapolis which exercises the powers of a housing and redevelopment authority pursuant to section 469.003 or other law. The county authority shall notify a municipal authority by January 31 of each year as to the activities the county authority plans to participate in within the municipality. The municipal authority shall notify the county authority within 45 days of the date of the notice from the county authority, if the municipal authority does not consent to the activities of the county authority. The county authority shall not exercise its powers in a municipality where a housing and redevelopment authority was created under Minnesota Statutes 1969, chapter 462, before June 8, 1971, except as provided in this subdivision. If a city housing and redevelopment authority requests the county housing and redevelopment authority to exercise any power or perform any function of the municipal authority, the county authority may do so.

[For text of subs 3 and 4, see M.S.1996]

History: 1997 c 58 s 3

383B.78 BATHING BEACHES.

[For text of subs 1 and 2, see M.S.1996]

Subd. 3. **Regulatory ordinances.** (a) The governing bodies of counties having a population of more than 450,000, and all cities and towns located in the counties may, by ordinance, resolution, or bylaw, regulate the use of public bathing beaches and public waters where a public bathing beach immediately borders for the purpose of bathing, swimming, or congregating with others, within their respective territorial limits, in a manner that is not inconsistent with this section.

(b) If a governing body determines that the safety, health, morals, or general welfare of the public require, the governing body may, by ordinance, resolution, or bylaw, provide that a public bathing beach is closed to bathing, swimming, and congregating after 9:00 p.m.

[For text of subs 4 and 5, see M.S.1996]

History: 1997 c 7 art 1 s 132

383B.80 HENNEPIN COUNTY DEED AND MORTGAGE TAX.

Subdivision 1. Authority to impose; rate. (a) The governing body of Hennepin county may impose a mortgage registry and deed tax.

(b) The rate of the mortgage registry tax equals one cent for each \$100 or fraction of the principal.

(c) The rate of the deed tax equals five cents for each \$500 or fraction of the amount.

Subd. 2. General law provisions apply. The taxes under this section apply to the same base and must be imposed, collected, administered, and enforced in the same manner as provided under chapter 287 for the state mortgage registry and deed taxes. All the provisions of chapter 287 apply to these taxes, except the rate is as specified in subdivision 1, the term "Hennepin county" must be substituted for the "state," and the revenue must be deposited as provided in subdivision 3.

Subd. 3. Deposit of revenues. All revenues from the tax are for the use of the Hennepin county board of commissioners and must be deposited in the county's environmental response fund under section 383B.81.

Subd. 4. Expiration. The authority to impose the tax under this section expires January 1, 2003.

History: 1997 c 231 art 16 s 15

383B.81 ENVIRONMENTAL RESPONSE FUND.

Subdivision 1. Creation. An environmental response fund is created for the purposes specified in this section. The taxes imposed by section 383B.80 must be deposited in the fund. The board of county commissioners shall administer the fund either as a county board, a housing and redevelopment authority, or a regional rail authority.

Subd. 2. Uses of fund. The fund created in subdivision 1 must be used for the following purposes:

(1) acquisition through purchase or condemnation of lands or property which are polluted or contaminated with hazardous substances;

(2) paying the costs associated with indemnifying or holding harmless the entity taking title to lands or property from any liability arising out of the ownership, remediation, or use of the land or property;

(3) paying for the costs of remediating the acquired land or property;

(4) paying the costs associated with remediating lands or property which are polluted or contaminated with hazardous substances; or

(5) paying for the costs associated with improving the property for economic development, recreational, housing, transportation or rail traffic.

Subd. 3. Matching funds. In expending funds under this section the county shall seek matching funds from contamination cleanup funds administered by the commissioners of the department of trade and economic development, the metropolitan council, the federal government, the private sector and any other source.

Subd. 4. City approval. The county may not expend funds under this section unless the governing body of the city in which the site is located approves the project.

Subd. 5. Bonds. The county may pledge the proceeds from the taxes imposed by section 383B.80 to bonds issued under this chapter and chapters 398A, 462, 469, and 475.

Subd. 6. Priorities. The first priority for the use of the the environmental response fund created in this section is to clean up the site located in the city of St. Louis Park known as NL Industries/Tara Corporation/Golden Auto, EPA I.D. No. MND097891634 and to provide adequate right-of-way for a portion of the rail line to replace the 29th street line in the city of Minneapolis, including making rail improvements, changing the curve of the railroad track and eliminating a switching facility, and improving the land for economic development. No

money from the environmental response fund may be expended for remediating the site until the site has been acquired through purchase or condemnation.

Subd. 7. Land sales. Land or property acquired under this section may be resold at fair market value. Proceeds from the sale of the land must be deposited in the environmental response fund.

Subd. 8. DOT assistance. With respect to the site described in subdivision 6, the commissioner of transportation shall collaborate with the county and any affected municipality by providing technical assistance and support in facilitating the railroad improvement and testing at that portion of the site to be used for the railroad improvement.

History: 1997 c 231 art 16 s 16