

## CHAPTER 465

## RIGHTS, POWERS AND DUTIES; MUNICIPALITIES

465.715	Political subdivisions; lease purchase agreements; corporations.	465.797	Rule and law waiver requests.
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## 465.715 POLITICAL SUBDIVISIONS; LEASE PURCHASE AGREEMENTS; CORPORATIONS.

*[For text of subd 1, see M.S.1998]*

Subd. 1a. **Application.** Except as provided by subdivision 2, subdivision 1 only applies to a corporation for which a certificate of incorporation is issued by the secretary of state on or after June 1, 1997. A corporation that had been issued a certificate of incorporation before June 1, 1997, may continue to operate as if it had been created in compliance with subdivision 1. This subdivision expires July 1, 2001.

*[For text of subds 2 and 3, see M.S.1998]*

**History:** 1999 c 186 s 1

## 465.76 MAY PAY FOR OFFICER OR EMPLOYEE'S CRIMINAL DEFENSE.

Subdivision 1. **If lawfully doing duty.** If reimbursement is requested by the officer or employee, the governing body of a home rule charter or statutory city, a town or a county may, after consultation with its legal counsel, reimburse the city, town or county officer or employee for any costs and reasonable attorney's fees incurred by the person to defend charges of a criminal nature brought against the person that arose out of the reasonable and lawful performance of duties for the city, town or county.

Subd. 2. **When judge must approve.** If less than a quorum of the governing body is disinterested, the reimbursement under subdivision 1 shall be approved by a judge of the district court.

**History:** 1999 c 30 s 1

## 465.797 RULE AND LAW WAIVER REQUESTS.

Subdivision 1. **Generally.** (a) Except as provided in paragraph (b), a local government unit may request the board of government innovation and cooperation to grant a waiver from one or more administrative rules or a temporary, limited exemption from enforcement of state procedural laws governing delivery of services by the local government unit. Two or more local government units may submit a joint application for a waiver or exemption under this section if they propose to cooperate in providing a service or program that is subject to the rule or law. Before submitting an application to the board, the governing body of the local government unit must approve, in concept, the proposed waiver or exemption at a meeting required to be public under section 471.705. A local government unit or two or more units acting jointly may apply for a waiver or exemption on behalf of a nonprofit organization providing services to clients whose costs are paid by the unit or units. A waiver or exemption granted to a nonprofit organization under this section applies to services provided to all the organization's clients.

(b) A school district that is granted a variance from rules of the commissioner of children, families, and learning under section 122A.164, need not apply to the board for a waiver of those rules under this section. A school district may not seek a waiver of rules under this section if the commissioner of children, families, and learning has authority to grant a variance to the rules under section 122A.164. This paragraph does not preclude a school district from being included in a cooperative effort with another local government unit under this section.

*[For text of subds 2 to 5, see M.S.1998]*

Subd. 5a. **Exemptions granted.** Notwithstanding subdivision 5, exemptions from enforcement of law granted by the board during calendar year 1995 remain in effect until June 30, 1999. An exemption granted by the board for Itasca county during calendar year 1996 allowing the county to implement a demonstration project to determine the feasibility of using a managed care model for financing chemical dependency treatment services remains in effect until June 30, 2001. An exemption granted by the board for Dakota, Ramsey, and Washington counties during calendar year 1998 allowing the counties to forego preadmission screenings for all applicants for admission to a Medicaid certified nursing facility if the individual is being released from an in-patient hospital into a nursing facility and a physician certifies that the stay in the nursing facility is expected to be 30 days' duration or less, remains in effect until June 30, 2003. This subdivision expires June 30, 2003.

*[For text of subs 6 and 7, see M.S.1998]*

**History:** 1998 c 398 art 5 s 55; 1999 c 41 s 1

#### 465.82 COOPERATION AND COMBINATION PLAN.

*[For text of subs 1 to 3, see M.S.1998]*

Subd. 4. **Differential taxation.** The plan for cooperation and combination adopted in accordance with subdivision 1 may establish that the tax rate of the local government unit with the lesser tax rate prior to the effective date of combination shall be increased in substantially equal proportions over not more than six years to equality with the tax rate on the property already within the borders of the local unit of government with the higher tax rate. The appropriate period of time, if any, for transition to the higher tax rate shall be based on the time reasonably required to effectively provide equal municipal services to the residents of the local unit of government with the lower tax rate.

**History:** 1999 c 243 art 6 s 7