

Approved March 24, 1976.

CHAPTER 75—S.F.No.2057

[Not Coded]

An act relating to the city of Duluth; liquor license for the arena-auditorium complex; amending Laws 1967, Chapter 406, Section 1, Subdivision 1.

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

Section 1. Laws 1967, Chapter 406, Section 1, Subdivision 1, is amended to read:

Section 1. **DULUTH, CITY OF; ARENA-AUDITORIUM COMPLEX LIQUOR LICENSE.** Subdivision 1. In addition to the licenses now authorized by law, and notwithstanding any provision of law to the contrary contained in the charter or ordinances of such city, or statutes applicable to such city, the city of Duluth is authorized to issue an "on sale" liquor license for the premises known and used as the Duluth arena-auditorium complex. The fee for such license shall be fixed by the governing body of the city of Duluth. Such liquor license shall be issued in accordance with the statutes applicable to the issuance of "on sale" liquor licenses in cities of the first class not inconsistent herewith and in accordance with the charter and ordinances of the city of Duluth not inconsistent herewith and shall limit the sale of intoxicating liquor to members and their guests of any person or organization leasing space in the arena-auditorium complex for the purpose of conducting any convention, banquet, conference, meeting or social affair, and shall prohibit the sale of intoxicating liquor to the public or to any persons attending or participating in any amateur hockey game, or elementary or secondary school or college athletic event being held on the arena-auditorium complex premises.

Sec. 2. This act shall become effective upon approval by the governing body of the city of Duluth, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved March 24, 1976.

CHAPTER 76—H.F.No.574

[Coded in Part]

An act relating to pollution control; relating to the power to issue subpoenas; authorizing the agency to disseminate information and receive copies of Minnesota Statutes; repealing certain appeal procedures; authorizing the agency to assess certain costs in administering said grant; authorizing reimbursement to Indians for

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costs pertaining to the inventory, collection, storage and transportation of abandoned motor vehicles and scrap metal; amending Minnesota Statutes 1974, Sections 115.03, Subdivision 2; 115.05, by adding a subdivision; 115.071, Subdivision 2; 116.07, by adding a subdivision; 116.16, by adding a subdivision; 168B.10, by adding a subdivision; 648.39, Subdivision 1; repealing Minnesota Statutes 1974, Section 115.05, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, and 10.

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

Section 1. Minnesota Statutes 1974, Section 115.03, Subdivision 2, is amended to read:

Subd. 2. POLLUTION CONTROL; STATE ADMINISTRATION. In any such hearing or investigation ; ~~any member of the agency, or conducted pursuant to chapters 115, 116, and 116F,~~ any employee or agent thereto authorized by the agency, may administer oaths, examine witnesses and issue, in the name of the agency, subpoenas requiring the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in any such hearing or investigation. Witnesses shall receive the same fees and mileage as in civil actions.

Sec. 2. Minnesota Statutes 1974, Section 115.05, is amended by adding a subdivision to read:

Subd. 11. REVIEW. Any person aggrieved by any final decision for which judicial review is not provided in chapter 15 may obtain judicial review thereof pursuant to sections 15.0424 to 15.0426, inclusive.

Sec. 3. Minnesota Statutes 1974, Section 115.071, Subdivision 2, is amended to read:

Subd. 2. CRIMINAL PENALTIES. (a) VIOLATIONS OF LAWS; ORDERS; PERMITS. (1) Any person who willfully or negligently violates any provision of chapters 115 or 116, or any standard, regulation, variance, order, stipulation agreement, schedule of compliance or permit issued or adopted by the agency thereunder, which violation is not included in clause (2), shall upon conviction be guilty of a misdemeanor.

(2) Any person who willfully or negligently violates any effluent standard and limitation or water quality standard adopted by the agency, any National Pollutant Discharge Elimination System permit ~~issued by the agency~~ or any term or condition thereof, any duty to permit or carry out any recording, reporting, monitoring, sampling, information entry, access, copying, or other inspection or investigation requirement as provided under applicable provisions of chapter 115 and, with respect to the pollution of waters of the state, chapter 116, or any National Pollutant Discharge Elimination System filing requirement, shall upon conviction be punished by a fine of not less than \$2,500 in the event of a willful violation or not less than \$300 in the event of a

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negligent violation. In any case the penalty shall not be more than \$25,000 per day of violation or by imprisonment for not more than one year, or both. If the conviction is for conduct committed after a first conviction of such person under this subdivision, punishment shall be by fine of not more than \$50,000 per day of violation, or by imprisonment for not more than two years, or both.

(b) **INFORMATION AND MONITORING.** Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under chapter 115 and, with respect to the pollution of the waters of the state, chapter 116, or standards, regulations, orders, stipulation agreements, schedule of compliance or permits pursuant hereto, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under chapter 115 and, with respect to the pollution of waters of the state, chapter 116, or standards, regulations, variances, orders, stipulation agreements, schedules of compliance, or permits pursuant thereto, shall upon conviction, be punished by a fine of not more than \$10,000 per day of violation, or by imprisonment for not more than six months, or both.

(c) **DUTY OF LAW ENFORCEMENT OFFICIALS.** It shall be the duty of all county attorneys, sheriffs and other peace officers, and other officers having authority in the enforcement of the general criminal laws to take all action to the extent of their authority, respectively, that may be necessary or proper for the enforcement of said provisions, regulations, standards, orders, stipulation agreements, variances, schedule of compliance, or permits.

Sec. 4. Minnesota Statutes 1974, Section 116.07, is amended by adding a subdivision to read:

Subd. 8. PUBLIC INFORMATION. The agency may publish, broadcast, or distribute information pertaining to agency activities, laws, rules, standards, and regulations.

Sec. 5. Minnesota Statutes 1974, Section 116.16, is amended by adding a subdivision to read:

Subd. 10. COSTS. To the extent the agency administers or engages in activities necessary for the administration of the federal construction grants program established by the federal water pollution control act as amended, 33 U.S.C. 1251 et seq., the agency may assess the costs of such administrative activities, not to exceed two percent of the federal grant, against the federal construction grant funds allotted to the state.

Sec. 6. Minnesota Statutes 1974, Section 168B.10, is amended by adding a subdivision to read:

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Subd. 5. The agency may reimburse the government entities of Indian reservations for the costs associated with the inventory, collection, storage and transportation of abandoned motor vehicles and abandoned scrap metal which are voluntarily surrendered by their owners or which are otherwise lawfully acquired by the Indian reservation. Such reimbursement may be made for only those costs, and under the same conditions, for which a unit of government may be reimbursed under subdivisions 1 and 3 of this section.

Sec. 7. Minnesota Statutes 1974, Section 648.39, Subdivision 1, is amended to read:

648.39 MINNESOTA STATUTES AND SESSION LAWS; SALE AND DISTRIBUTION. Subdivision 1. To the extent that appropriations are available therefor, the revisor of statutes shall distribute each edition of Minnesota Statutes and each edition of the session laws as follows:

30 copies to the supreme court;

1 copy to each judge of a district court;

1 copy to the clerk of each district court for use in each courtroom of the district court of his county;

100 copies to the state law library;

100 copies to the law school of the University of Minnesota;

35 copies to the office of the attorney general;

Such copies as may be necessary but not exceeding ten each to the governor's office, the departments of administration, agriculture, commerce, corrections, education, health, highways, labor and industry, employment services, natural resources, public safety, public service, public welfare, and revenue, and ~~ten copies also to the governor's office~~ the pollution control agency ;

1 copy each to the state departments, agencies, boards, and commissions that may request a copy;

1 copy to each member of the legislature;

The necessary number of copies required for the use of the senate and the house of representatives;

4 copies to the secretary of the senate;

4 copies to the chief clerk of the house of representatives;

1 copy to each judge, district attorney, clerk of court of the

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United States and the deputy clerk of each division of the United States district court in this state, the secretary of state of the United States, the library of congress, and the Minnesota historical society.

Sec. 8. Minnesota Statutes 1974, Section 115.05, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9 and 10, are repealed.

Approved March 25, 1976.

CHAPTER 77—H.F.No.2022

An act relating to real property; title registration; providing for the issuance of duplicate certificates of title to replace lost or destroyed duplicate certificates; prescribing fees of the registrar; amending Minnesota Statutes 1974, Sections 508.44 and 508.82.

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

Section 1. Minnesota Statutes 1974, Section 508.44, is amended to read:

508.44 REAL PROPERTY; TITLE REGISTRATION; LOSS OF DUPLICATE CERTIFICATES. Subdivision 1. If any duplicate certificate is lost or destroyed or cannot be produced, a duly verified statement, setting forth the facts relating thereto, may be filed with the registrar by the registered owner, or other person in interest. Upon such application, after due notice and hearing, the court may direct the registrar to issue a new duplicate certificate containing a memorandum of the fact that it is issued in place of a lost duplicate certificate, which shall be entitled to like faith and credit as the original duplicate.

Subd. 2. In lieu of the court directive to the registrar to issue a new duplicate certificate under subdivision 1, the registrar of titles shall issue such a duplicate certificate when directed to do so by the examiner of titles. The directive of the examiner shall be in writing after posting a notice addressed "TO WHOM IT MAY CONCERN" fixing a time when he shall direct the issuance of a new duplicate certificate of title unless valid objections thereto are delivered to his office prior to the specified time. The notice shall be posted on a bulletin board provided for the posting of legal notices at the courthouse at least seven days prior to the date fixed for the issuance of the directive. No such directive shall be issued by the examiner unless all persons in interest have signed and verified a statement setting forth the facts relating to the reasons why the duplicate certificate cannot be produced, the statement is memorialized upon the certificate of title and there is satisfactory evidence as to the identity of the signers and the facts relating to the loss or destruction of the duplicate certificate of title. Persons in interest in the case of an owner's duplicate certificate are the

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