

STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1973

FORTY-FIFTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 26, 1973

The House convened at 2:00 p. m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	Dieterich	Johnson, J.	Moe	Savelkoul
Adams, S.	Dirlam	Johnson, R.	Mueller	Schreiber
Andersen, R.	Eckstein	Jopp	Munger	Schulz
Anderson, D.	Eken	Jude	Myrah	Searle
Anderson, G.	Enebo	Kahn	Nelson	Sherwood
Anderson, I.	Erdahl	Kelly	Newcome	Sieben, H.
Becklin	Erickson	Kempe	Niehaus	Sieben, M.
Belisle	Esau	Klaus	Norton	Skaar
Bell	Faricy	Knickerbocker	Ohnstad	Smith
Bennett	Ferderer	Kvam	Ojala	Spanish
Berg	Fjoslien	Laidig	Parish	Stangeland
Berglin	Flakne	Larson	Patton	Stanton
Biersdorf	Forsythe	LaVoy	Pavlak, R.	Swanson
Boland	Fudro	Lemke	Pavlak, R. L.	Tomlinson
Braun	Fugina	Lindstrom, E.	Pehler	Ulland
Carlson, A.	Graba	Lindstrom, J.	Peterson	Vanasek
Carlson, B.	Graw	Lombardi	Pieper	Vento
Carlson, D.	Growe	Long	Plesant	Voss
Carlson, L.	Hagedorn	Mann	Prahl	Weaver
Cassery	Hanson	McArthur	Quirin	Wenzel
Cleary	Haugerud	McCarron	Resner	Wigley
Clifford	Heinitz	McCauley	Rice	Wohlwend
Connors	Hook	McEachern	Ryan	Wolcott
Culhane	Jacobs	McFarlin	St. Onge	Mr. Speaker
Cummiskey	Jaros	Menke	Salchert	
Dahl	Johnson, C.	Miller, D.	Samuelson	
DeGroat	Johnson, D.	Miller, M.	Sarna	

A quorum was present.

McMillan was excused. Brinkman was excused until 4:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Mr. Johnson, C., moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. Mr. Lindstrom, E., moved to amend the motion of Mr. Johnson, C., by adding the words "and that the Chief Clerk is directed to listen to the tape of the House proceedings and verify the action regarding H. F. No. 1931 and make necessary corrections in the Journal relating to H. F. No. 1931." The amendment offered by Mr. Lindstrom, E., was not adopted. The motion offered by Mr. Johnson, C., prevailed and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2274, 2275, 1960, 1662, 1829, 748, 1319, 1510, 1578, 1579, 1580, 1671, 1727, 1844, 768, 1198, 854, 959, 986, 1214, 1295, 1473, 1551, 1642, 1896, 2154, 1313, 2035, and 924 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following reports were received, filed in the Chief Clerk's Office, and distributed to each member: Report of Public Examiner on the Financial Affairs of Minnesota State Retirement System.

REPORTS OF STANDING COMMITTEES

Mr. Mann from the Committee on Agriculture to which was referred:

H. F. No. 1807, A bill for an act relating to agriculture; dairy promotion act; voting on promotional orders by producer-members of a cooperative association; amending Minnesota Statutes 1971, Section 32B.04, Subdivision 4.

Reported the same back with the following amendments:

Page 2, line 3, after "association" insert a period.

Page 2, line 3, strike "except that any individual".

Page 2, strike lines 4 and 5.

Page 2, line 6, strike "own individual ballot from the commissioner."

Page 2, line 9, after the period insert "A ballot prepared by the board of directors and the commissioner of agriculture shall be sent by each cooperative to its member and non-member producers with a return envelope addressed to the commissioner of agriculture. The ballot shall indicate that the cooperative association intends to vote in favor or in opposition to the question. In the case of member-producers the ballot shall indicate expiration date of the ballot and state that if not returned by said date, the ballot shall be considered to be the vote of the association. The ballot shall be returned to the commissioner of agriculture. A cooperative association shall not be required to bloc vote its producers but in such event it shall inform each producer of its decision and provide each producer with an individual referendum ballot with a return envelope addressed to the commissioner of agriculture."

Each private processor shall file a list of producers who market their production with said private processor with the commissioner. The commissioner of agriculture will mail each producer who markets through a private processor an individual ballot with a return envelope addressed to the commissioner of agriculture. These ballots shall be returned to the commissioner."

Page 2, line 18, insert the following:

"Sec. 2. Minnesota Statutes 1971, Section 32B.06, Subdivision 2, is amended to read:

Subd. 2. A subsequent referendum, using initial voting procedures, shall be held prior to January 1, (1975) 1980, and each five years thereafter. The order shall terminate at the end of the calendar year, if a majority referendum vote is negative.

Sec. 3. Minnesota Statutes 1971, Section 32B.09, is amended to read:

32B.09 [REFUND OF FEES; MILK MARKETING PROGRAM.] Any producer may by the use of forms furnished by the commissioner of agriculture have the fee paid pursuant to sections 32B.01 to 32B.13 refunded to him, provided such request for refund is received in the office of the commissioner within (60 DAYS) *six months* following the payment of such fee. The date of payment of such fee shall be defined as the date of producer settlement by the first buyer to the producer.”.

Further amend the title in line 3, after “act;” insert “promotion of milk products;”, and in line 6, strike “Section” and insert “Sections”, and after “4” insert “; 32B.06, Subdivision 2; and 32B.09”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 1042, A bill for an act relating to waters; southern Minnesota river basin commission; appropriating money; amending Laws 1971, Chapter 705, Section 3, Subdivision 1; and Section 5; repealing Laws 1971, Chapter 705, Section 11.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 1378, A bill for an act relating to historic sites; providing for acquisition, administration, and control of additional sites by the Minnesota historical society; amending Minnesota Statutes 1971, Section 138.025, by adding subdivisions.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 1978, A bill for an act relating to the Minnesota Historical Society; appropriating money for the acquisition, maintenance, and security of a historic site.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Ryan from the Committee on City Government to which was referred:

H. F. No. 659, A bill for an act relating to certain municipalities; authorizing land acquisition and development to promote industry and alleviate unemployment.

Reported the same back with the following amendments:

Page 1, line 7, delete "CITIES, VILLAGES, BOROUGHES", and insert in lieu thereof: "CITY OF WILLMAR".

Page 1, line 9, strike "substantial" and strike "any city, village, or".

Page 1, line 10, strike the entire line.

Page 1, line 11, strike "of over 150,000".

Page 1, line 11, before "may" insert "the city of Willmar".

Page 1, lines 12 and 13, strike "such municipality" and insert in lieu thereof: "the city".

Page 1, line 16, strike "municipality" and insert "city".

Page 1, line 18, strike "municipality" and insert "city of Willmar".

Page 1, line 21, strike "municipality" and insert "city".

Page 2, line 9, strike "municipality" and insert "city of Willmar".

Page 2, line 11, strike "municipality" and insert "city".

Page 2, line 12, strike "municipality" and insert "city".

Page 2, line 13, after "the", and before the period, strike "municipality" and insert "city".

Page 2, line 18, strike "municipalities" and insert "the city of Willmar".

Page 2, after line 21, insert a new section to read:

"Sec. 5. This act is effective upon approval by the governing body of the city of Willmar and upon compliance with Minnesota Statutes, Section 645.021."

Further amend the title in the following manner:

Page 1, line 2, strike "certain municipalities", and insert in lieu thereof: "the city of Willmar".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Ryan from the Committee on City Government to which was referred:

H. F. No. 1870, A bill for an act relating to cities of the first class; authorizing condemnation of real property.

Reported the same back with the following amendments:

Strike everything after the enacting clause, and insert in lieu thereof:

"Section 1. Notwithstanding the provisions of Minnesota Statutes 1971, Chapter 117, any city of the first class when exercising its right of eminent domain in connection with, and as part of an improvement project, may condemn and acquire interest in real estate for public use, pursuant to the condemnation procedures contained in its home rule charter or Minnesota Statutes 1971, Chapter 430."

Further amend the title, by striking it in its entirety, and insert in lieu thereof:

"A bill for an act relating to cities of the first class and authorizing condemnation of real property in certain instances pursuant to procedures set forth in their home rule charter or Minnesota Statutes 1971, Chapter 430."

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Ryan from the Committee on City Government to which was referred:

H. F. No. 1932, A bill for an act relating to electricity; regulating certain terms for the purchase of electricity by certain cities; amending Minnesota Statutes 1971, Section 455.13.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Ryan from the Committee on City Government to which was referred:

H. F. No. 1959, A bill for an act relating to the city of Duluth; Duluth airport authority; amending Laws 1969, Chapter 577, Section 14.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Ryan from the Committee on City Government to which was referred:

H. F. No. 1968, A bill for an act relating to the city of Saint Paul, authorizing the issuance of bonds and the appropriation of revenues and taxes to finance the acquisition, betterment, and operation of swimming pools for the municipal program of public recreation and playgrounds.

Reported the same back with the following amendments:

Page 1, line 13, after "exceeding" strike "\$8,000,000" and insert in lieu thereof: "\$5,000,000".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Ryan from the Committee on City Government to which was referred:

H. F. No. 2244, A bill for an act relating to the city of Winona; authorizing the issuance of two additional on-sale liquor licenses.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Ryan from the Committee on City Government to which was referred:

S. F. No. 1092, A bill for an act relating to municipalities; contracts; method of letting; amending Minnesota Statutes 1971, Section 471.345, Subdivisions 4 and 5.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Moe from the Committee on Crime Prevention and Corrections to which was referred:

H. F. No. 371, A bill for an act relating to crimes and criminals; providing minimum sentences for certain felonies; amending Minnesota Statutes 1971, Section 609.11.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

H. F. No. 1043, A bill for an act relating to snowmobiles; prohibiting the operation thereof on public airports; prescribing penalties; amending Minnesota Statutes 1971, Sections 84.87, by adding a subdivision; and 84.88, Subdivision 1.

Reported the same back with the following amendment:

Page 1, line 14, after "law" insert "*, unless permitted by resolution of the local governing authority*".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

H. F. No. 1116, A bill for an act relating to natural resources; prescribing a stream maintenance program; setting forth powers and duties of the commissioner of natural resources; appropriating money; amending Minnesota Statutes 1971, Chapter 105, by adding a section.

Reported the same back with the following amendments:

Page 1, strike all of line 15.

Page 1, line 16, strike "*conditions,*".

Page 2, after line 27, add a new subdivision to read:

"*Subd. 5. [COUNTY MATCHING FUNDS.] Any county may appropriate from its general revenue fund sufficient funds to match the grants in aid authorized in this section.*".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

H. F. No. 1297, A bill for an act relating to taxation; excise tax on gasoline; certain unrefunded taxes; providing for the distribution and use of unrefunded taxes used for snowmobile purposes; appropriating money; amending Minnesota Statutes 1971, Sections 296.16, Subdivision 1; 296.18, Subdivision 1; and 296.421, by adding subdivisions.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. Minnesota Statutes 1971, Section 296.16, Subdivision 1, is amended to read:

296.16 [USE IN MOTOR VEHICLES.] Subdivision 1. [INTENT.] All gasoline received in this state and all gasoline produced in or brought into this state except aviation gasoline and marine gasoline shall be determined to be intended for use in motor vehicles in this state. It is hereby found and determined that approximately three fourths of one percent of all gasoline

received in this state and three fourths of one percent of all gasoline produced or brought into this state, except gasoline used for aviation purposes, is being used as fuel for the operation of motor boats on the waters of this state and that of the total revenue derived from the imposition of the gasoline fuel tax for uses other than in motor boats, three fourths of one percent of such revenues is the amount of tax on fuel used in motor boats operated on the waters of this state. *It is further found and determined that approximately three-fourths of one percent of all gasoline received in and produced or brought into this state, except gasoline used for aviation purposes, is being used as fuel for the operation of snowmobiles in this state, and that of the total revenue derived from the imposition of the gasoline fuel tax for uses other than in snowmobiles, three-fourths of one percent of such revenues is the amount of tax on fuel used in snowmobiles operated in this state.*

Sec. 2. Minnesota Statutes 1971, Section 296.18, Subdivision 1, is amended to read:

296.18 [REFUNDS.] Subdivision 1. [GASOLINE OR SPECIAL FUEL USED IN OTHER THAN MOTOR VEHICLES.] Any person who shall buy and use gasoline for any purpose other than use in motor vehicles or snowmobiles, or special fuel for any purpose other than use in licensed motor vehicles, and who shall have paid the excise tax directly or indirectly through the amount of the tax being included in the price of the gasoline or special fuel, or otherwise, shall be reimbursed and repaid the amount of the tax paid by him upon filing with the commissioner a signed claim in writing in such form and containing such information as the commissioner shall require and accompanied by the original invoice thereof. By signing any such claim which is false or fraudulent, the applicant shall be subject to the penalties provided in this section for knowingly making a false claim. The claim shall set forth the total amount of the gasoline so purchased and used by him other than in motor vehicles, or special fuel so purchased and used by him other than in licensed motor vehicles, and shall state when and for what purpose it was used. When a claim contains an error in computation or preparation, the commissioner is authorized to adjust the claim in accordance with the evidence shown on the claim or other information available to him. If the commissioner be satisfied that the claimant is entitled to payment, he shall approve the claim and transmit it to the state auditor. No repayment shall be made unless the claim and invoice shall be filed with the commissioner within four months from the date of the purchase except that such refund claims filed within 15 days beyond the four months period shall be honored by the commissioner less a penalty of 25 percent of the amount of the approved claim. The postmark on the envelope in which the claim is mailed shall determine the date of filing. The words "gasoline" or "special fuel" as used in this subdivision do not include aviation gasoline or special fuel for aircraft.

Sec. 3. Minnesota Statutes 1971, Section 296.421, is amended by adding a subdivision to read:

Subd. 6. [DISTRIBUTION OF UNREFUNDED TAX FOR SNOWMOBILE PURPOSES.] *The amount of tax paid on gasoline used for snowmobile purposes as computed in section 4 of this act shall be paid into the state treasury and credited to a snowmobile trail and non-motorized trail account hereby created. All money in the snowmobile trail account and non-motorized trail account is appropriated annually for the following purposes and in the following percentages:*

a) 20 percent shall be paid to individual counties of the state in pro-rated amounts under conditions determined by the commissioner. Said fund shall be used by the counties for expenses of enforcement of laws relating to snowmobile usage and the operation of snowmobiles.

b) 10 percent shall be utilized by the department in cooperation with and to assist private industry to study the adverse effects of snowmobile usage on the environment and to research and develop modifications of snowmobiles which will provide greater preservation of environmental quality.

c) 50 percent shall be allocated by the department for the provision and maintenance of snowmobile trails and trails to be used exclusively for non-motorized recreation.

d) 20 percent shall be allocated by the department for the provision of access to snowmobile trails and the provision of snowmobile areas in those parts of the state where trails prove unfeasible to provide.

The commissioner of natural resources shall exercise care and discretion in establishing snowmobile trails to the end that the trails will be distributed equitably throughout the state for the recreational use of the people and the preservation of natural wild areas.

Sec. 4. Minnesota Statutes 1971, Section 296.421, is amended by adding a subdivision to read:

Subd. 7. [COMPUTATION OF UNREFUNDED TAX FOR SNOWMOBILE PURPOSES.] *The amount of tax for snowmobile use shall be a sum equal to three-fourths of one percent of all revenues derived from the excise tax on gasoline, except on gasoline used for aviation purposes, together with interest thereon and penalties for delinquency in payment, paid or collected pursuant to the provisions of sections 296.02 to 296.17. The amount of such tax shall be computed for each six month period commencing July 1, 1973, and shall be paid into the state treasury and credited to the snowmobile trail account on November 1 and June 1 following each six month period.*

Sec. 5. *This act is effective July 1, 1973."*

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

H. F. No. 1381, A bill for an act relating to drainage; amending Minnesota Statutes 1971, Sections 106.021, Subdivisions 1, 2, 3, 4, and by adding a subdivision; 106.081, Subdivisions 1, 3, and 4; 106.091, Subdivision 2; 106.101, Subdivisions 2, 4, 5, and by adding a subdivision; 106.121, Subdivisions 4 and 5; 106.131; 106.151; 106.201; 106.221, Subdivision 2; and 106.631, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. Minnesota Statutes 1971, Section 84.415, Subdivision 1, is amended to read:

84.415 [LICENSES, PERMITS.] Subdivision 1. [UTILITY COMPANIES, PERMIT TO CROSS STATE-OWNED LANDS.] *The commissioner of natural resources shall, on or before January 1, 1974, promulgate in the manner provided by Minnesota Statutes, Chapter 15, regulations containing standards and criteria governing the sale of licenses permitting the passage of utilities over public lands and waters. The regulations shall include provisions to insure that all projects for which licenses are sold will have a minimum adverse impact on the environment.* The commissioner of natural resources may, at public or private sale and for such price and upon terms as (HE MAY PRESCRIBE) are specified in the regulations (except where prohibited by law) grant licenses permitting passage over, under, or across any part of any school, university, internal improvement, swamp, tax forfeited or other land or public water under the control of the commissioner of natural resources, of telephone, telegraph, and electric power lines, cables or conduits, underground or otherwise, or mains or pipe lines for gas, liquids, or solids in suspension. Any such license shall be cancelable upon reasonable notice by the commissioner for substantial violation of its terms, or if at any time its continuance will conflict with a public use of the land or water over or upon which it is granted, or for any other cause. All such land or public water shall remain subject to sale or lease or other legal use, but in case of sale, lease or other use there may be excepted from the grant or other disposition of land or public water all rights included in any license over, under, or across it, and the license may contain an agreement that there will be such exception. The commissioner may charge a fee in lieu of but not less than that authorized by subdivision 5 if he issues a license containing an agreement that there will be such an exception. All rights so excepted shall be reserved to the state and be cancelable by the commissioner for the same reasons or cause as they might have been canceled before such sale, lease or other use of the land or water. Upon such cancellation, which shall be only after reasonable notice to the licensee, all rights granted by the license shall be vested in the state and may be granted again by the commissioner on the terms and conditions he may prescribe, but subject to cancellation for the same reasons or causes as they might have been originally canceled unless ownership of the fee and of the

license are merged. Any license granted before April 13, 1951 may be governed by it if the licensee and commissioner so agree. Reasonable notice as used in this subdivision means a 90 day written notice addressed to the record owner of the license at the last known address, and upon cancellation the commissioner may grant extensions of time to vacate the premises affected.

Sec. 2. Minnesota Statutes 1971, Section 84.415, Subdivision 5, is amended to read:

Subd. 5. [FEE.] (SUCH LICENSES OR PERMITS SHALL PROVIDE FOR A FEE OF NOT MORE THAN \$4 PER MILE OR PROPORTIONATELY FOR EACH FRACTION OF A MILE, BUT NOT LESS THAN \$1 ANNUALLY.) In the event the construction of such lines causes damage to timber or other property of the state on or along the same, the license or permit shall also provide for payment to the state treasurer of the amount thereof as may be determined by the commissioner.

All money received under such licenses or permits shall be credited to the fund to which other income or proceeds of sale from such land would be credited, if provision therefor be made by law, otherwise to the general fund.

Sec. 3. Minnesota Statutes 1971, Section 92.46, is amended by adding a subdivision to read:

Subd. 1a. Effective upon enactment of this subdivision, no new leases shall be made pursuant to subdivision 1. In any case where substantial improvements have been made to land leased pursuant in subdivision 1, the commissioner shall require the lessee to comply with applicable county ordinances for the management of shoreland areas and shall cancel any lease for non-compliance with these standards except those sub-standard uses authorized by the county ordinance.

Sec. 4. Minnesota Statutes 1971, Section 106.021, Subdivision 1, is amended to read:

106.021 [POWERS OF COUNTY BOARDS AND OF DISTRICT COURTS.] Subdivision 1. [GENERALLY.] The county boards of the several counties, and the district courts are authorized to make all necessary orders for and cause to be constructed and maintained public drainage systems; to deepen widen, straighten, or change the channel or bed of any waterway following the general direction thereof, and when practical, terminating therein; to extend the same into or through any municipality for the purpose of securing a suitable outlet; and to construct all needed dikes, dams, and control works and power appliances, pumps, and pumping machinery *in the manner set forth by law.*

Sec. 5. Minnesota Statutes 1971, Section 106.021, Subdivision 2, is amended to read:

Subd. 2. [DRAINAGE OF LAKES.] (THE BOARD OR COURT IS AUTHORIZED TO DRAIN IN WHOLE OR IN

PART LAKES WHICH HAVE BECOME NORMALLY SHALLOW AND OF A MARSHY CHARACTER AND ARE NOT OF SUFFICIENT DEPTH OR VOLUME TO BE OF ANY SUBSTANTIAL PUBLIC USE; PROVIDED) no (MEANDERED) lake basin shall be (SO) drained nor shall a natural watercourse be channelized except upon the determination of the commissioner of natural resources of the state of Minnesota that such lake basin or natural watercourse is not public waters, or pursuant to the permit of the commissioner as provided in subdivision 3.

Sec. 6. Minnesota Statutes 1971, Section 106.021, Subdivision 4, is amended to read:

Subd. 4. [APPLICATION TO COMMISSIONER.] The petitioners for any public ditch, or the board or court may make application to the commissioner of natural resources for the authority required by subdivision 3 or for the determination of the status of (MEANDERED) lakes basins or natural watercourses required by subdivision 2.

Sec. 7. Minnesota Statutes 1971, Section 106.021, is amended by adding a subdivision to read:

Subd. 6. [CRITERIA FOR PROPOSED DRAINAGE SYSTEMS.] Before January 1, 1974, the commissioner of natural resources shall promulgate, in the manner provided in chapter 15, a list of criteria that county boards must consider when establishing and improving drainage systems. The criteria shall relate to the social, economic, and environmental impact of the proposed drainage system, and shall include but not be limited to the following:

(a) An economic analysis of the public benefits derived from the proposed project;

(b) An analysis of present and anticipated agricultural land acreage availability and use within the county;

(c) An analysis of flooding characteristics of project lands involved;

(d) An analysis of alternative measures for the conservation, allocation, and development of the drainage waters;

(e) An analysis of water quality effects as a result of the proposed project;

(f) An analysis of fish and wildlife resources affected by the proposed project;

(g) An analysis of shallow ground water availability, distribution, and use in the project area;

(h) An analysis of the overall environmental impact of all the criteria in items (a) to (g).

Sec. 8. Minnesota Statutes 1971, Section 106.081, Subdivision 1, is amended to read:

106.081 [PRELIMINARY SURVEY AND REPORT.] Subdivision 1. [SURVEY AND REPORT.] The engineer shall promptly proceed and examine all matters set forth in the petition and order (,) *and* make such preliminary survey of the territory likely to be affected by the proposed improvement as will enable him to determine whether the same is necessary and feasible (,) *AND REPORT ACCORDINGLY*) *in compliance with the requirements of Minnesota Statutes, Section 106.021.* If some other plan than that described in the petition is found practical, the engineer shall so report, giving such detail and information as is necessary to inform the court or board on all matters pertaining to the feasibility of the proposed plan, either as outlined in the petition or according to a different plan recommended by the engineer. He shall show all changes, whether by extension, adding laterals, or otherwise, that may be necessary to make the plan of the proposed improvement practicable and feasible. If the construction of a ditch or drain is involved in the proposed improvement, the engineer shall examine and report the nature and capacity of the outlet and any necessary extension thereof.

Sec. 9. Minnesota Statutes 1971, Section 106.081, Subdivision 3, is amended to read:

Subd. 3. [INCLUSION IN PRELIMINARY REPORT.] If he finds the improvement petitioned for is feasible, *and complies with the requirements of section 106.021,* he shall include in his report a preliminary plan of the proposed system showing thereon the proposed drain and laterals or other improvements, and the outlet thereof, together with the watershed of such drainage system and the lands and properties likely to be affected, including so far as known the names of the owners thereof. He shall show upon such plan the elevation of the outlet and the controlling elevations of the lands likely to be affected and also the probable size and character of the ditches and laterals necessary to make the plan practicable and feasible. All elevations so far as practical shall be referred to standard sea level datum. He shall show in his report the character of the outlet and the sufficiency thereof and also the probable cost of the drains and improvements shown on his plan, and all other information and data necessary to disclose the practicability, necessity and feasibility of the proposed improvement, *including an analysis of the project as required by section 106.021 and* such other information as the board or court may order.

Sec. 10. Minnesota Statutes 1971, Section 106.081, Subdivision 4, is amended to read:

Subd. 4. [LIMITATION OF SURVEY.] The engineer shall confine his preliminary survey to the drainage area described in the petition, except to secure outlet, unless authorized by order of the board or court, with the consent of the bondsmen, at a hearing after ten days notice by mail to the petitioners and bondsmen; and any investigation made by the engineer as to

outlet, without such order, shall be confined to running the necessary levels to ascertain the distance necessary to secure the proper fall. *The preliminary survey shall include an analysis of the social, economic, and environmental impact of the project as required by section 106.021.*

Sec. 11. Minnesota Statutes 1971, Section 106.091, Subdivision 2, is amended to read:

Subd. 2. [COMMISSIONER'S REPORT.] (UPON REQUEST BY THE BOARD OR COURT THE DIRECTOR SHALL REPORT TO THE BOARD OR COURT GIVING HIS OPINION AS TO SUFFICIENCY OF THE ENGINEER'S REPORT AND AS TO THE PRACTICABILITY AND FEASIBILITY OF THE DRAINAGE SYSTEM OR IMPROVEMENTS SHOWN THEREIN, TOGETHER WITH HIS COMMENTS OR RECOMMENDATIONS THEREON. SUCH REPORT SHALL BE FILED WITH THE AUDITOR OR CLERK ON OR BEFORE THE DATE FIXED FOR THE PRELIMINARY HEARING OR AT ANY CONTINUANCE THEREOF. IF SUCH REPORT IS NOT REQUESTED, THE DIRECTOR MAY, IN HIS DISCRETION, REPORT TO THE BOARD OR COURT.) *The commissioner of natural resources shall report to the board or court giving his opinion as to the sufficiency and adequacy of the engineer's report. The commissioner shall set forth in his report any matters pertaining to the project which should be further investigated and evaluated in accordance with section 106.021. If the commissioner determines that the report is not adequate and sufficient, he shall so report. The commissioner's initial report shall be filed with the auditor or clerk on or before the date fixed for the preliminary hearing or at any continuance thereof. The commissioner may request additional time for review and evaluation of the engineer's report in cases where such additional time can be shown to be necessary for proper evaluation. However, no request for additional time for filing the commissioner's report may be made after five days from the date of notice by the auditor or clerk that a date is to be fixed for the preliminary hearing. No extension of time shall exceed two weeks from the date of the request.*

Sec. 12. Minnesota Statutes 1971, Section 106.101, Subdivision 2, is amended to read:

Subd. 2. [HEARING.] The engineer shall attend the hearing and supply such information as may be necessary. The petitioners and all other parties interested may appear and be heard. (THE DIRECTOR'S REPORT, IF ANY, SHALL BE PUBLICLY READ. SUCH REPORT SHALL BE DEEMED ADVISORY ONLY) *The commissioner's report on the preliminary plan shall be publicly read and included in the record of proceedings.*

Sec. 13. Minnesota Statutes 1971, Section 106.101, Subdivision 4, is amended to read:

Subd. 4. [DISMISSAL.] At said hearing or any adjournment thereof, if it shall appear that the proposed improvement

is not feasible, or that the adverse environmental impact is greater than the public benefit or utility based upon the requirements and criteria required to be considered by section 106.021, and no plan is reported by the engineer whereby it can be made feasible and acceptable, or that it is not of public benefit or utility for any other reason, or that the outlet is not adequate, the petition shall be dismissed.

Sec. 14. Minnesota Statutes 1971, Section 106.101, Subdivision 5, is amended to read:

Subd. 5. [FINDINGS AND ORDER.] If the board or court shall be satisfied that the proposed improvements as outlined in the petition or as modified and recommended by the engineer is feasible, that there is necessity therefor, that it will be of public benefit and promote the public health, *based upon the requirements and criteria required to be considered by section 106.021*, and that the outlet is adequate, the board or court shall so find and by such order shall designate the changes that shall be made in the proposed improvement from that outlined in the petition *including such changes as are necessary to minimize or compensate for adverse impact on the environment*. These changes may be described in general terms and shall be sufficiently described by filing with the order a map outlining the proposed improvement thereon. Thereafter the petition shall be treated as modified accordingly. When the ditch shall outlet into an existing county or judicial ditch, the board or court may find that the outlet is adequate subject to confirmation and permission being obtained in accordance with section 106.531. In such case the board or court shall assign a number to the ditch and the board or court shall proceed to act in behalf of the ditch to obtain outlet rights in accordance with section 106.531.

Sec. 15. Minnesota Statutes 1971, Section 106.121, Subdivision 4, is amended to read:

Subd. 4. [DATA AND REPORT.] The engineer shall prepare and submit the following data and report:

(a) A complete map of the drainage system or improvement drawn to scale, showing thereon (1) the termini and course of each drain and whether open or tile, and the location of all other proposed improvements, (2) the location and situation of the outlet; (3) the watershed of the drainage system and the sub-watershed of main branches, if any, together with the location of existing highway bridges and culverts; (4) all lands and properties affected, together with the names of the owners thereof so far as known; (5) public streets, highways and railways affected; (6) the outlines of any (MEANDERED) lake basin, wetland and public body of water affected; (7) such other physical characteristics of the watershed as may appear necessary for the understanding thereof.

(b) A profile of all lines of ditch proposed showing graphically, the elevation of the ground and gradient at each 100-foot station, the station number at each section line and at each property line, whether open or tiled, the size of tile and the bottom

width and side slope of open ditch sections, and such other information as may appear necessary for the understanding thereof.

(c) Plans for all private bridges and culverts proposed to be constructed by and as a part of the ditch system, together with plans for all other works and items of construction necessary for the completion of the drainage system or improvement. A list showing the required minimum hydraulic capacity of all bridges and culverts at all railway and highway open ditch crossings and at other prospective open ditch crossings where bridges and culverts are not specified to be constructed as a part of the ditch, together with plans and estimates of the cost of highway bridges and culverts required for the information of the viewers in determining benefits and damages.

(d) A tabular statement showing the number of cubic yards of earth to be excavated on all open ditches, the footage of each size of tile on each tile line with the average depth thereof, and all bridges, culverts, works and other construction items required by the plans for the completion of the system, together with the estimated unit cost of each of said items and a summary of the total cost thereof. Such summary shall include an estimate of the cost of fully completing the system, including supervision and other costs thereof.

(e) The acreage which will be required and taken as right of way upon each government lot and 40-acre tract or fraction thereof under separate ownership required for right of way for any open ditch.

(f) Specifications for drain tile shall require that all drain tile used shall comply with the requirements of the American Society for Testing Materials standard specifications for drain tile, except where the depths to which the drains are to be laid or the conditions of the soil, in the opinion of the engineer, require tile of a special and higher quality.

(g) When more economical construction will result, the engineer may recommend that the work be divided into sections and let separately, and that open and tile work or tile and labor thereon be let separately, and the time and manner so far as practicable in which the whole work or any section thereof shall be done.

(h) Such other detail and information as shall appear requisite to fully inform the board or court of the practicability and necessity of the proposed improvements *shall be made available including a comprehensive examination of all requirements of section 106.021*, together with his recommendations thereon.

Sec. 16. Minnesota Statutes 1971, Section 106.131, is amended to read:

106.131 [AUTHORITY OF COMMISSIONER; COMMISSIONER'S REPORT.] Upon the filing of the engineer's report, a complete copy thereof shall be transmitted to the (DIRECTOR) *commissioner* by the auditor or clerk.

The (DIRECTOR) *commissioner* shall examine the same and within (15) 30 days make his report thereon to the board or court. If he finds the report incomplete and not in accordance with the provisions of this chapter, he shall so report. If he approves the same as being (A PRACTICAL) *an acceptable plan* for the drainage of the lands affected, he shall so state. If he does not approve the plan, he shall file his recommendations for changes deemed advisable, or if in his opinion, the proposed system or improvement is not (PRACTICAL) *of public benefit or utility based upon the requirements or criteria required to be considered by section 106.021*, he shall so report. If a soil survey appears advisable, he shall so advise, and in such event the engineer shall make the soil survey and report thereon before the final hearing. The (DIRECTOR'S) *commissioner's* report shall be directed to the board or court and shall be filed with the auditor or clerk. (SUCH REPORT SHALL BE DEEMED ADVISORY ONLY.)

No notice shall issue for the final hearing until the (DIRECTOR'S) *commissioner's* report shall be filed.

Sec. 17. Minnesota Statutes 1971, Section 106.201, is amended to read:

106.201 [ORDER ESTABLISHING.] Subdivision 1. [DISMISSAL.] If it shall appear that the benefits are not more than the total cost, including damages awarded, or that the proposed system will not be of public benefit and utility, or that the same is not practicable, *or that the system does not comply with requirements of section 106.021*, the board or court shall so find and the petition shall be dismissed.

Subd. 2. [ESTABLISHMENT.] If the board or court shall find that the engineer's and viewers' reports have been made and all other proceedings in matter had in accordance with law, that the estimated benefits are greater than the total estimated cost, including damages, that the damages and benefits have been duly determined, that the proposed drainage system will be of public utility and benefit, and will promote the public health, that the proposed system is practicable, and that such reports as made or amended are complete, just and correct, *and comply with requirements of section 106.021*, then the board or court shall by order containing such findings, establish the drainage improvement as reported or amended, and adopt and confirm the viewers' report as made or amended.

Sec. 18. Minnesota Statutes 1971, Section 106.221, Subdivision 2, is amended to read:

Subd. 2. [CHANGES DURING CONSTRUCTION.] The contract shall give the engineer the right, with the consent of the board or court, to modify his reports, plans and specifications as the work proceeds and as circumstances may require. It shall provide that the increased cost resulting from such changes will be paid by the county to the contractor at not to exceed the price for like work in the contract. No change shall be made that will

substantially impair the usefulness of any part of the drainage system or substantially alter its original character or increase its total cost by more than ten percent of the total original contract price. In no event shall any change be made that will cause the cost to exceed the total estimated benefits found by the board or court, or will cause any detrimental effects to the public interest as set forth in section 106.021.

Sec. 19. Minnesota Statutes 1971, Section 106.631, Subdivision 1, is amended to read:

106.631 [APPEALS.] Subdivision 1. [GROUNDS FOR APPEAL.] Any party aggrieved thereby, may appeal to the district court from an order of the board or court made in any proceeding and entered upon its record determining any of the following matters:

- (1) The amount of benefits determined;
- (2) The amount of damages allowed;
- (3) Relative to the allowance of fees or expenses in any proceeding;
- (4) *The sufficiency of the order in meeting the requirements of section 106.021, and any criteria promulgated pursuant thereto.*

Strike the title and insert in lieu thereof:

"A bill for an act relating to natural resources; imposing certain duties on the commissioner of natural resources and counties; providing standards and enforcement of permits for utility crossings; establishing state policy providing for the establishments of standards and criteria governing drainage systems as they affect lakes, wetlands, wildlife lands, related natural resources, and erosion and flood control; amending Minnesota Statutes 1971, Sections 84.415, Subdivisions 1 and 5; 92.46 by adding a subdivision; 106.021, Subdivisions 1, 2 and 4 and by adding a subdivision; 106.081, Subdivisions 1, 3, and 4; 106.091, Subdivision 2; 106.101, Subdivisions 2, 4, and 5; 106.121, Subdivision 4; 106.131; 106.201; 106.221, Subdivision 2; and 106.631, Subdivision 1."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

H. F. No. 1498, A bill for an act relating to environmental protection; establishing the Minnesota environmental quality protection program; providing for the financing thereof through the authorization of personalized license plates for passenger automobiles and the imposition of fees therefor; and appropriating money.

Reported the same back with the following amendments:

Page 2, line 14, strike "the university of Minnesota, and any private research" and insert in lieu thereof "universities or private".

Page 2, line 15, strike "organization" and insert in lieu thereof "organizations".

Page 4, line 5, strike "No combination" and insert in lieu thereof "All combinations".

Page 4, line 6, after "words" insert "to be".

Page 4, line 7, after "be" strike the remainder of the line and insert in lieu thereof "subject to the approval of the commissioner of public safety."

Page 4, line 8, strike all of line 8.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

H. F. No. 1616, A bill for an act relating to flood plain management; amending Minnesota Statutes 1971, Sections 104.01, by adding a subdivision; 104.03, by adding a subdivision; 104.04, Subdivision 3, and by adding subdivisions; and Chapter 104, by adding a section.

Reported the same back with the following amendments:

Page 1, after line 21, insert:

"Sec. 2. Minnesota Statutes 1971, Section 104.03, Subdivision 1, is amended to read:

104.03 [FLOOD PLAINS; COMMISSIONER'S DUTIES; USES OF FLOOD PLAINS.] Subdivision 1. The commissioner shall (a) collect and distribute information relating to flooding and flood plain management; (b) coordinate local, state, and federal flood plain management activities to the greatest extent possible, *and to this end shall encourage the United States army corps of engineers and the United States soil conservation service to make their flood control planning data available to local governmental units for planning purposes, in order to allow adequate local participation in the planning process and in the selection of desirable alternatives*; (c) assist local governmental units in their flood plain management activities within the limits of available appropriations and personnel in cooperation with the office of local and urban affairs and the state planning officer; (d) do all other things, within his lawful authority, which are necessary or desirable to manage the flood plains for beneficial uses compatible with the preservation of the capacity of the flood plain to carry and discharge the region-

al flood. In cooperation with local governmental units, the commissioner shall conduct, whenever possible, periodic inspections to determine the effectiveness of local flood plain management programs, including an evaluation of the enforcement of and compliance with local flood plain management ordinances.”.

Page 4, line 15, strike “*may*” and insert in lieu thereof “*shall*”.

Page 4, line 21, strike “*This additional*”.

Page 4, strike lines 22 to 24.

Page 4, line 25, strike “*amount whatsoever*”.

Page 6, line 2, after “*upon*” insert “*the day following its*”.

Re-number the remaining sections.

Further, amend the title on page 1, line 5, after “104.03,” insert “Subdivision 1, and”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

H. F. No. 1720, A bill for an act relating to state parks; authorizing additional lands to be included within the boundaries of Sibley state park.

Reported the same back with the following amendments:

Page 2, line 3, after “33” insert “, township 122 north, range 22 west”.

Page 2, line 6, after “34” insert “, township 122 north, range 22 west”.

Page 2, line 7, strike the semicolon and insert in lieu thereof a period and strike the remainder of the line.

Page 2, line 8, strike “range 35 west”.

Page 2, line 8, after “3” and before the semicolon insert “, township 121 north, range 35 west”.

Page 2, line 8, after “4” insert “, township 121 north, range 35 west”.

Page 2, line 10, after “1973” strike “; all in township 121 north, range 35 west”.

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

H. F. No. 1767, A bill for an act relating to natural resources; establishing the volunteers in parks program and specifying the powers and duties of the commissioner of natural resources in relation thereto; appropriating money; amending Minnesota Statutes 1971, Chapter 85, by adding a section; and Section 176.011, Subdivision 9.

Reported the same back with the following amendments:

Page 4, strike all of Sec. 3. being lines 16 through 19.

Renumber the following section.

Further, amend the title as follows:

Page 1, line 7, strike "appropriating money;"

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1119, A bill for an act relating to insurance, governmental units; requiring that contracts for employee group insurance be let on competitive bidding; providing for the disclosure of the particulars of such policies of the insurance.

Reported the same back with the following amendments:

Page 1, line 25, strike "19" and insert in lieu thereof "20".

Page 2, line 2, strike "or" and insert in lieu thereof "and".

Page 2, line 4, after "examiner" and before "the" insert "within five months of the annual anniversary date of the contract".

Page 2, line 8, after "by" strike "its federal agencies and units" and insert in lieu thereof "employers not otherwise exempt".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Fudro from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1506, A bill for an act relating to elections; providing for registration of the elderly and disabled at their residences; amending Minnesota Statutes 1971, Section 201.20, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1971, Section 201.05, is amended to read:

201.05 [COMMISSIONER, DUTIES, HOURS.] The commissioner of registration shall have complete charge of the registration of all voters in the municipality. He shall provide such printed forms, blanks and other supplies and equipment as are necessary to properly carry out the provisions of sections 201.01 to 201.27. Subject to the provisions of sections 201.01 to 201.27, he shall prescribe such reasonable rules and regulations as to the hours during which his office shall be open and as to the places and manner of registration as may be necessary. The office of the commissioner shall remain open until 9:00 P.M. on the last registration day and for at least two days not including Saturdays, Sundays, and legal holidays immediately preceding the last registration day. For the purpose of issuing certificates of eligibility to vote pursuant to section 204.075, the office of the commissioner shall remain open during posted office hours during the 30 days preceding election, except for the day of election and the day preceding that day. He shall appoint such deputies, clerks, and other employees as may be necessary. *Volunteer deputies may be appointed, if they are registered voters, can be expected to perform in a nonpartisan manner, and meet other reasonable criteria as established by the governing body of the municipality.*

Sec. 2. Minnesota Statutes 1971, Section 201.20, is amended by adding a subdivision to read:

Subd. 1a. [REGISTRATION OF THE ELDERLY AND DISABLED.] Within four months prior to each statewide election the commissioner, or a person or persons designated by him, shall visit all senior citizens apartment houses and nursing homes in the registration district where reside 25 or more persons entitled to vote, and shall there register all such persons who wish to be registered and whom the commissioner or his designate find to be entitled to vote. The commissioner shall also provide that the residents of such dwellings receive adequate notice of the date and hour of the registration visit provided for by this subdivision.

Sec. 3. Minnesota Statutes 1971, Section 201.20, is amended by adding a subdivision to read:

Subd. 1b. [REGISTRATION OF ELIGIBLE VOTERS AT VARIOUS LOCATIONS.] The commissioner must comply with any reasonable request from a nonpartisan source to register persons at a publicly accessible location including but not limited to a shopping center, school, community center, public housing facilities or dormitories if the person responsible for management of the location agrees to permit registration there."

Further amend the title by striking it in its entirety and inserting:

"A bill for an act relating to elections; providing for the appointment of volunteer deputies; providing for the registration of the elderly and disabled at their residences, and for the registration of other eligible voters at various locations; amending Minnesota Statutes 1971, Sections 201.05; and 201.20, by adding subdivisions."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Fudro from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 2093, A bill for an act relating to charitable organizations; solicitation; limitations and prohibitions; licensing and bonding of professional fund raisers; disclosures required; amending Minnesota Statutes 1971, Sections 309.50, Subdivisions 2, 3 and 5, and by adding subdivisions; 309.51, Subdivisions 1 and 2; 309.52, Subdivision 1; 309.53, Subdivision 1; 309.54, Subdivision 1; 309.55, by adding subdivisions; 309.555; 309.56; 309.58; 309.60; and Chapter 309, by adding sections.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1971, Section 309.50, Subdivision 2, is amended to read:

Subd. 2. "Person" means any individual, organization, group, *firm, copartnership, association, partnership, corporation, company, (OR) trust or joint stock association, church, religious sect, religious denomination, society, or league, and includes any trustee, receiver, assignee, agent or other similar representative thereof.*

Sec. 2. Minnesota Statutes 1971, Section 309.50, Subdivision 3, is amended to read:

Subd. 3. "Charitable purpose" means *and includes any charitable, benevolent, philanthropic, patriotic, religious, social service, welfare, educational, or eleemosynary purpose, either actual or purported.*

Sec. 3. Minnesota Statutes 1971, Section 309.50, Subdivision 5, is amended to read:

Subd. 5. "Contribution" means the promise or grant of any money or property of any kind or value, including the promise to pay, or payment for merchandise or rights of any other description when representation is made by or on behalf of the seller or solicitor that the whole or any part of the price will be applied to a charitable purpose. (REFERENCE TO THE DOLLAR AMOUNT OF "CONTRIBUTIONS" IN SECTION 309.51, SUBDIVISION 2(C) MEANS IN THE CASE OF PROMISES TO PAY, OR PAYMENT FOR MERCHANDISE OR RIGHTS

OF ANY OTHER DESCRIPTION THE VALUE OF THE TOTAL AMOUNT PROMISED TO BE PAID OR PAID FOR SUCH MERCHANDISE OR RIGHTS AND NOT MERELY THAT PORTION OF THE PURCHASE PRICE TO BE APPLIED TO A CHARITABLE PURPOSE.) "Contributions" shall not include any funds obtained by a charitable organization through grants from any governmental agency. "Contributions" shall include, in the case of a charitable organization offering goods and services to the public, the difference between the direct cost of the goods and services to the charitable organization and the price at which the charitable organization or any person acting on its behalf resells those goods or services to the public.

Sec. 4. Minnesota Statutes 1971, Section 309.50, is amended by adding subdivisions to read:

Subd. 7. "Department" means the securities division of the department of commerce.

Subd. 8. "Parent organization" is that part of a charitable organization which coordinates, supervises or exercises control over policy, fund-raising, and expenditures, or assists or advises one or more chapters, branches or affiliates in the state.

Subd. 9. "Solicit" and "solicitation" mean the request directly or indirectly for any contribution on the plea or representation that such contribution will or may be used for any charitable purpose, and also mean and include any of the following methods of securing contributions:

- (1) Oral or written request;
- (2) The distribution, circulation, mailing, posting, or publishing of any handbill, written advertisement, or publication;
- (3) The making of any announcement to the press, over the radio, by television, by telephone, or telegraph concerning an appeal, assemblage, athletic or sports event, bazaar, benefit, campaign, contest, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale, or social gathering, which the public is requested to patronize or to which the public is requested to make a contribution;
- (4) The sale of, offer, or attempt to sell, any advertisement, advertising space, book, card, magazine, merchandise, subscription, ticket of admission, or any other thing, or the use of the name of any charitable person in any offer or sale as an inducement or reason for purchasing any such item, or the making of any statement in connection with any such sale, that the whole or any part of the proceeds from any such sale will be used for any charitable purpose. A "solicitation" as defined herein shall be deemed completed when made, whether or not the person making the same receives any contribution or makes any such sale.

Sec. 5. Minnesota Statutes 1971, Section 309.51 is repealed.

Sec. 6. Minnesota Statutes 1971, Chapter 309, is amended by adding a section to read:

[309.515] [EXEMPTIONS.] *Subdivision 1. Subject to the provisions of Subdivisions 2 and 3 of this section, Sections 309.52 and 309.53 shall not apply to any of the following:*

(a) *charitable organizations:*

(1) *which did not receive total contributions in excess of \$2,000 from the public within or without this state during the accounting year last ended, and*

(2) *which do not plan to receive total contributions in excess of such amount from the public within or without this state during any accounting year, and*

(3) *whose functions and activities, including fund raising, are performed wholly by persons who are unpaid for their services, and*

(4) *none of whose assets or income inure to the benefit of or are paid to any officer.*

For purposes of this chapter, a charitable organization shall be deemed to receive in addition to such contributions as are solicited from the public by it, such contributions as are solicited from the public by any other person and transferred to it. Any organization constituted for a charitable purpose receiving an allocation from a community chest, united fund or similar organization shall be deemed to have solicited that allocation from the public.

(b) *any group or association serving a bona fide religious purpose when the solicitation is connected with such a religious purpose, nor shall such sections apply when the solicitation for such a purpose is conducted for the benefit of such a group or association by any other person with the consent of such group or association. Nothing contained in sections 309.50 to 309.61 shall prevent such a group or association or any such other person from voluntarily filing a registration statement or annual report under sections 309.52 and 309.53.*

(c) *Any educational institution which is under the general supervision of the state board of education, the state college board, the state junior college board, or the University of Minnesota or any educational institution which is accredited by the University of Minnesota or the North Central Association of Colleges and Secondary Schools, or by any other national or regional accrediting association.*

(d) *A fraternal, patriotic, social, educational, alumni, professional, trade or learned society which limits solicitation of contributions to persons who have a right to vote as a member. The term "member" shall not include those persons who are granted a membership upon making a contribution as the result of a solicitation.*

(e) *A charitable organization soliciting contributions for any person specified by name at the time of the solicitation if all of the contributions received are transferred to the person*

named with no restrictions on his expenditure of it and with no deductions whatsoever.

Subd. 2. Where any such group or association or person soliciting for the benefit of such group or association described in clauses (a), (b) and (d) of subdivision 1, employs a professional fund raiser to solicit or assist in the solicitation of contributions, sections 309.52 and 309.53 shall apply and such group or association or person shall file a registration statement as provided in section 309.52 and an annual report as provided in section 309.53.

Subd. 3. The Department may, by written order or regulation, suspend or wholly revoke the exempt status of any charitable organization or any group of charitable organizations exempted by this section or may require, prior to a solicitation by a charitable organization exempt by the provisions hereof, such information with respect thereto as the Department may deem necessary to protect the public interest.

Sec. 7. Minnesota Statutes 1971, Section 309.52, Subdivision 1, is amended to read:

309.52 [REGISTRATION REQUIREMENT.] Subdivision 1. (EVERY) No charitable organization, except as otherwise provided in section (309.51) b, (WHICH SOLICITS) shall solicit contributions from persons in this state by any means whatsoever (SHALL) unless, prior to any solicitation, there shall be on file with the department (OF COMMERCE, DIVISION OF LICENSING AND CONSUMER SERVICES) upon forms provided by the department, a registration statement (WHICH SHALL INCLUDE) containing, without limitation, the following information:

- (a) Legally established name.
- (b) Name or names under which it solicits contributions.
- (c) Form of organization.
- (d) Date and place of (INCORPORATION, IF ANY) organization.
- (e) Address of principal office in this state, or, if none, the name and address of the person having custody of books and records within this state.
- (f) Names and addresses of officers, directors, trustees, and chief executive officer.
- (g) Federal and state tax exempt status.
- (h) Denial at any time by any governmental agency or court of the right to solicit contributions.
- (i) Date on which accounting year of the charitable organization ends.
- (j) General purposes for which organized.

(k) General purposes for which contributions to be solicited will be used.

(l) Methods by which solicitation will be made.

(m) Copies of contracts between charitable organization and professional fund raisers relating to financial compensation or profit to be derived by the professional fund raisers. Where any such contract is executed after filing of the registration statement, a copy thereof shall be filed within seven days of the date of execution.

(n) Board, group or individual having final discretion as to the distribution and use of contributions received.

(o) The amount of total contributions received during the accounting year last ended.

(p) Such other information as the department may by rule or order require to promote fairness of the solicitation and to assure full and fair disclosure of all material information to the department.

Sec. 8. Minnesota Statutes 1971, Section 309.53, Subdivision 1, is amended to read:

309.53 [ANNUAL REPORT.] Subdivision 1. Except as otherwise provided in subdivision 1a of this section, every charitable organization required to file a registration statement pursuant to section 309.52 shall file an annual report with the department of commerce (, DIVISION OF LICENSING AND CONSUMER SERVICES) upon forms provided by the department or on forms identical thereto on or before June 30 of each year if its books are kept on a calendar year basis, or within six months after the close of its fiscal year if its books are kept on a fiscal year basis. For cause shown the (ATTORNEY GENERAL) *department* may extend the time for filing the annual report for a period not to exceed three months. The annual report shall be accompanied by a filing fee of (\$5) \$10 which shall be deposited in the state treasury.

Sec. 9. Minnesota Statutes 1971, Chapter 309, is amended by adding a section to read:

[309.531] [LICENSING OF PROFESSIONAL FUND RAISERS; BOND REQUIRED.] *Subdivision 1. No person shall act as a professional fund raiser unless licensed by the department. Applications for a license shall be in writing, under oath, in the form prescribed by the department and shall be accompanied by an application fee of \$25. Each license shall be effective for a period of not more than 12 months from the date of issuance, and in any event shall expire on July 30 next following the date of issuance.*

Subd. 2. The department shall have the power, in connection with any application for license as a professional fund raiser, to require the applicant to file a surety bond in such amount, not exceeding \$20,000, and containing such terms and

conditions as the department determines are necessary and appropriate for the protection of the public. The applicant may deposit cash in and with a depository acceptable to the department in such amount and in such a manner as may be prescribed and approved by the department in lieu of the bond.

Subd. 3. No professional fund raiser shall solicit in the name of or in behalf of any charitable organization unless such solicitor has written authorization from two officers of such organization, a copy of which shall be filed with the department. Such written authorization shall bear the signature of the solicitor and shall expressly state on its face the period for which it is valid, which shall not exceed one year from the date issued.

Subd. 4. The department may require that any licensed professional fund raiser submit financial reports, not more frequently than quarterly, in such form and containing such information as the department by rule or order requires.

Sec. 10. Minnesota Statutes 1971, Section 309.54, Subdivision 1, is amended to read:

309.54 [PUBLIC RECORD.] Subdivision 1. Registration statements, annual reports, and other documents required to be filed shall become public records in the office of the department (OF COMMERCE, DIVISION OF LICENSING AND CONSUMER SERVICES).

Sec. 11. Minnesota Statutes 1971, Section 309.55, is amended by adding subdivisions to read:

Subd. 4. No charitable organization and no person acting on behalf of a charitable organization shall use any uniformed personnel of any local, state or federal agency or department to solicit contributions.

Subd. 5. No charitable organization and no person acting on behalf of a charitable organization shall use or employ any fraud, false pretense, false promise, misrepresentation, misleading statement or deceptive practice with the intent that others rely thereon in connection with any charitable solicitation.

Subd. 6. No person shall, either in his own right or as agent, officer or employee of a charitable organization sell or otherwise furnish for a consideration to any other person any list of contributors.

Sec. 12. Minnesota Statutes 1971, Section 309.555, is amended to read:

309.555 [LIMITATIONS ON CHARITABLE EXPENDITURES.] Subdivision 1. Except as provided in subdivision 2, no charitable organization shall pay or agree to pay to any professional fund raiser as compensation for his services or as reimbursement for expenses, or both, an amount in excess of 30 percent of the (TOTAL) gross amount of moneys, funds, pledges or other property raised or received by such professional fund raiser in the name of the charitable organization.

Subd. 2. In the event that goods or services are provided to the public in connection with charitable solicitation, when a professional fund raiser is employed, no charitable organization shall pay or agree to pay to any professional fund raiser as compensation for his services or as reimbursement for expenses, or both, an amount in excess of 30 percent of the difference between the cost to the charitable organization of all goods and services sold by the professional fund raiser, and the amount for which said goods and services are sold.

Subd. 3. Compensation paid or agreed to be paid to a professional fund raiser shall include the reasonable cost of any expense, whether in money or in kind, incurred by a charitable organization pursuant to an agreement or contract with a professional fund raiser for the solicitation of charitable contributions. A charitable organization shall be deemed to have paid or agreed to pay any portion of such moneys, funds, pledges or other properties retained by the professional fund raiser pursuant to a contract with the charitable organization.

Subd. 4. No person shall use the name of a charitable organization for financial compensation or profit unless the charitable organization has consented to the use of its name in a contract with the person. The contract shall:

(a) be in writing, and a copy thereof shall be filed with the department within seven days of the date of execution;

(b) disclose the amount of financial compensation or profit to be retained by the person;

(c) disclose the percentage of the total gross amount of moneys, funds, pledges or other property raised or received or to be raised or received in connection with the use of the name of the charitable organization which will be given to the charitable organization.

Sec. 13. Minnesota Statutes 1971, Chapter 309, is amended by adding a section to read:

[309.556] [PUBLIC DISCLOSURE REQUIREMENTS.]
In connection with any charitable solicitation, the following information shall be clearly disclosed:

(a) The name, address and telephone number of each charitable organization on behalf of which the solicitation is made;

(b) The percentage of the contribution which may be deducted as a charitable contribution under both federal and state income tax laws.

If the solicitation is made by direct contact, the required information shall be disclosed prominently on a card which shall be exhibited to the person solicited. If the solicitation is made by radio, television, letter, telephone or any other means not in

volving direct personal contact, the required information shall be clearly disclosed in the solicitation.

Sec. 14. Minnesota Statutes 1971, Section 309.56, is amended to read:

309.56 [SERVICE OF PROCESS.] Subdivision 1. Any charitable organization *or professional fund raiser* which solicits contributions in this state, but does not maintain an office within the state shall be subject to service of process, as follows:

(a) By service thereof on its registered agent within the state, or if there be no such registered agent, then upon the person who has been designated in the registration statement as having custody of books and records within this state; where service is effected upon the person so designated in the registration statement a copy of the process shall, in addition, be mailed to the charitable organization *or professional fund raiser* at its last known address;

(b) When a charitable organization *or professional fund raiser* has solicited contributions in this state, but maintains no office within the state, has no registered agent within the state, and no designated person having custody of its books and records within the state, or when a registered agent or person having custody of its books and records within the state cannot be found as shown by the return of the sheriff of the county in which such registered agent or person having custody of books and records has been represented by the charitable organization *or professional fund raiser* as maintaining an office, service may be made by delivering to and leaving with the (DEPARTMENT OF COMMERCE, DIVISION OF LICENSING AND CONSUMER SERVICES), *Commissioner of Securities of the Department of Commerce* (OR WITH ANY DEPUTY OR CLERK IN THE OFFICE,) three copies thereof and a fee of \$6.

(c) Following service upon the (DEPARTMENT) *Commissioner of Securities of the Department of Commerce* the provisions of law relating to service of process on foreign corporations contained in Minnesota Statutes 1957, Section 303.13, Subdivisions 2, 3, 4, and 5, shall thereafter govern.

Subd. 2. The solicitation of any contribution within this state shall be deemed to be the agreement of the charitable organization *or professional fund raiser* that any process against it which is so served in accordance with the provisions of this section shall be of the same legal force and effect as if served personally within this state.

Sec. 15. Minnesota Statutes 1971, Section 309.58, is amended to read:

309.58 [VIOLATIONS: WITNESSES; TESTIMONY.] (SUBDIVISION 1.) Whenever the *department or the attorney general* has reason to believe that a violation of sections 309.50 to 309.61 has been committed or may be committed by a charitable organization *or professional fund raiser*, or its officers,

directors, trustees, agents or servants, (HE) *either the Department or the attorney general* may request information relevant to the provisions of sections 309.50 to 309.61 from such charitable organization or professional fund raiser. If, in the opinion of the department or the attorney general, such charitable organization or professional fund raiser, through its managing group, fails to furnish the information requested, or fails to satisfy the department or the attorney general that the charitable organization or professional fund raiser or its officers, directors, trustees, agents or servants do not have or cannot acquire the information requested, (HE MAY CANCEL) the registration statement of such charitable organization or the license of the professional fund raiser may be suspended, revoked or censured by the Department in accordance with the provisions of Section 18 of this act. (SUCH CANCELLATION SHALL BE EFFECTED BY NOTIFICATION OF HIS DECISION TO THE ORGANIZATION AND ANY FURTHER SOLICITATION AFTER FIVE DAYS FROM THE MAILING OF SUCH NOTIFICATION FOR THE PURPOSES OF THIS SECTION SHALL BE DEEMED GIVEN WHEN MAILED TO THE ORGANIZATION NAMED IN THE REGISTRATION STATEMENT AT THE ADDRESS THERE STATED PURSUANT TO PARAGRAPH (E) OF SECTION 309.52, SUBDIVISION 1.

SUBD. 2. ANY CHARITABLE ORGANIZATION WHOSE REGISTRATION STATEMENT HAS BEEN CANCELLED MAY BRING AN ACTION IN THE DISTRICT COURT FOR REINSTATEMENT OF THE REGISTRATION. IF THE COURT FINDS THAT THE REQUESTED INFORMATION WAS NOT REASONABLY RELEVANT TO THE PURPOSES OF SECTIONS 309.50 TO 309.61 OR THAT THERE WAS VALID REASON OR EXCUSE FOR THE FAILURE TO FURNISH THE REQUESTED INFORMATION, OR THAT THE CANCELLATION WAS NOT EFFECTED IN ACCORDANCE WITH THE PROVISIONS OF SUBDIVISION 1, IT SHALL ORDER REINSTATEMENT OF THE CANCELLED REGISTRATION UPON SUCH TERMS AS MAY BE PROPER UNDER THE CIRCUMSTANCES.)

Sec. 16. Minnesota Statutes 1971, Chapter 309, is amended by adding a section to read:

[309.591] [RULE MAKING POWER.] *The commissioner of Securities of the Department of Commerce may promulgate such rules as are reasonably necessary to carry out and make effective the provisions and purposes of this chapter.*

Sec. 17. Minnesota Statutes 1971, Section 309.60, is amended to read:

309.60 [RECIPROCAL AGREEMENTS, OTHER STATES.] The department (OF COMMERCE, DIVISION OF LICENSING AND CONSUMER SERVICES) may enter into reciprocal agreements with a like authority of any other state or states for the purpose of exchanging information made available to the department or to such other like authority.

Sec. 18. Minnesota Statutes 1971, Chapter 309, is amended by adding a section to read:

[309.532] [DENIAL, SUSPENSION AND REVOCATION OF LICENSES.] *Subdivision 1. The department may by order deny any application, suspend or revoke any license or registration, or may censure a licensee or registrant if it finds (1) that the order is in the public interest, and (2) that the applicant, registrant or licensee:*

(a) *has filed an application for a license or registration which is incomplete in any material respect or contains any statement which, in light of the circumstances under which it is made, is false or misleading with respect to any material fact;*

(b) *has engaged in a fraudulent, deceptive or dishonest practice;*

(c) *is permanently or temporarily enjoined by any court of competent jurisdiction from engaging in or continuing any conduct or practice involving any aspect of charitable solicitations; or*

(d) *has violated or failed to comply with any provision of this chapter or any rule or order under this chapter.*

Subd. 2. The Commissioner of Securities of the Department of Commerce may promulgate rules and regulations further specifying and defining those actions and omissions which constitute fraudulent, deceptive or dishonest practices, and establishing standards of conduct for professional fund raisers.

Subd. 3. The department may issue an order requiring a licensee or registrant or applicant for a license or registration to show cause why the license or registration should not be revoked or suspended or the application denied. The order shall be calculated to give reasonable notice of the time and place for hearing thereon, and shall state the reasons for the entry of the order. All hearings shall be conducted in accordance with the provisions of Minnesota Statutes, Chapter 15. After the hearing, the department shall enter an order making such disposition of the matter as the facts require. If the licensee, registrant or applicant fails to appear at a hearing of which he has been duly notified, such person shall be deemed in default, and the proceeding may be determined against him upon consideration of the order to show cause, the allegations of which may be deemed to be true.

Subd. 4. The hearing may be conducted by a hearing examiner. The examiner shall make proposed findings of fact and submit them to the department. The department shall have the power to compel the attendance of witnesses, to examine them under oath, to require the production of books, papers and other evidence, and to issue subpoenas and cause the same to be served and executed in any part of the state.

Subd. 5. Orders of the department shall be subject to judicial review pursuant to Minnesota Statutes, Chapter 15.

Subd. 6. The Commissioner of Securities of the Department of Commerce may promulgate rules of procedure concerning all hearings and other proceedings conducted pursuant to this chapter."

Further amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to charitable organizations; solicitation; limitations and prohibitions; licensing and bonding of professional fund raisers; disclosures required; amending Minnesota Statutes 1971, Sections 309.50, Subdivisions 2, 3, 5, and by adding subdivisions; 309.52, Subdivision 1; 309.53, Subdivision 1; 309.54, Subdivision 1; 309.55, by adding subdivisions; 309.555; 309.56; 309.58; 309.60; and Chapter 309, by adding sections; repealing Minnesota Statutes 1971, Section 309.51."

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Fudro from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 2111, A bill for an act relating to elections; permitting voting compartments when electronic voting systems are in use; amending Minnesota Statutes 1971, Section 206.026, Subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 21, insert the following:

"Sec. 2. Minnesota Statutes 1971, Section 203.10, Subdivision 2, is amended to read:

Subd. 2. [BOOTHES, EQUIPMENT.] Each polling place shall consist of a single room, containing a number of booths or compartments in proportion to the number of voters in the precinct. Each booth shall be six feet high, three feet deep, and at least two feet wide, with a shelf, at least one foot wide, extending from side to side at a convenient height for writing, to be provided with a door or curtain so that the voter may be free from observation while marking his ballot. *Each compartment shall be constructed so that the voter may be free from observation while marking his ballot.* At all times when in use (IT) the booths and compartments shall be provided with instructions, an indelible pencil, and other supplies needful in marking the ballots. The boxes, booths, compartments, and judges shall be in open public view."

Further amend the title as follows: page 1, line 5, after "1971," strike "Section" and insert "Sections 203.10, Subdivision 2; and".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Fudro from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 2150, A bill for an act relating to the athletic commission; amending Minnesota Statutes 1971, Section 341.07.

Reported the same back with the following amendments:

Page 1, line 16, strike "restriction" and insert "statement".

Page 1, lines 16 and 17, restore the stricken language "boxing or sparring exhibitions may be held on any Sunday".

Also on line 17, restore the stricken language "and that".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 358, A bill for an act relating to teachers retirement association; amending Minnesota Statutes 1971, Sections 136.80, Subdivision 1; 136.82, Subdivision 2; 354.05, Subdivision 25; 354.07, Subdivision 1; 354.09, Subdivision 3; 354.145; 354.31; 354.32; 354.33, Subdivisions 1, 5, 7, 8 and 9; 354.39; 354.41, Subdivision 3; 354.42, Subdivisions 2, 3 and 5; 354.44, Subdivisions 2, 6 and 7; 354.45, Subdivision 2; 354.48, Subdivision 3; 354.50, by adding a subdivision; 354.55, Subdivisions 3 and 5, and by adding subdivisions; 354.62, Subdivisions 2 and 5; and 354.63, Subdivision 2; 11.25, by adding a subdivision; repealing Minnesota Statutes 1971, Section 354.09, Subdivision 5.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1971, Section 136.80, Subdivision 1, is amended to read:

136.80 [SUPPLEMENTAL RETIREMENT] Subdivision 1. A supplemental retirement plan for personnel employed by the state college board and the state junior college board who are in the unclassified service of the state commencing (WITH SERVICE UNDER THEIR THIRD) *July 1 following the completion of the second year of their full time contract* shall be covered under the terms and conditions of sections 136.81 to 136.86.

Sec. 2. Minnesota Statutes 1971, Section 136.82, Subdivision 2, is amended to read:

Subd. 2. A person having shares to the credit of his employee's share account record, who is authorized to request redemption of such shares pursuant to paragraphs (1) or (2) of Subdivision 1 of this section, or a surviving spouse of such person who is authorized to request redemption of such shares pursuant

to paragraph (3) of Subdivision 1 of this section, may, if he requests redemption within one year before or after the date on which the person or spouse is entitled to request such redemption, redeem all or part of such shares, and for the purpose of purchasing an annuity as herein provided (and such election to purchase an annuity may be made only once by any individual) deposit the cash realized on such redemption with the board of trustees of the teachers retirement fund and receive in exchange therefor an annuity for life or an optional annuity as hereinafter provided. In the event such election is made prior to the date on which he is entitled to such redemption, the redemption shall not be made prior to date upon which he would be entitled thereto. The annuity purchase rates shall be based on (THE 1937 STANDARD ANNUITY TABLE OF MORTALITY SET BACK TWO YEARS,) *an appropriate annuity table of mortality* with interest (AT THE RATE OF THREE AND ONE-HALF PERCENT, AND SHALL BE CALCULATED SEPARATELY AS TO SEX) *as provided in section 354.07, subdivision 1.* The amount of the annuity for life is an amount equal to the annuity which could be purchased with the cash realized on the redemption of the shares. The board of trustees of the teachers retirement fund shall establish an optional joint and survivor annuity, an optional annuity payable for a period certain and for life thereafter, and an optional guaranteed refund annuity paying the annuitant a fixed amount for life with the guarantee that in the event of death the balance of the cash realized from the redemption of shares will be paid to the designated beneficiary. Such optional forms of annuity shall be actuarially equivalent to the normal annuity for life. In establishing these optional forms the board of trustees shall obtain the written recommendation of an approved actuary and these recommendations shall be a part of the permanent records of the board of trustees.

Sec. 3. Minnesota Statutes 1971, Section 354.05, Subdivision 25, is amended to read:

Subd. 25. [FORMULA SERVICE CREDIT.] "Formula service credit" means any allowable service credit as defined in subdivision 13 except as provided in this subdivision:

(1) Any service rendered prior to July 1, 1951, for which payments were made pursuant to subdivision 13 except as provided in section 354.09, subdivision 4, as determined by multiplying the number of years of service established in the records of the teachers retirement fund as of July 1, 1961 by the ratio obtained between the total amount paid and the maximum amount payable for such years, and/or

(2) Any service rendered prior to July 1, 1957 for which payments were made pursuant to section 354.09, subdivision 4, as determined by multiplying the number of years of service established in the records of the teachers retirement fund by the ratio obtained between the total amount paid and the maximum amount payable for such years, and/or

(3) Any service rendered where contributions were made and no allowable service credit was established because of the limitations contained in Minnesota Statutes 1967, Section 354.09, Subdivision 2, and Minnesota Statutes 1957, Section 135.09, Subdivision 2, as determined by the ratio between the amounts of money credited to his account in a fiscal year and the maximum retirement contribution allowable for such year. *For purposes of this subdivision, the maximum contribution allowable after July 1, 1967, shall be defined as the maximum in effect immediately prior to such date, and/or*

(4) Any service rendered for which contributions were not made in full as determined by the ratio between the amounts of money credited to his account in a fiscal year and the retirement contribution payable for such fiscal year pursuant to sections 354.32, 354.42, and 354.51.

(5) No period of service shall be counted more than once for purposes of this subdivision.

Sec. 4. Minnesota Statutes 1971, Section 354.07, Subdivision 1, is amended to read:

354.07 [POWERS OF THE BOARD.] Subdivision 1. The board shall have, and is hereby granted, power to frame bylaws for its own government and for the management of the fund not inconsistent with the laws of the state and to modify them at pleasure; to adopt, alter, and enforce reasonable rules and regulations not inconsistent with the laws of the state for the administration and management of the fund, for the payment and collection of payments from members, and for the payment of withdrawals and benefits; to pass upon and allow or disallow all applications for membership in the fund and for credit for teaching service; to pass upon and allow or disallow all claims for withdrawals, pensions, or benefits payable from the fund; *to adopt an appropriate mortality table based on experience of the fund as recommended by the association actuary, with interest at the rate of five percent*; to provide for the payment out of the fund of all necessary expenses for the administration thereof and of all claims for withdrawals, pensions, or benefits allowed.

Sec. 5. Minnesota Statutes 1971, Section 354.09, Subdivision 3, is amended to read:

Subd. 3. If a member is granted ((1)) a Sabbatical leave (OR (2) A LEAVE FOR EDUCATIONAL PURPOSES IN ANY FOREIGN COUNTRY UNDER A SCHOLARSHIP RECEIVED FROM THE BOARD OF FOREIGN SCHOLARSHIPS OR (3) A LEAVE FOR PERFORMING INTERCHANGE TEACHING SERVICE IN A FOREIGN COUNTRY PURSUANT TO FEDERAL LAW OR (4) A LEAVE TO PARTICIPATE IN WORK OF THE NATIONAL SCIENCE FOUNDATION), he may receive allowable service credit not exceeding three years in any ten consecutive years toward a retirement annuity by paying into the fund employee contributions

during the period of leave. The employee contribution shall be based upon the *appropriate* rate of contributions (PAID) and the salary received during the year immediately preceding the leave. (THIS SUBDIVISION ALSO APPLIES TO ANY SUCH SERVICE OCCURRING PRIOR TO ITS ENACTMENT PROVIDED THAT THE PAYMENTS INTO THE RETIREMENT FUND FOR ANY YEAR PRIOR TO JULY 1, 1953, SHALL NOT EXCEED \$175.00 AND FOR ANY YEAR FROM JULY 1, 1953, TO JUNE 30, 1955, SUCH PAYMENTS SHALL NOT EXCEED \$216 AND FOR ANY YEAR PRIOR TO JULY 1, 1965, SUCH PAYMENT SHALL NOT EXCEED \$200 AND FOR ANY YEAR PRIOR TO JULY 1, 1967, PAYMENT SHALL NOT EXCEED \$432 AND FOR ANY SUBSEQUENT YEAR PAYMENT SHALL BE MADE PURSUANT TO SECTION 354.32, SUBDIVISION 1 AND SECTION 354.42, SUBDIVISION 2.) *This payment must be made within one year following termination of leave of absence. These payments shall be without interest. A member shall not accrue more than three years allowable service by reason of this section unless the allowable service credit was paid for by the member prior to July 1, 1962. A sabbatical leave for the purpose of this subdivision must be compensated by a minimum of one-third of the salary the member received during the prior fiscal year. If the employee contributions during the period of the leave are less than the contributions based on the salary received during the year immediately preceding the leave, his formula service credit shall be prorated according to section 354.05, subdivision 25, clause (4).*

Sec. 6. Minnesota Statutes 1971, Section 354.145, is amended to read:

354.145 [ELECTION OF BENEFITS, FORMS.] Subdivision 1. Any member who elects to have his benefits at retirement calculated under the provisions of section 354.33, subdivision 1, or subdivisions 7, 8, or 9, shall make such election on forms provided by the board of trustees according to the following provisions:

(1) (EXCEPT AS PROVIDED IN CLAUSE (4),) Each member in the fund who rendered teaching service or was on an approved leave of absence during the 1968-69 school year or each member who has at least 20 years of allowable service credit as of July 1, 1969 may elect before July 1, 1972 or prior to retirement whichever is first, to have his benefits at retirement calculated under the provisions of section 354.33, subdivision 1, or subdivisions 7, 8, or 9. The effective date of these options is July 1 of the fiscal year following the fiscal year in which the election is made or date of retirement, whichever is earlier.

(2) *Each member of the fund who rendered teaching service or was on an approved leave of absence during the 1968-69 school year or each member who has at least 20 years of allowable service credit as of July 1, 1969 may elect before retirement to have his benefits at retirement calculated under the provisions of section 354.33, subdivision 8 or 9. The effective date of this elec-*

tion is July 1 of the fiscal year following the fiscal year in which the election is made or date of retirement, whichever is earlier. The benefits provided under this clause are the sum of the benefits provided under section 354.33, subdivision 7 or 8 and section 354.33, subdivision 9.

(3) Members covered under the provisions of section 354.33, subdivision 9 may elect to have their benefits computed under section 354.33, subdivision 7 for all service with the exception of the service covered under section 354.33, subdivision 9. The benefits provided in this clause are the sum of the benefits provided under section 354.33, subdivision 7 and the benefits provided under section 354.33, subdivision 9. The effective date of this election is July 1 of the fiscal year following the fiscal year in which the election is made or date of retirement, whichever is earlier. Once an election is effective pursuant to this clause, it cannot be revoked or changed.

((2) TEACHERS) (4) Members who failed to make an election pursuant to clause (1) shall have their annuity at retirement computed under section 354.33, subdivision 1 or 7, whichever is larger. Members who have elected to have their retirement calculated under the provisions of section 354.33, subdivision 1, clause (2) shall have their annuity at retirement calculated under the provisions of section 354.33, subdivision 8, if larger. The provisions of this clause apply to teachers who retired subsequent to June 30, 1972. Recalculation of benefits for these teachers shall be made under the law in effect on June 30, 1973.

((3)) (5) After July 1, 1969 every new teacher entering teaching service is covered by section 354.33, subdivision 7 (UNLESS) until he makes an election (IS MADE) in writing to the board of trustees to select section 354.33, subdivisions 8 or 9 (ON OR BEFORE JUNE 30 OF THE YEAR IN WHICH THE MEMBER COMMENCED TEACHING. THE EFFECTIVE DATE OF THIS ELECTION IS THE DATE ON WHICH THE MEMBER COMMENCED TEACHING.) If the election is made during the fiscal year in which the member commenced teaching, the effective date of the election is July 1 of the fiscal year in which the member commenced teaching. If the election is not made during the year in which the member commenced teaching, then the effective date of the election is July 1 of the fiscal year following the fiscal year in which the election is made. The benefits provided in this clause are the sum of the benefits provided under section 354.33, subdivision 7 or 8 and section 354.33, subdivision 9.

((4) AFTER JULY 1, 1969 EVERY TEACHER RESUMING TEACHING AFTER HAVING ACCEPTED A REFUND IS COVERED BY SECTION 354.33, SUBDIVISION 7 UNLESS AN ELECTION IS MADE IN WRITING TO THE BOARD OF TRUSTEES TO SELECT SECTION 354.33, SUBDIVISIONS 8 OR 9 ON OR BEFORE JUNE 30 OF THE YEAR IN WHICH THE MEMBER RESUMED TEACHING. THE EFFECTIVE

DATE OF THIS ELECTION IS THE DATE ON WHICH THE MEMBER RESUMED TEACHING.)

(6) *After July 1, 1973, every member resuming teaching after having accepted a refund is covered by section 354.33, subdivision 7 unless an election is made in writing to the board of trustees to select section 354.33, subdivisions 8 or 9 or if the member had previously elected a retirement program prior to his refund, in such case the member remains under the program in effect at the time of his refund with the exception of the provisions of clause (2) or (3) of this subdivision.*

If the election is made during the fiscal year in which the member resumed teaching, the effective date of the election is July 1 of the fiscal year in which the member resumed teaching. If the election is not made during the year in which the member resumed teaching, then the effective date of the election is July 1 of the fiscal year following the fiscal year in which the election is made. The benefits provided in this clause are the sum of any benefits provided under section 354.33, subdivision 7 or 8 and section 354.33, subdivision 9.

(7) *Any allowable service credit relating to service prior to July 1, 1969 but purchased after that date pursuant to sections 354.09, subdivisions 1, 3, 4 and 5; 354.38; 354.50; 354.51, subdivision 5; and 354.53 shall be considered allowable service credit as of July 1, 1969 for the purposes of clauses (1) to (4) of this subdivision.*

Subd. 2. Any member who elects to have his benefit at retirement calculated under the provisions of section 354.44, subdivision 2, or subdivision 6, or 7 shall make such election on forms provided by the board of trustees according to the following provisions:

(1) Except as provided in subdivision 1, clause ((4)) (6), each member in the fund who rendered teaching service or was on an approved leave of absence during the 1968-69 school year or each member who has at least 20 years of allowable service credit as of July 1, 1969 may elect before July 1, 1972 or prior to retirement whichever is first, to have his benefits at retirement calculated under the provisions of section 354.44, subdivision 2, or subdivision 6, or 7. The effective date of these options is July 1 of the fiscal year following the fiscal year in which the election is made or date of retirement, whichever is earlier.

(2) *Each member of the fund who rendered teaching service or was on an approved leave of absence during the 1968-69 school year or each member who has at least 20 years of allowable service credit as of July 1, 1969 may elect before retirement to have his benefits calculated under the provisions of section 354.44, subdivision 7. The effective date of this election is July 1 of fiscal year following the fiscal year in which the election is made or date of retirement, whichever is earlier.*

((2)) (3) Teachers who failed to make an election pursuant to clause (1) shall have their annuity at retirement computed

under section 354.44, subdivision 2 or 6 whichever is larger. Members who have elected to have their retirement calculated under the provisions of section 354.44, subdivision 2, clause (3) shall have their annuity at retirement calculated under the provisions of section 354.44, subdivision 7, if larger. The provisions of this clause apply to teachers who retired subsequent to June 30, 1972. Recalculation of benefits for these teachers shall be made under the law in effect on June 30, 1973.

(4) Any Allowable service credit relating to service prior to July 1, 1969 but purchased after that date pursuant to sections 354.09, subdivisions 1, 3, 4 and 5; 354.38; 354.50; 354.51, subdivision 5; and 354.53 shall be considered allowable service credit as of July 1, 1969 for the purposes of clauses (1) to (3) of this subdivision.

(SUBD. 3. EXCEPT AS PROVIDED IN SUBDIVISION 1, CLAUSE (4), ONCE AN ELECTION IS EFFECTIVE PURSUANT TO SUBDIVISIONS 1 AND 2 IT CANNOT BE REVOKED OR CHANGED.)

Subd. (4) 3. ((1) EACH EMPLOYEE OF THE TEACHERS RETIREMENT ASSOCIATION WHO IS A MEMBER OR WHO IS ELIGIBLE TO MEMBERSHIP IN THE MINNESOTA STATE RETIREMENT SYSTEM MAY ELECT TO BE COVERED BY THE TEACHERS RETIREMENT ASSOCIATION AND MAY ELECT THE OPTIONS AVAILABLE IN SECTION 354.33, SUBDIVISIONS 1, 7, 8 AND 9. FOR EACH EMPLOYEE WHO WISHES TO BE COVERED BY THE TEACHERS RETIREMENT ASSOCIATION THE MINNESOTA STATE RETIREMENT SYSTEM WILL CAUSE SUCH ELECTION AND TRANSFER TO THE TEACHERS RETIREMENT ASSOCIATION BY DECEMBER 31, 1969, OR DATE OF RETIREMENT WHICHEVER IS EARLIER, THE FOLLOWING:

(A) THE EMPLOYEE CONTRIBUTIONS WITH THREE AND ONE-HALF PERCENT INTEREST COMPOUNDED ANNUALLY FOR EACH ANNUAL CONTRIBUTION, AND

(B) AN AMOUNT EQUAL TO THE TOTAL OBTAINED IN (A) FOR THE EMPLOYER'S CONTRIBUTIONS, AND IN ADDITION

(C) AN AMOUNT OF MONEY COLLECTED BY THE MINNESOTA STATE RETIREMENT SYSTEM EQUAL TO THE "ADDITIONAL TWO-THIRDS EMPLOYER CONTRIBUTION", PROVIDED IN SECTION 352.04, SUBDIVISION 3.)

((2)) All new employees of the teachers retirement association employed subsequent to July 1, 1969 will be covered under the provisions of Laws 1969, Chapter 485 as amended.

((3) UNTIL JULY 1, 1970, EACH SUCH EMPLOYEE WHO BECOMES A MEMBER OF THE TEACHERS RETIREMENT ASSOCIATION MAY MAKE SUCH PAYMENTS TO

THE FUND PURSUANT TO MINNESOTA STATUTES 1967, SECTION 354.511.)

Sec. 7. Minnesota Statutes 1971, Section 354.31, is amended to read:

354.31 [SCOPE AND APPLICATION.] Sections 354.31 to 354.39 apply to any member of the teachers retirement association included in any agreement or modification made between the state and secretary of health, education and welfare, making the provisions of the federal old age and survivors insurance act applicable to such members. Sections 354.31 to 354.39 also apply to any school district or institution employing such member. Except as otherwise specifically provided in sections 354.31 to 354.39, the provisions of sections 354.05 to (354.14) *354.145* and 354.41 to 354.55, and acts amendatory thereof, shall apply.

Sec. 8. Minnesota Statutes 1971, Section 354.32, is amended to read:

354.32 [CONTRIBUTIONS BY EMPLOYER AND EMPLOYEE.] Subdivision 1. The employee contribution to the teachers retirement fund shall be an amount equal to (THREE AND ONE-HALF) *four* percent of the salary of every member. This contribution shall be made by deduction from salary. Where any portion of a member's salary is paid from other than public funds, such member's employee contribution shall be based on the entire salary received. For the purposes of financing the various options related to the variable annuity division employee variable annuity contributions will be credited in accordance with section 354.62, subdivision 2.

Subd. 2. *Prior to July 1, 1975* the employer contributions to the fund shall be an amount equal to three and one-half percent of the salary of each member. *Effective July 1, 1975* the employer contribution to the fund shall be an amount equal to *four percent* of the salary of each member. For purposes of financing the various options related to the variable annuity division employer contributions equal to the employee variable annuity contributions prescribed in section 354.62, subdivision 2, will be allocated at the same time to the employer variable annuity contribution account in section 354.62, subdivision 3.

Subd. 3. *Prior to July 1, 1975* an additional employer contribution shall be made in the amount of two percent of the salary of each member for the purpose of amortizing the deficit in the fund. *Effective July 1, 1975* an additional employer contribution shall be made in the amount of *two and one-half percent* of the salary of each member for the purpose of amortizing the deficit in the fund.

Sec. 9. Minnesota Statutes 1971, Section 354.33, Subdivision 1, is amended to read:

354.33 [COMPUTATION OF RETIREMENT ANNUITIES.] Subdivision 1. (1) The amount of the retirement annuity is an amount equal to the annuity which could be purchased by the member's accumulated deductions, the employer's

contribution, and interest. The retirement purchase rates shall be based on (THE 1937 STANDARD ANNUITY TABLE OF MORTALITY SET BACK TWO YEARS), *an appropriate annuity table of mortality* with interest (AT THE RATE OF THREE AND ONE-HALF PERCENT AND CALCULATED SEPARATELY AS TO SEX) *as provided in section 354.07, subdivision 1.* The accumulated deductions, employer's contribution and interest earned shall be computed as follows:

(a) double the member's accumulated deductions plus interest to July 1, 1957, and

(b) the member's accumulated deductions plus interest credited to the member's account from July 1, 1957 to date of retirement, plus 20 percent of this sum, and

(c) the employer's contributions in an amount equal to the member's accumulated deductions from July 1, 1957, to date of retirement plus interest credited to the member's account from July 1, 1957, to date of retirement.

(2) Each member who is covered under clause (1) of this subdivision who elects the variable annuity option shall have the sum of any benefits provided herein and the variable annuity benefits provided in section 354.62, subdivision 5.

Sec. 10. Minnesota Statutes 1971, Section 354.33, Subdivision 5, is amended to read:

Subd. 5. Notwithstanding the provisions of (SUBDIVISION 1) *section 354.55, subdivision 3*, when any person retires *after the effective date of this act* who (a) (ON JULY 1, 1959 HAD) *has* ten or more years of allowable service, and (b) does not have any retroactive social security coverage by reason of his position in the retirement system, and (c) does not qualify for old age and survivor primary benefits at the time of retirement, the annuity shall be computed under section 354.44, *subdivision 2 of the law in effect on June 30, 1969, except that accumulations after June 30, 1957, shall be calculated using the same mortality table and interest assumption used to transfer the required reserves to the Minnesota adjustable fixed benefit fund.*

Sec. 11. Minnesota Statutes 1971, Section 354.33, Subdivision 7, is amended to read:

Subd. 7. (1) The formula retirement annuity hereunder shall be computed in accordance with the applicable provisions of the formula stated in clause (2) hereof on the basis of each member's average salary on which contributions were made for the period of his formula service credit. For the purposes of computing the formula benefits in subdivisions 7 and 8, if a combination of these formulas is used, the formula percentages used will be those percentages in each formula as continued for the respective years of service from one formula to the next.

((A) FOR YEARS OF FORMULA SERVICE CREDIT PRIOR TO JULY 1, 1957, AVERAGE SALARY FOR THE PURPOSE OF DETERMINING THE MEMBER'S RETIREMENT

ANNUITY MEANS THE AMOUNT EQUIVALENT TO THE AVERAGE SALARY UPON WHICH CONTRIBUTIONS WERE MADE LIMITED TO A MAXIMUM OF \$4800 FOR EACH YEAR FOR THE LAST TWO YEARS OF FORMULA SERVICE PRIOR TO THAT DATE.)

((B)) For (EACH YEAR) *all years* of formula service credit (SUBSEQUENT TO JUNE 30, 1957,) "average salary" (OF A MEMBER) for the purpose of determining (HIS) *the member's* retirement annuity means (HIS) *the average* salary upon which contributions were made and upon which payments were made to increase the salary limitation as provided in section 354.511 (NOT EXCEEDING IN ANY ONE YEAR \$7200 THROUGH JUNE 30, 1967, AND HIS TOTAL SALARY IN EACH YEAR THEREAFTER FOR WHICH HE HAD MADE CONTRIBUTIONS TO THE RETIREMENT FUND) *for the highest five consecutive years within the last ten years of formula service credit.*

(2) The average salary as defined in clause (1) hereof, of any member multiplied by (THE APPLICABLE PERCENTAGES INDICATED BELOW) *one and twenty five hundredths percent for each year of formula service credit* shall determine the amount of the annuity to which the member qualifying therefor is entitled :

- | | |
|---|------------------------------------|
| ((A) YEARS OF FORMULA SERVICE CREDIT EARNED PRIOR TO JULY 1, 1969) | (PERCENTAGE AT THE RATE OF) |
| ((1) FIRST TEN YEARS) | (.625 PERCENT PER YEAR OF SERVICE) |
| ((2) SECOND TEN YEARS OR FRACTIONAL PART THEREOF LESS THAN SUCH PERIOD) | (1.25 PERCENT PER YEAR OF SERVICE) |
| ((3) THIRD TEN YEARS OR FRACTIONAL PART THEREOF LESS THAN SUCH PERIOD) | (1.7 PERCENT PER YEAR OF SERVICE) |
| ((4) SUBSEQUENT YEARS OR FRACTIONAL PART THEREOF) | (2.4 PERCENT PER YEAR OF SERVICE) |
| ((B) YEARS OF FORMULA SERVICE CREDIT EARNED SUBSEQUENT TO JULY 1, 1969 TO DATE OF RETIREMENT OR | (PERCENTAGE AT THE RATE OF) |

TO THE EFFEC-
TIVE DATE OF THE
ELECTION OF AN-
OTHER OPTION)

- | | |
|--|---------------------------------------|
| ((1) FIRST TEN YEARS) | (.625 PERCENT PER YEAR
OF SERVICE) |
| ((2) SECOND TEN
YEARS OR FRAC-
TIONAL PART
THEREOF LESS
THAN SUCH
PERIOD) | (1.4 PERCENT PER YEAR
OF SERVICE) |
| ((3) THIRD TEN YEARS
OR FRACTIONAL
PART THEREOF
LESS THAN SUCH
PERIOD) | (1.9 PERCENT PER YEAR
OF SERVICE) |
| ((4) SUBSEQUENT
YEARS OR FRAC-
TIONAL PART
THEREOF) | (2.45 PERCENT PER YEAR
OF SERVICE) |

(3) Where any member retires prior to age 65 under a formula annuity, he shall be paid a retirement in an amount equal to the normal annuity provided in subdivisions 7 and 8, reduced by one half of one percent for each month that the member is under age 65 to and including age 60 and reduced by one fourth of one percent for each month under age 60 at the time of retirement *except that for any member who has 30 or more years of allowable service credit, such reduction shall be applied only for each month such member is under age 62.*

Sec. 12. Minnesota Statutes 1971, Section 354.33, Subdivision 8, is amended to read:

Subd. 8. The benefits provided in this subdivision are the sum of the benefits provided by the following:

(1) The benefits provided in subdivision 7 for formula service credit to the effective date of the election of this subdivision; and

(2) The benefits for service credit subsequent to the effective date of the election of this subdivision shall be the average salary as defined in subdivision 7, clause (1) of any member multiplied by (THE APPLICABLE PERCENTAGES INDICATED BELOW:) *six hundred and twenty five thousandths percent for each year of formula service credit.*

- | | |
|---|---------------------------------|
| ((A) YEARS OF FORMU-
LA SERVICE CRED-
IT EARNED SUBSE-
QUENT TO THE
DATE OF THE | (PERCENTAGES AT THE
RATE OF) |
|---|---------------------------------|

**ELECTION OF THIS
SUBDIVISION)**

- | | |
|--|--|
| ((1) FIRST TEN YEARS) | (.36 PERCENT PER YEAR
OF SERVICE) |
| ((2) SECOND TEN
YEARS OR FRAC-
TIONAL PART
THEREOF LESS
THAN SUCH
PERIOD) | (.8 PERCENT PER YEAR
OF SERVICE) |
| ((3) THIRD TEN YEARS
OR FRACTIONAL
PART THEREOF
LESS THAN SUCH
PERIOD) | (1.1 PERCENT PER YEAR
OF SERVICE) |
| ((4) SUBSEQUENT
YEARS OR FRAC-
TIONAL PART
THEREOF) | (1.4 PERCENT PER YEAR
OF SERVICE) |

and (3) the benefits provided in section 354.62, subdivision 5.

Sec. 13. Minnesota Statutes 1971, Section 354.33, Subdivision 9, is amended to read:

Subd. 9. The benefits provided in this subdivision are the sum of any benefits provided in subdivision 1, and the benefits provided in section 354.62, subdivision 5 except that if a member repays a refundment pursuant to section 354.50 and makes an election pursuant to section 354.145, subdivision 1, clause ((4)) (6), the benefit related to the repayment of such refundment will be calculated according to subdivisions 7 or 8.

Sec. 14. Minnesota Statutes 1971, Section 354.39, is amended to read:

354.39 [EFFECTIVE DATE; APPLICATION.] Sections 354.31 to 354.39 take effect on the date any agreement or modification is made between the state and the secretary of health, education and welfare making such agreement or modification applicable to service performed in positions covered by the teachers retirement association. Sections 354.31 to 354.39 shall apply to any coverage group consisting of members of the teachers retirement association included in any such agreement or modification *except that after July 1, 1971, any member of the teachers retirement association employed in a new state college and other new institutions of higher learning not included in any agreement or modification made between the state and the secretary of health, education and welfare, making the provisions of the federal old age and survivors insurance act applicable to such members, shall be covered under the provisions of sections 354.31 to 354.39.*

Sec. 15. Minnesota Statutes 1971, Section 354.41, Subdivision 3, is amended to read:

Subd. 3. (1) Each annuitant, age 60 or over, who is drawing an annuity pursuant to Minnesota Statutes 1953, Section 135.10 and Minnesota Statutes 1965, Sections 354.44 and 354.33 shall have the right to have his membership in the fund restored upon resumption of teaching service, for the purpose of having deductions made in accordance with sections 354.32 and 355.48. Upon completion of five years of allowable service, under this subdivision the member shall be entitled to an annuity provided in section 354.33, subdivision 1. This annuity is in addition to any annuity previously granted under chapter 354.

(2) Any annuitant qualifying for membership in the fund under clause (1) of this subdivision may file a written notice with the executive secretary of the teachers retirement association requesting that deductions provided for in section 354.32 be made from compensation paid for subsequent teaching service. Such notice shall remain in effect until the annuitant requests in writing that this membership be revoked. After July 1, 1967, deductions pursuant to section 355.48 are required for any annuitant eligible for membership in the fund under clause (1) of this subdivision. Teaching service rendered by an annuitant for which no deductions are made pursuant to section 354.32, shall not be included in any additional annuity granted pursuant to clause (1) of this subdivision.

(3) *Teachers retirement deductions made prior to July 1, 1973 from the salary of any annuitant who was qualified for membership in the fund under clause (1) of this subdivision at the time such deductions were made, shall be applicable to the computation of an annuity as provided under clause (1) of this subdivision even if the written notice required in clause (2) of this subdivision has not been filed. The teaching service related to such retirement deductions shall be deemed to be allowable service credit which is applicable to the completion of the five years of allowable service required in clause (2) of this subdivision.*

Sec. 16. Minnesota Statutes 1971, Section 354.42, Subdivision 2, is amended to read:

Subd. 2. The employee contribution to the fund shall be an amount equal to (SEVEN) *eight* percent of the salary of every member. This contribution shall be made by deduction from salary (IN THE MANNER PROVIDED IN SUBDIVISION 4.) Where any portion of a member's salary is paid from other than public funds, such member's employee contribution shall be based on the entire salary received. For purposes of financing the various options related to the variable annuity division, employee variable annuity contributions will be credited in accordance with section 354.62, subdivision 2.

Sec. 17. Minnesota Statutes 1971, Section 354.42, Subdivision 3, is amended to read:

Subd. 3. *Prior to July 1, 1975* the employer contribution to the fund shall be an amount equal to seven percent of the salary

of every member. Effective July 1, 1975 the employer contribution to the fund shall be an amount equal to eight percent of the salary of each member. (THIS CONTRIBUTION SHALL BE MADE IN THE MANNER PROVIDED IN SECTION 354.43.) For purposes of financing the various options related to the variable annuity division employer contributions equal to the employee variable annuity contributions prescribed in section 354.62, subdivision 2, will be allocated at the same time to the employer variable annuity contribution account in section 354.62, subdivision 3.

Sec. 18. Minnesota Statutes 1971, Section 354.42, Subdivision 5, is amended to read:

Subd. 5. *Prior to July 1, 1975 an additional employer contribution shall be made in the amount of two percent of the salary of each member for the purpose of amortizing the deficit in the fund. Effective July 1, 1975 an additional employer contribution shall be made in the amount of two and one-half percent of the salary of each member for the purpose of amortizing the deficit in the fund. This contribution shall be made in the manner provided in section 354.43.*

Sec. 19. Minnesota Statutes 1971, Section 354.44, Subdivision 2, is amended to read:

Subd. 2. [COMPUTATION OF MONEY PURCHASE ANNUITY.] The amount of retirement annuity is an amount equal to double the annuity which could be purchased by the member's accumulated deductions plus interest thereon. The annuity shall be determined by the member's age, his sex, double the amount of his accumulated deductions, double the interest earned on the accumulated deductions, and the appropriate mortality tables and interest rates. For the purpose of determining the amount of the annuity, the accumulated deductions prior to July 1, 1957, and the accumulated deductions subsequent to July 1, 1957, shall be considered separately.

(1) For service rendered prior to July 1, 1957, the accumulated deductions for any member shall be carried forward at a fixed amount which is shown credited to his account as of that date. That fixed amount shall also include any payments in lieu of salary deductions which are to be made in the future and are actually so made pursuant to an agreement executed between the member and the board as authorized by section 354.50 or any other authorized payments made by the member to the fund. The annuity granted with respect to such period shall be determined by the following:

(a) The fixed amount of the accumulated deductions for such period including the interest credited thereon as earned up to July 1, 1957.

(b) Annuity purchase rates based on the mortality tables and interest assumption used by the board prior to July 1, 1957 (, CALCULATED SEPARATELY AS TO SEX).

(2) For service rendered subsequent to July 1, 1957, the accumulated deductions for any member shall consist of the amounts actually credited to his account by reason of salary deductions. The annuity granted with respect to such period shall be determined by the following:

- (a) accumulated deductions for such period;
- (b) interest credited on these accumulated deductions from July 1, 1957, to date of retirement;
- (c) interest credited on accumulated deductions including prior credited interest provided in paragraph (1) from July 1, 1957, to the date of retirement;
- (d) after the amount available for an annuity granted with respect to such person is determined in accordance with the provisions of this subdivision, an additional amount equal to 20 percent of the sum of clause (2) (a) plus interest credited to members account from July 1, 1957 to date of retirement is to be added. This added amount is not to be doubled as provided for other amounts determined in this subdivision;
- (e) annuity purchase rate based on (THE 1937 STANDARD ANNUITY TABLE OF MORTALITY SET BACK TWO YEARS AND CALCULATED SEPARATELY AS TO SEX,) *an appropriate annuity table of mortality* with an interest assumption (OF THREE AND ONE-HALF PERCENT) *as provided in section 354.07, subdivision 1.*

(3) Each member who is covered under this subdivision who elects a variable annuity option shall have the sum of any benefits provided herein and the benefits provided in section 354.62, subdivision 5.

Sec. 20. Minnesota Statutes 1971, Section 354.44, Subdivision 6, is amended to read:

Subd. 6. (1) The formula retirement annuity hereunder shall be computed in accordance with the applicable provisions of the formula stated in clause (2) hereof on the basis of each member's average salary for the period of his formula service credit. For the purposes of computing the formula benefits in subdivisions 6 and 7, if a combination of these formulas is used, the formula percentages used will be those percentages in each formula as continued for the respective years of service from one formula to the next.

((A) FOR THE YEARS OF FORMULA SERVICE CREDIT PRIOR TO JULY 1, 1957, AVERAGE SALARY FOR THE PURPOSE OF DETERMINING THE MEMBER'S RETIREMENT ANNUITY MEANS THE AMOUNT EQUIVALENT TO THE AVERAGE OF HIS SALARY UPON WHICH CONTRIBUTIONS WERE MADE LIMITED TO A MAXIMUM OF \$4800 FOR EACH YEAR FOR THE LAST TWO YEARS OF FORMULA SERVICE PRIOR TO THAT DATE.)

((B)) For (EACH YEAR) *all years* of formula service credit (SUBSEQUENT TO JUNE 30, 1957,) "average salary" (OF A MEMBER) for the purpose of determining (HIS) *the member's* retirement annuity means (HIS) *the average* salary upon which contributions were made and upon which payments were made to increase the salary limitation as provided in section 354.511 (NOT EXCEEDING IN ANY ONE YEAR \$7200 THROUGH JUNE 30, 1967, AND HIS TOTAL SALARY IN EACH YEAR THEREAFTER FOR WHICH HE HAD MADE CONTRIBUTIONS TO THE RETIREMENT FUND) *for the highest five consecutive years within the last ten years of formula service credit.*

(2) The average salary as defined in clause (1), of any member multiplied by (THE APPLICABLE PERCENTAGES INDICATED BELOW) *two percent for each year of formula service credit* shall determine the amount of the annuity to which the member qualifying therefor is entitled.

((A) YEARS OF FORMULA SERVICE CREDIT EARNED PRIOR TO JULY 1, 1969) (PERCENTAGES AT THE RATE OF)

((1) FIRST TEN YEARS) (1.0 PERCENT PER YEAR OF SERVICE)

((2) SECOND TEN YEARS OR FRACTIONAL PART THEREOF LESS THAN SUCH PERIOD) (2.0 PERCENT PER YEAR OF SERVICE)

((3) THIRD TEN YEARS OR FRACTIONAL PART THEREOF LESS THAN SUCH PERIOD) (2.5 PERCENT PER YEAR OF SERVICE)

((4) SUBSEQUENT YEARS OR FRACTIONAL PART THEREOF) (3.0 PERCENT PER YEAR OF SERVICE)

((B) YEARS OF FORMULA SERVICE CREDIT EARNED SUBSEQUENT TO JULY 1, 1969 TO DATE OF RETIREMENT OR TO THE EFFECTIVE DATE OF THE ELECTION OF ANOTHER OPTION) (PERCENTAGES AT THE RATE OF)

((1) FIRST TEN YEARS) (1.2 PERCENT PER YEAR OF SERVICE)

- ((2) SECOND TEN YEARS OR FRACTIONAL PART THEREOF LESS THAN SUCH PERIOD) (2.4 PERCENT PER YEAR OF SERVICE)
- ((3) THIRD TEN YEARS OR FRACTIONAL PART THEREOF LESS THAN SUCH PERIOD) (3.0 PERCENT PER YEAR OF SERVICE)
- ((4) SUBSEQUENT YEARS OR FRACTIONAL PART THEREOF) (3.6 PERCENT PER YEAR OF SERVICE)

(3) Where any member retires prior to age 65 under a formula annuity, he shall be paid a retirement in an amount equal to the normal annuity provided in subdivision 7 and 8, reduced by one half of one percent for each month that the member is under age 65 to and including age 60 and reduced by one fourth of one percent for each month under age 60 at the time of retirement *except that for any member who has 30 or more years of allowable service credit, such reduction shall be applied only for each month such member is under age 62.*

Sec. 21. Minnesota Statutes 1971, Section 354.44, Subdivision 7, is amended to read:

Subd. 7. The benefits provided in this subdivision are the sum of the benefits provided by the following:

(1) The benefits provided in subdivision 6 (2) for formula service credit to the effective date of the election of this subdivision, and

(2) The benefits for service credit subsequent to the effective date of the election of this subdivision shall be the average salary as defined in subdivision 6, clause (1) of any member multiplied by (THE APPLICABLE PERCENTAGES INDICATED BELOW:) *one percent for each year of formula service credit.*

- ((A) YEARS OF FORMULA SERVICE CREDIT EARNED SUBSEQUENT TO THE DATE OF THE ELECTION OF THIS SUBDIVISION) (PERCENTAGE AT THE RATE OF)

- ((1) FIRST TEN YEARS) (.6 PERCENT PER YEAR OF SERVICE)

- (2) SECOND TEN YEARS OR FRACTIONAL PART THEREOF LESS THAN SUCH PERIOD) (1.2 PERCENT PER YEAR OF SERVICE)
- (3) THIRD TEN YEARS OR FRACTIONAL PART THEREOF LESS THAN SUCH PERIOD) (1.5 PERCENT PER YEAR OF SERVICE)
- (4) SUBSEQUENT YEARS OR FRACTIONAL PART THEREOF) (1.8 PERCENT PER YEAR OF SERVICE)

and (3) the benefits provided in section 354.62, subdivision 5.

Sec. 22. Minnesota Statutes 1971, Section 354.45, Subdivision 2, is amended to read:

Subd. 2. Upon the death of the member after retirement where no designated beneficiary shall survive the member, any remaining unpaid guaranteed annuity payments shall be commuted at (THREE AND ONE-HALF PERCENT INTEREST) *the rate of interest currently being used in determining the amount of optional annuities* and paid in one sum to the estate of the member. Upon the death of the last designated beneficiary after the death of the member, the value of any unpaid guaranteed annuity payments shall be commuted at (THREE AND ONE-HALF PERCENT INTEREST) *the rate of interest currently being used in determining the amount of optional annuities* and paid in one sum to the estate of such designated beneficiary.

Sec. 23. Minnesota Statutes 1971, Section 354.48, Subdivision 3, is amended to read:

Subd. 3. [COMPUTATION OF BENEFITS.] (1) The amount of the disability benefit granted to members covered under section 354.44, subdivision 2, clause (1) and (2) or clause (3) is an amount equal to double the annuity which could be purchased by the member's accumulated deductions plus interest thereon computed as though the teacher were age 65 at the time the benefit begins to accrue and in accordance with the law in effect when the disability application is received.

The benefit granted shall be determined by the following:

- (a) The amount of the accumulated deductions;
- (b) Interest actually earned on these accumulated deductions to the date the benefit begins to accrue;
- (c) Interest for the years from the date the benefit begins to accrue to the date such member attains age 65 at the rate which is the average rate credited for the five years prior to the date the benefit begins to accrue;

(d) Annuity purchase rates based on (THE 1937 STANDARD ANNUITY TABLE OF MORTALITY SET BACK TWO YEARS AND CALCULATED SEPARATELY AS TO SEX) *an appropriate annuity table of mortality with interest assumption (OF THREE AND ONE-HALF PERCENT) as provided in section 354.07, subdivision 1.*

In addition a supplementary monthly benefit shall be paid in accordance with the following table:

Age When Benefit Begins to Accrue	Supplementary Benefit
Under Age 56	\$50
56	45
57	40
58	35
59	30
60	25
61	20
62	15
63	10
64	5

(2) The disability benefit granted to members covered under section 354.44, subdivision 6 or 7 shall be computed in the same manner as the annuity provided in subdivision 6 of the same section. The disability benefit shall be the formula annuity without the reduction for each month the member is under age 65 at the time the benefit begins to accrue.

(3) The optional annuity benefit provided in section 354.34 and section 354.45 does not apply to this section.

(4) For the purposes of computing a retirement annuity when the member becomes eligible, the amounts paid for disability benefits shall not be deducted from the individual member's accumulated deductions. If the disability benefits provided in this subdivision exceed the monthly average salary of the disabled member, the disability benefits shall be reduced to an amount equal to the disabled member's average salary. Any member who began to receive disability benefits between July 1, 1957, and June 30, 1959, shall receive the supplementary monthly benefit provided in accordance with the foregoing table and such supplementary monthly benefit shall begin to accrue after June 30, 1959, and shall continue as long as disability benefits are paid to such member.

Sec. 24. Minnesota Statutes 1971, Section 354.50, is amended by adding a subdivision to read:

Subd. 4. Notwithstanding the three year service requirement provided in subdivision 1 of this section, any person who has received a refundment from the teachers retirement association and who is a member of any public retirement fund referred to in section 354.60 may repay such refundment with interest to the teachers retirement association. Repayment of refundments under the provisions of this subdivision will be in accordance with all the provisions of this section except for the three year service requirement provided in subdivision 1.

Sec. 25. Minnesota Statutes 1971, Section 354.55, Subdivision 3, is amended to read:

Subd. 3. (EXCEPT AS PROVIDED IN SECTION 354.145,) any person who ceased teaching service prior to July 1, (1968) 1957, who left his accumulated deductions in the fund for the purpose of receiving when eligible, a retirement annuity in accordance with the law in effect at the date such service terminated, shall have his annuity computed in accordance with the law in effect at the date he ceased teaching service.

Sec. 26. Minnesota Statutes 1971, Section 354.55, Subdivision 8, is amended to read:

Subd. 8. Any person who ceased teaching service prior to July 1, 1968 who left his accumulated deductions in the fund and is not covered under the provisions of section 354.145, subdivision 1, clause (1) and subdivision 2, clause (1) may upon resumption of teaching service for at least 170 days elect to have his benefits at retirement calculated under the provisions of sections 354.33, subdivisions 1, 7, 8, or 9, except that if a person elects coverage under section 354.44 by virtue of his junior college teaching he may have his benefits at retirement calculated under the provisions of section 354.44, subdivisions 2, 6, or 7. Such election (MUST BE) if made (WITHIN ONE YEAR OF THE COMPLETION OF THE 170 DAY SERVICE REQUIREMENT OR PRIOR TO JULY 1, 1972, WHICHEVER IS LATER, EXCEPT THAT IN THE EVENT OF A MEMBER'S RETIREMENT, SUCH ELECTION MUST BE MADE PRIOR TO DATE OF RETIREMENT) is effective July 1 of the fiscal year following the fiscal year in which the election is made or date of retirement, whichever is earlier.

Sec. 27. Minnesota Statutes 1971, Section 354.55, is amended by adding subdivisions to read:

Subd. 12. *Except as provided in section 354.145, any person who ceased teaching service prior to July 1, 1968, who has ten years or more of allowable service and left his accumulated deductions in the fund for the purpose of receiving when eligible a retirement annuity, shall have his annuity computed in accordance with the law in effect on June 30, 1969, except that the portion of his annuity based on accumulations after June 30, 1957, under the provisions of section 354.44, subdivision 2, and all accumulations under the provisions of section 354.33, subdivision 1, shall be calculated using the same mortality table and*

interest assumption used to transfer the required reserves to the Minnesota adjustable fixed benefit fund.

Subd. 13. All annuities payable from the Minnesota adjustable fixed benefit fund which are in effect on June 30, 1973 shall be increased in the same ratio that the actuarially computed reserve for such annuities determined by using an interest assumption of three and one-half percent bears to the actuarially computed reserve for such annuities determined by using an interest assumption of five percent. The reserves upon which such increases shall be based shall be the actuarially determined reserves for all Minnesota adjustable fixed benefit fund annuities which were in effect on June 30, 1972, in accordance with the mortality assumptions then in effect and at interest assumptions of three and one-half percent and five percent. Such ratio of increase computed to the last full 1/100 of one percent shall be applied to all annuities payable from the Minnesota adjustable fixed benefit fund which are in effect on June 30, 1973. Notwithstanding the provisions of section 356.18, increases in annuity payments pursuant to this subdivision will be made automatically unless written notice is filed by the annuitant with the teachers retirement association board requesting that the increase shall not be made.

Subd. 14. Notwithstanding the maximum benefit provisions of Minnesota Statutes, Section 354.46, Subdivision 1, all benefits and annuities payable pursuant to Minnesota Statutes, Sections 354.37, 354.48, 354.46, Subdivision 1 and Laws 1915, Chapter 199, as amended, which are in effect on June 30, 1973 shall be increased twenty percent. Such increase shall begin to accrue January 1, 1974. Notwithstanding the provisions of section 356.18, increases in benefit and annuity payments pursuant to this subdivision will be made automatically unless written notice is filed by the annuitant with the Teachers Retirement Association Board requesting that the increase shall not be made.

Sec. 28. Minnesota Statutes 1971, Section 354.62, Subdivision 2, is amended to read:

Subd. 2. [INDIVIDUAL ELECTION.] Each member of the teachers retirement association may elect to participate in the variable annuity division by filing a written notice with the board of trustees on forms provided by the board.

(1) Employee variable annuity contributions to the variable annuity division shall be:

(a) Pursuant to the options available in section 354.33, subdivision 1, clause (2), and section 354.33, subdivision 8, the employee variable annuity contribution shall be an amount equal to **(ONE AND ONE-HALF)** two percent of the salary of every member.

(b) Pursuant to the options available in section 354.44, subdivision 2, clause (3), and section 354.44, subdivision 7, the employee variable annuity contributions shall be an amount equal to **(THREE)** four percent of the salary of every member.

(c) Pursuant to the option available in section 354.33, subdivision 9, the employee variable annuity contribution shall be an amount equal to (THREE AND ONE HALF) *four* percent of the salary of every member.

(2) Employer variable annuity contributions shall be an amount equal to the employee variable annuity contributions provided in clause (1). *The deficiency in equal employer variable annuity contributions which shall exist prior to July 1, 1975 shall be recovered from the additional employer contributions made prior to July 1, 1975 pursuant to section 8, subdivision 3 and section 18, subdivision 5 of this act.*

(3) Said election shall be made in accordance with section 354.145 (, SUBDIVISIONS 1 AND 2. SAID ELECTION ONCE MADE IS IRREVOCABLE).

(4) There shall be provided for members participating in the variable annuity division a separate account for each member which will show his variable account accumulations as defined in section 354.05, subdivision 23. The board shall establish such other accounts in the variable annuity division as it deems necessary for the operation of this provision.

Sec. 29. Minnesota Statutes 1971, Section 354.62, Subdivision 5, is amended to read:

Subd. 5. [VARIABLE RETIREMENT ANNUITY.] (1) At retirement the amount of the member's variable account accumulation in the employee variable annuity contribution account, based on the valuation at the previous fiscal year end plus any contributions made by such person since such date, and an equal amount from the employer variable annuity contribution account shall be transferred to the variable annuity reserve account, and the variable retirement annuity for the member shall be determined by the member's age, and sex, and the amount transferred for the member to the variable annuity reserve account at the date of retirement.

The amount of the annuity shall be calculated on the basis of (THE 1937 STANDARD ANNUITY TABLE OF MORTALITY SET BACK TWO YEARS AND CALCULATED SEPARATELY AS TO SEX) *an appropriate annuity table of mortality with an interest assumption (OF THREE AND ONE HALF PERCENT) as provided in section 354.07, subdivision 1.*

(2) Whenever the admitted value of the annuity reserve account of the variable annuity division, as of June 30 of any year, exceeds or is less than the then present value of all variable annuities in force, determined in accordance with the rate of interest and approved actuarial tables then in effect, by at least two percent of said present value. The amount of each variable annuity payment shall be proportionately increased or decreased for the following year.

(3) The death benefit payable in the event of a member's death prior to retirement will be the lump sum refund of a mem-

ber's variable account accumulation, based on the valuation at the previous fiscal year end plus any contributions made by such person since such date, to the surviving dependent spouse, or if there is no surviving dependent spouse to his designated beneficiary. Except that if a member has made an election in accordance with section 354.36 or 354.46, then his surviving dependent spouse will receive a joint and survivor annuity as described in sections 354.34 and 354.44 and computed as provided in clause (1). An amount equal to the lump sum refund made in this clause shall be transferred from the employer contribution account to the variable annuity turnover account.

(4) Except as provided in section 354.33, subdivision 1, clause (2); section 354.33, subdivisions 8 and 9; section 354.44, subdivision 2, clause (3), and section 354.44, subdivision 7, any person who ceases to be a member by reason of termination of teaching service, shall be entitled to a lump sum refundment of his variable account accumulations, based on the valuation at the previous fiscal year end plus any contributions made by such person since such date. Application for a refundment may be made no sooner than 30 days after termination of teaching service if the applicant has not again become a teacher. Repayment of a refundment upon resumption of teaching is not permitted under this section. An amount equal to the refundment to the member shall be transferred from the employer contribution account to the variable annuity turnover account.

(5) If a member is determined to be totally and permanently disabled as provided in Minnesota Statutes 1967, Sections 354.05, Subdivision 14; 354.37; and 354.48, he shall be entitled to the annuity provided in this subdivision.

(6) Those members eligible for retirement as provided in Minnesota Statutes 1967, Section 354.44, Subdivision 1 will upon application for the annuity provided therein be entitled to the annuity provided in this subdivision. The annuity elected in accordance with Minnesota Statutes 1967, Sections 354.33, 354.34, 354.44, and 354.45 shall be the annuity applicable to this subdivision.

(7) Notwithstanding section 356.18, increases in annuity payments pursuant to this section will be made automatically unless written notice is filed by the annuitant with the teachers retirement association board requesting that the increase shall not be made.

(8) At retirement, a member may elect to have the amount of his variable annuity accumulation in the employee variable annuity contribution account and an equal amount from the employer variable annuity contribution account transferred to the Minnesota adjustable fixed benefit fund as provided in section 354.63, subdivision 2, clause (2). Such election shall be made on a form provided by the board of trustees.

Sec. 30. Minnesota Statutes 1971, Section 354.63, Subdivision 2, is amended to read:

Subd. 2. [VALUATION OF ASSETS; ADJUSTMENT OF BENEFITS.] (1) As of June 30, 1969 the present value of all annuities in force as of June 30, 1969 and as amended in accordance with Laws 1969, Chapter 485, except for the annuities of those persons who retired pursuant to Laws 1915, Chapter 199, as amended, shall be determined in accordance with the 1937 standard annuity table of mortality set back two years and calculated separately as to sex, with an interest assumption of three and one half percent, and assets representing the required reserves for these annuities shall be transferred to the Minnesota adjustable fixed benefit fund, during a period of one year in accordance with procedures specified in section 11.25.

(2) Effective July 1, (1969) 1973 for those members retiring pursuant to sections 354.05 to 354.14 and 354.31 to 354.61 and acts amendatory thereof, the required reserves as determined in accordance with these sections shall be transferred to the Minnesota adjustable fixed benefit fund as of the date of retirement. (THE 1937 STANDARD ANNUITY TABLE OF MORTALITY SET BACK TWO YEARS AND CALCULATED SEPARATELY AS TO SEX,) *an appropriate annuity table of mortality with an interest assumption (OF THREE AND ONE-HALF PERCENT) as provided in section 354.07, subdivision 1,* will be used to determine the amount to be transferred.

(3) Annuity payments shall be adjusted in accordance with the provisions of section 11.25, subdivisions 12 and 13.

(4) Notwithstanding section 356.18, increases in annuity payments pursuant to this section will be made automatically unless written notice is filed by the annuitant with the teachers retirement association board requesting that the increase shall not be made.

Sec. 31. Minnesota Statutes 1971, Section 11.25, is amended by adding a subdivision to read:

Subd. 14. All assets in the annuity stabilization reserve and suspense account shall be credited proportionately to the individual retirement funds' participation in the Minnesota adjustable fixed benefit fund, except that the share attributable to the municipal employees' retirement fund of Minneapolis shall be used to increase benefits or may at the discretion of its board of trustees be returned to such fund.

Effective January 1, 1974 each participating fund in the Minnesota adjustable fixed benefit fund, except the municipal employees retirement fund, shall increase the benefits in effect on June 30, 1973 by an amount that when added to the increase granted to such benefits effective July 1, 1973, equals 20 percent. The increase shall apply to the accrual of benefits commencing January 1, 1974 and shall be in lieu of the adjustment provided by section 11.25, subdivisions 12 and 13 scheduled to take effect January 1, 1974.

The actuary for each participating fund, except the municipal employees retirement fund of Minneapolis, shall calculate the

reserve required to support the benefits in effect on June 30, 1973 as increased July 1, 1973 and herein. As of December 31, 1973, each participating fund shall transfer to or from the Minnesota adjustable fixed benefit fund assets so that its participation equals the total of such required reserves and the reserve for benefits authorized on or after July 1, 1973.

The increased benefits accruing as of January 1, 1974 shall be considered the "originally determined benefits" for the purpose of future adjustments.

Sec. 32. *Minnesota Statutes 1971, Section 354.09, Subdivision 5, is repealed.*

Sec. 33. *Except as otherwise provided, the effective date of this act is July 1, 1973."*

Further, amend the title by striking everything after the word "sections" in line 4 and insert in lieu thereof the following: "136.80, Subdivision 1; 136.82, Subdivision 2; 354.05, Subdivision 25; 354.07, Subdivision 1; 354.09, Subdivision 3; 354.145; 354.31; 354.32; 354.33, Subdivisions 1, 5, 7, 8 and 9; 354.39; 354.41, Subdivision 3; 354.42, Subdivisions 2, 3 and 5; 354.44, Subdivisions 2, 6 and 7; 354.45, Subdivision 2; 354.48, Subdivision 3; 354.50, by adding a subdivision; 354.55, Subdivisions 3 and 8, and by adding subdivisions; 354.62, Subdivisions 2 and 5; 354.63, Subdivision 2; and 11.25, by adding a subdivision; repealing Minnesota Statutes 1971, Section 354.09, Subdivision 5."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 827, A bill for an act relating to retirement; regulating the administration of private pension funds and directing a study thereof; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. The department of commerce shall conduct a study of private retirement funds and programs, with emphasis upon possible means of insuring the financial solvency of the fund or program thereby protecting present and future pension recipients from monetary loss due to financial insolvency or insufficiency of retirement funds or programs upon corporate merger, reorganization or termination. The study shall also emphasize possible means of protecting employees, upon changed employment, from loss of accrued service credit prior to their

vesting. The department of commerce shall report its findings to the legislative retirement study commission and the legislature by November 15, 1973 and may supplement such report with additional data and recommendations until January 1, 1974.

Sec. 2. Administrators of private retirement funds and programs of which residents of this state are participants, shall cooperate with the state department of commerce in the conduct of this study. Administrators of said retirement funds and programs which are governed by and required to file reports in accordance with the federal Welfare and Pension Plans Disclosure Act, as amended, shall upon request by the state department of commerce furnish copies of said reports except as may be specifically prohibited by said federal act.

Sec. 3. This act does not apply to any retirement fund or program providing benefits only for public employees of the state or a subdivision of the state.

Sec. 4. There is appropriate to the department of commerce from the general fund the sum of \$..... for the purpose of carrying out the provisions of this act.”.

Further amend the title:

Lines 2, 3 and 4, delete “regulating the administration of private pension funds and”.

Line 4, delete “thereof” and insert in lieu thereof “of private pension funds”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 1355, A bill for an act relating to the operation of the state government; prescribing compensation, retirement and related benefits for certain state officers and employees, and establishing certain compulsory retirement requirements; amending Minnesota Statutes 1971, Sections 43.01, Subdivision 9, and by adding subdivisions; 43.03, Subdivision 3; 43.051; 43.09, Subdivision 6; 43.111; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivision 2; 43.122; 43.126, Subdivision 1; 43.24, Subdivision 1; 43.50, Subdivision 1; 299D.03, Subdivision 2; 352.04, Subdivisions 2 and 3; 352.115, Subdivisions 2 and 3, and by adding subdivisions; 352.116, Subdivision 1; 352.118; 352.22, Subdivision 1; 356.21, Subdivision 5; and Chapter 352, by adding sections; repealing Minnesota Statutes 1971, Section 16.02, Subdivision 20a.

Reported the same back with the following amendments:

Page 4, strike all of lines 3 to 11.

Page 16, strike all of lines 17 to 23.

Renumber the following paragraphs accordingly.

Page 31, line 26, strike "\$21,000" and insert in lieu thereof "\$23,000".

Page 31, line 26, strike "\$30,000" and insert in lieu thereof "\$32,000".

Page 31, line 27, strike "\$26,000" and insert in lieu thereof "\$28,000".

Page 31, line 27, strike "\$35,000" and insert in lieu thereof "\$38,000".

Page 31, line 28, strike "\$40,000" and insert in lieu thereof "\$45,000".

Page 33, line 1, after "dependent" insert "hospital-medical".

Page 33, line 7, after "insurability." insert "*The provisions of this subdivision shall not become effective for members of the Minnesota house of representatives until January 1, 1975 and for members of the Minnesota senate until January 1, 1977.*".

Page 37, after line 28, add:

"(6) The salary rates for all highway patrol officers and sergeants as cited in section 299D.03, subd. 2, clause (3), shall be deemed to include reimbursement for meal and business expenses incurred by highway patrol officers and sergeants in the performance of their assigned duties in their patrol areas; business expenses included, but are not limited to: uniform costs, home garaging of squad cars, and maintenance of home office."

Renumber the sections in sequence.

Further amend the title as follows:

Page 1, line 11, strike "43.09, Subdivision 6;".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 1508, A bill for an act relating to the incorporation of villages; the annexation and detachment of property from municipalities; the consolidation of municipalities; and the powers and duties of the Minnesota municipal commission in relation thereto; amending Minnesota Statutes 1971, Chapter 414, by adding sections; Sections 414.01, Subdivision 14; 414.032, Subdivisions 1 and 3; 414.041, Subdivisions 3, 4, and by adding a subdivision; 414.061, Subdivision 4; 414.067, by adding a subdivision; and repealing Minnesota Statutes 1971, Section 414.031, Subdivisions 2 and 5.

Reported the same back with the following amendments:

Page 1, line 23, after "municipality" and before "for" insert "or town".

Page 2, line 4, after "agency" and before "orders" insert "pursuant to Minnesota Statutes 1971, Sections 115.03, 115.47, 115.49, or any law giving a state agency similar powers,".

Page 4, after line 1, add:

"Where the annexation proceeding is initiated by a petition of less than a majority of the property owners in the area designated for orderly annexation, the designation shall not be effective until approved in an election conducted pursuant to section 414.031, subdivision 5."

Page 4, line 23, after "in" and before "subdivision" insert "section 414.031,".

Page 7, line 1, strike "the plan of" and insert in lieu thereof "shall operate under the statutory plan of government in operation in that village unless otherwise ordered by the commission.".

Page 7, strike lines 2 and 3.

Page 7, line 4, strike "1967, Section 412.551, at any time.".

Page 7, line 8, strike "inoperable." and insert in lieu thereof "reviewed by the commission, and if necessary to provide substantially equal representation to the residents of the new municipality, the commission shall in its order redistrict the wards and adjust ward boundaries. The number of councilmen shall be as prescribed in the charter or law applicable to the most populous municipality or such other number as agreed to by the included municipalities. The commission may as an alternative abolish the ward system.".

Page 11, line 16, strike "Subdivisions 2 and 5, are repealed." and insert in lieu thereof "Subdivision 2, is repealed.".

Page 11, after line 19, add:

"Sec. 14. Minnesota Statutes 1971, Section 414.031, Subdivision 5, is amended to read:

Subd. 5. Where the proceeding for annexation has not been initiated by petition of a majority of the property owners within the area to be annexed, the order of the commission for annexation shall fix a day, not less than twenty days nor more than ninety days, after the entry of such an order, when an election shall be held at a place designated by the commission within the area (TO BE ANNEXED) determined by the commission to be primarily and substantially interested in or affected by the commission order. The secretary shall cause a copy of the order affirming the petition, including the notice of the election, to be posted not less than 20 days before the election in three public places in the area (TO BE ANNEXED), and shall cause notice

of the election to be published two successive weeks in a newspaper qualified as medium of official and legal publication, of general circulation, in the area (TO BE ANNEXED). The commission shall appoint the necessary election judges from voters resident in the area and shall supervise them in their duties. The commission shall designate the polling place or places, using so far as possible the usual polling place or places. The polls shall be open at least 13 hours and until at least 8 p.m. The judges shall conduct the election so far as practicable in accordance with the laws regulating (THE ELECTION OF TOWN OFFICERS) *special elections*. Only voters residing within the (TERRITORY DESCRIBED IN) *area primarily and substantially interested in or affected by* the commission's order shall be entitled to vote. The ballot shall bear the words "For Annexation" and "Against Annexation" with a square before each of the phrases in one of which the voter shall make a cross to express his choice. The ballots and election supplies shall be provided and the election judges shall be paid by the petitioners or annexing municipality. Immediately upon completion of the counting of the ballots, the judges of the election shall make a signed and verified certificate declaring the time and place of holding the election, that they have canvassed the ballots cast, and the number cast both for and against the proposition, and they shall then file the certificate with the secretary of the commission. If the certificate shows the majority of the votes cast were "For Annexation" the commission's order shall be effective in accordance with subdivision 6. The secretary shall attach the certificate to the original petition or resolution, the original order affirming the petition or resolution as submitted or as amended in the order, and the original proofs of the posting of the election notice, and the annexation order."

Further amend the title:

Page 1, line 10, after "14;" insert "414.031, Subdivision 5;"

Page 1, line 16, strike "Subdivisions 2 and 5" and insert "Subdivision 2".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 1550, A bill for an act relating to personnel in government; their rights, privileges and benefits; creating a department of personnel and pensions; defining its powers and duties; amending Minnesota Statutes 1971, Sections 15A.021; 15A.031; 15A.041; 15A.101; 15A.12; 43.01, Subdivisions 6, 7, 8, and 9, and by adding subdivisions; 43.02; 43.03; 43.05; 43.06; 43.07; 43.08; 43.09; 43.111; 43.122; 43.128; 43.13; 43.15; 43.17, Subdivision 2; 43.18, Subdivision 1; 43.19; 43.21; 43.23; 43.24; 43.32; 43.48; 43.43; and Chapter 43, by adding sections; repealing Minnesota Statutes 1971, Sections 15A.14; 43.01, Subdivision 5; 43.041;

43.10; 43.18, Subdivision 3; 43.30; 43.34; and 299D.03, Subdivisions 2, 7, 8, 9, 10, 11, and 12.

Reported the same back with the following amendments:

Page 1, line 23, strike "AND PENSIONS:."

Page 1, line 24, strike "and".

Page 1, line 25, strike "pensions".

Page 1, line 26, strike "and pensions".

Page 1, line 28, strike "and pensions".

Page 2, line 28, strike "and pensions".

Page 3, line 6, strike "and pensions".

Page 3, line 15, strike "and pensions".

Page 4, line 13, strike "and pensions".

Page 9, line 28, strike "and pensions".

Page 10, line 16, strike "and".

Page 10, line 17, strike "pensions".

Page 10, line 26, before "salaries" insert "individual".

Page 11, line 2, strike "after approval of a salary plan by".

Page 11, strike line 3 and insert in lieu thereof "*within the limits of a salary plan which shall have been approved by the commissioner before becoming effective. The first such plan shall be submitted to the commissioner in July 1974 for the following academic year.*".

Page 11, line 4, before "Subd. 2." insert a paragraph to read:

"No provision of any subsequent law relating to salaries of state employees shall be construed as inconsistent with this subdivision unless it is expressly provided in such subsequent act that the provisions of this subdivision shall not be applicable or shall be superseded, amended, or repealed."

Page 14, line 15, after "legislature." add "*The board shall submit a report of the results of its review to the commissioner. The report shall be public information.*".

Page 14, line 26, strike "and pensions".

Page 15, line 20, after "thereof," insert "and hearing officers".

Page 15, line 22, after "board" insert "and hearing officers".

Page 15, line 23, strike "it" and reinstate "they".

Page 15, line 23, strike "requires" and reinstate "require".

Page 15, line 24, strike "it has" and reinstate "they have".

Page 17, line 18, strike "and".

Page 17, line 19, strike "*pensions*".

Page 18, line 27, strike "*and pensions*".

Page 20, line 9, strike "*and pensions*".

Page 24, line 7, strike "*and pensions*".

Page 24, line 17, strike "Such rules shall provide, among other things, for:".

Page 24, strike lines 18 through 28.

Page 25, strike lines 1 through 15.

Page 25, line 16, strike "having knowledge of the facts.".

Page 25, line 21, strike "*and pensions*".

Page 26, line 14, strike "*and pensions*".

Page 27, line 1, strike "30" and insert in lieu thereof "20".

Page 27, line 1, strike "36" and insert in lieu thereof "24".

Page 29, line 25, strike "*and pensions*".

Page 33, strike lines 4 and 5.

Page 33, line 6, strike "*must be validated.*" and insert in lieu thereof "*Examination for positions in the classified service shall relate to those areas which will reasonably measure success on the job. Appropriate scientific means of selection shall be used and empirical studies to validate examinations shall be conducted wherever feasible. No means of selection shall be used which are culturally specific unless it can be demonstrated that performance on such measures is significantly and directly related to job performance.*".

Page 33, line 7, before "*entrance*" insert "*oral*".

Page 33, line 21, after "*reinstatement lists*" insert "*shall be six months,*".

Page 33, line 21, reinstate "*one year*".

Page 33, line 22, strike "*six months*".

Page 34, line 1, delete "*and pensions*".

Page 34, line 5, strike "*director*" and insert in lieu thereof "*commissioner*".

Page 34, line 7, strike "*ten*" and reinstate "*three*".

Page 34, reinstate the stricken language on lines 8, 9, and 10.

Page 34, line 11, after "43.23." add:

"*In the case of an eligible list for initial entry into the state service, the commissioner, however, shall certify the first ten names on such list.*".

Page 34, line 26, strike "*listed in schedules b and c,*" and insert in lieu thereof "*defined by personnel rule as 'non-managerial' "*".

Page 36, line 6, strike "*person,*" and insert in lieu thereof "*state employee*".

Page 36, line 8, strike "*and pensions in exceptional cases*".

Page 36, line 9, strike "*however*".

Page 36, line 9, strike "*limit*" and insert in lieu thereof "*require*".

Page 36, line 9, strike "*only*".

Page 36, line 10, after "*by*" insert "*any*".

Page 36, line 10, strike "*persons in the state service*" and insert in lieu thereof "*person*".

Page 36, line 23, after "*classes*" insert "*to be not less than 30 days and not more than two years*".

Page 39, line 24, after "*political*" insert "*or because of the employee's race, sex, disability or age, subject however to the mandatory retirement ages specified by law*".

Page 40, line 25, strike "*At the*" and insert in lieu thereof "*Prior to the*".

Page 40, line 28, strike "*Those issues, upon*".

Page 41, strike lines 1 through 18.

Page 41, line 19, strike "*dispute.*" and insert in lieu thereof "*If the hearing officer is successful in reaching a mutually agreed settlement between both parties, such agreement shall be certified to the board, with copies furnished to both parties, and such agreement, if approved by the board, shall become binding on both parties. The hearing conference shall be conducted in such manner and follow such procedures as prescribed by the board. The issues and facts on which agreement has not been reached will be decided during the hearing at which hearing technical rules of evidence shall not apply.*".

Page 48, line 13, strike "*and pensions*".

Page 54, line 28, strike "*and pensions*".

Page 55, line 26, strike "*and*".

Page 55, line 27, strike "*pensions*".

Page 56, line 24, strike "*and pensions*".

Page 57, line 4, strike "*November 15*" and insert in lieu thereof "*December 1*".

Page 57, line 5, strike "*and pensions*".

Page 57, line 14, strike "*retirement benefits,*".

Page 57, line 16, after "*compensation*" insert "*for all employees of the state*".

Page 57, line 21, after "*employees*" insert "*to the extent that such agreements pertain to issues or items included in the commissioner's compensation recommendations described in this subdivision*".

Page 59, line 11, strike "*and retirement*".

Page 59, line 13, strike "*and pensions*".

Page 59, strike lines 14 through 28.

Page 60, strike lines 1 through 28.

Page 61, strike lines 1 through 4.

Page 61, strike lines 11 through 16 and insert in lieu thereof "*establish an appropriate compensation schedule in the classified civil service pay plan and shall make appropriate salary range assignments for each classification within the highway patrol. The range assignments shall reflect the results of the collective bargaining process for the fiscal years 1973-1975.*".

Page 62, line 25, strike "*and pensions*".

Page 62, line 26, strike "*and pensions*".

Page 63, line 12, strike "*and pensions*".

Page 63, line 13, strike "*and*".

Page 63, line 14, strike "*pensions*".

Page 63, strike lines 17 through 27.

Page 64, line 5, strike "*the numerous officers, board*".

Page 64, strike lines 6 through 9.

Page 64, line 10, strike "*board,*".

Page 64, line 20, strike "*and*".

Page 64, line 21, strike "*pensions*".

Page 67, line 6, strike "*and pensions*".

Page 67, line 10, after "*15A.14,*" insert "*16.02, Subdivisions 20 and 22,*".

Page 67, line 13, strike "*Section 45 is in effect on*".

Page 67, strike line 14 and insert in lieu thereof "*This act is*".

Page 67, line 16, strike "*and pensions*".

Page 67, line 18, strike "*and pensions*".

Page 67, line 19, strike "*and*".

Page 67, line 20, strike "*pensions*".

Page 67, line 27, strike "*and pensions*".

Page 68, line 1, strike "*and pensions*".

Renumber the sections in sequence.

Further, amend the title in lines 4 and 5 by deleting "*and pensions*". In line 17 after "15A.14;" insert "16.02, Subdivisions 20 and 22;"

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 1626, A bill for an act relating to retirement; the Minnesota unclassified employees retirement program; amending Minnesota Statutes 1971, Chapter 352D, by adding sections; Sections 352D.01, 352D.02, 352D.03, 352D.04, 352D.05, 352D.06, and 352D.09; repealing Minnesota Statutes 1971, Sections 352D.07 and 352D.08.

Reported the same back with the following amendments:

Page 2, line 27, after the word "governor," insert "*lieutenant governor,*".

Page 3, line 21, after word "*new*" insert "*or present*".

Page 3, line 23, after word "employment" insert "*or the effective date of this act*".

Page 3, line 24, after word "*employee*" strike "*in the classified service*" and insert in lieu thereof "*with coverage in the regular fund*".

Page 4, line 25, place a period after the word "*program*" and strike the balance of the sentence on lines 25, 26 and 27.

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 1673, A bill for an act relating to the public employees retirement association; appointment of assistant attorney general to serve three funds; clarification of language, elimination of unnecessary language; increased contributions, actuarial interest assumption, and benefits on high five years final average salary; providing penalties; amending Minnesota Statutes 1971, Chapter 8, by adding a section; Sections 353.01, Subdivisions 2, 4, 6, 7, 10, 11, 12, 15, 16, 20, 23, 25, 27, 29 and 31 and by adding subdivisions; 353.03, Subdivision 1, and by adding a subdivision; 353.06; 353.08; 353.14; 353.15; 353.18; 353.19; 353.27, Subdivisions 1, 2, 3, 4, and 7, and by adding subdivisions;

353.271, Subdivisions 1 and 2; 353.28, Subdivisions 1, 6, and 8; 353.29, Subdivisions 1, 2, and 3, and by adding subdivisions; 353.30, Subdivisions 3 and 4, and by adding a subdivision; 353.31, Subdivisions 1 and 8; 353.32, Subdivisions 1, 2, 4, and 5, and by adding a subdivision; 353.33, Subdivisions 1, 2, 3, and 11; 353.34, Subdivisions 2, 3, and 6; 353.35; 353.36, Subdivision 2, and by adding subdivisions; 353.37, Subdivision 1; 353.40; 353.46, Subdivisions 1, 2, 3, and 4; 353.65, Subdivisions 2 and 3, and by adding a subdivision; 353.656, Subdivisions 1, 3 and 6; 353.657, Subdivisions 1, 2, and 3; 353.68, Subdivision 4; 353.69; 353.71, Subdivisions 1, 2, 3, and 4; 490.12, Subdivision 5; and Chapter 353, by adding sections; repealing Minnesota Statutes 1971, Sections 353.015; 353.07; 353.13; 353.26; 353.27, Subdivision 5; 353.28, Subdivisions 2, 3, 4, 7, 9, and 10; 353.31, Subdivisions 3, 4, 5, 6, 7, and 10; 353.33, Subdivision 10; 353.36, Subdivisions 5, 6, 7, 8, 9, and 10; 353.37, Subdivisions 2 and 3; 353.39; 353.44; 353.45; 353.46, Subdivision 5; 353.51; 353.52; 353.53; 353.54; 353.55; 353.56; 353.57; 353.58; 353.59; 353.591; 353.60; 353.61; 353.65, Subdivision 5; 353.654; 353.655; 353.66; 353.68, Subdivisions 2, 3, 5, 6, 7, 8, and 9.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1971, Chapter 8, is amended by adding a section to read:

[8.025] [DEPUTY, RETIREMENT ASSOCIATIONS.] *The attorney general shall appoint an assistant attorney general, in addition to the number now authorized by law, who shall be assigned to the public employees retirement association, the Minnesota state retirement system, the teachers retirement association and the highway patrolmen's retirement association. Said assistant attorney general shall receive the same salary as other assistant attorneys general. The compensation and all expenses and disbursements of such assistant attorney general shall be paid from moneys of the public employees retirement association, the Minnesota state retirement system, the teachers retirement association and the highway patrolmen's retirement association.*

Sec. 2. Minnesota Statutes 1971, Section 353.01, Subdivision 2, is amended to read:

Subd. 2. [PUBLIC EMPLOYEE.] ((1)) "Public employee" means any person performing personal services (AS AN ELECTED OR APPOINTED OFFICER OR EMPLOYEE) for a governmental subdivision (OR FOR AN ELECTED OFFICER THEREOF, INCLUDING ANY MUNICIPAL JUDGE OR SPECIAL MUNICIPAL JUDGE, AND), whose salary is paid, in whole or in part, from revenue derived from taxation, (OR BY) fees, assessments, or from other sources. (THE TERM "PUBLIC EMPLOYEE" ALSO MEANS ANY PERSON SERVING AS AN ELECTED MEMBER OF THE LEGISLATURE OF

THE STATE OF MINNESOTA AND WHO WAS FIRST ELECTED TO OFFICE PRIOR TO DECEMBER 31, 1969, OR ANY PERSON APPOINTED AS A DISTRICT COURT REPORTER IN THIS STATE AND ANY OFFICER OR EMPLOYEE OF THE PUBLIC EMPLOYEES RETIREMENT ASSOCIATION, OR ANY EMPLOYEE OF THE LEAGUE OF MINNESOTA MUNICIPALITIES.) *The term also includes special classes of persons listed in subdivision 2a, but excludes special classes of persons listed in subdivision 2b.*

(2) "PUBLIC EMPLOYEE" DOES NOT MEAN:

(A) PERSONS EMPLOYED FOR PROFESSIONAL SERVICES WHERE SUCH SERVICE IS INCIDENTAL TO REGULAR PROFESSIONAL DUTIES AND WHOSE COMPENSATION IS PAID ON A PER DIEM BASIS;

(B) ELECTION OFFICERS;

(C) PERSONS WHO ARE INDEPENDENT CONTRACTORS AND THEIR EMPLOYEES;

(D) PATIENT AND INMATE HELP IN GOVERNMENTAL SUBDIVISION CHARITABLE, PENAL AND CORRECTIONAL INSTITUTIONS;

(E) ANY PERSONS BY REASON OF THEIR BEING MEMBER OF BOARDS, COMMISSIONS, BANDS AND OTHERS WHO SERVE THE GOVERNMENTAL SUBDIVISION INTERMITTENTLY AND ARE PAID ON A PER DIEM OR PER MEETING BASIS;

(F) EMPLOYEES WHO HOLD POSITIONS OF AN ESSENTIALLY TEMPORARY OR SEASONAL CHARACTER, PROVIDED SUCH EMPLOYMENT DOES NOT CONTINUE FOR A PERIOD IN EXCESS OF 120 WORKING DAYS IN ANY CALENDAR YEAR, AND IN THE EVENT SUCH EMPLOYEES RECEIVE COMPENSATION ON A MONTHLY SALARY BASIS, EACH CALENDAR MONTH FOR WHICH THEY ARE SO PAID SHALL CONSTITUTE 30 WORKING DAYS, HOWEVER, IMMEDIATELY FOLLOWING THE EXPIRATION OF SUCH 120 WORKING DAYS IF SUCH EMPLOYEES CONTINUE IN PUBLIC SERVICE AND EARN IN EXCESS OF \$75 IN ANY ONE CALENDAR MONTH, THE DEPARTMENT HEADS OF THE VARIOUS GOVERNMENTAL SUBDIVISIONS MUST THEN REPORT ALL SUCH EMPLOYEES FOR MEMBERSHIP PURSUANT TO SECTION 353.07 AND MUST CAUSE EMPLOYEE CONTRIBUTIONS TO BE MADE ON BEHALF OF SUCH EMPLOYEES IN ACCORDANCE WITH SECTION 353.27, SUBDIVISION 4;

(G) PART-TIME EMPLOYEES WHO RECEIVE MONTHLY COMPENSATION NOT EXCEEDING \$75;

(H) EMERGENCY EMPLOYEES WHO ARE EMPLOYED BY A GOVERNMENTAL SUBDIVISION BY REASON OF EMERGENCY WORK CAUSED BY FIRE, FLOOD, STORM OR SIMILAR DISASTER;

(I) PUBLIC EMPLOYEES WHO BY VIRTUE OF THEIR EMPLOYMENT ARE REQUIRED TO CONTRIBUTE TO ANY OTHER PENSION, RELIEF OR RETIREMENT FUND ESTABLISHED FOR THE BENEFIT OF OFFICERS AND EMPLOYEES OF A GOVERNMENTAL SUBDIVISION, EXCEPT AS AN ACT OF THE LEGISLATURE HAS SPECIFICALLY ENABLED PARTICIPATION BY EMPLOYEES OF A DESIGNATED GOVERNMENTAL SUBDIVISION IN A PLAN SUPPLEMENTAL TO THE PUBLIC EMPLOYEES RETIREMENT ASSOCIATION; PROVIDED THAT THIS PARAGRAPH SHALL NOT PREVENT A PERSON WHO BELONGS TO THE PUBLIC EMPLOYEES RETIREMENT ASSOCIATION FROM ALSO BELONGING TO OR CONTRIBUTING TO A VOLUNTEER FIREMEN'S RELIEF ASSOCIATION THAT DOES NOT DETERMINE ITS BENEFITS OR CONTRIBUTIONS ON THE BASIS OF THE SALARY OR COMPENSATION OF THE FIREMAN;

(J) POLICE MATRONS EMPLOYED IN A POLICE DEPARTMENT OF ANY CITY WHO ARE TRANSFERRED TO THE JURISDICTION OF A JOINT CITY AND COUNTY DETENTION AND CORRECTIONS AUTHORITY;

(K) PERSONS WHO MAKE APPLICATION TO BE EXEMPTED FROM MEMBERSHIP IN THE PUBLIC EMPLOYEES RETIREMENT ASSOCIATION, DUE TO MEMBERSHIP IN ANY RELIGIOUS ORGANIZATION WHICH HAS BEEN ORGANIZED FIVE YEARS OR MORE AS OF JANUARY 1, 1963, AND WHOSE CUSTOMS, RITES OR RELIGIOUS BELIEFS FORBIDS THEIR MEMBERSHIP IN ANY PUBLIC RETIREMENT ASSOCIATION, PROVIDING SUCH PERSONS FILE AN APPLICATION STATING THE APPLICABLE PROVISIONS OF THEIR RELIGIOUS ORGANIZATION, AND WAIVE ALL CLAIMS FOR RETIREMENT ANNUITIES OR BENEFITS OF ANY KIND PURSUANT TO THIS CHAPTER;

(L) STUDENTS WHO ARE OCCASIONALLY EMPLOYED PART-TIME BY A GOVERNMENTAL SUBDIVISION IN ANY CAPACITY AND FULL-TIME STUDENTS WHO ARE ENROLLED AND ARE REGULARLY ATTENDING CLASSES AT AN ACCREDITED SCHOOL, COLLEGE OR UNIVERSITY; PROVIDED THAT MEDICAL INTERNS AND RESIDENT PHYSICIANS ARE EXCLUDED ONLY IF THEY ARE FULL-TIME GRADUATE DEGREE CANDIDATES.)

Sec. 3. Minnesota Statutes 1971, Section 353.01, is amended by adding subdivisions to read:

Subd. 2a. [INCLUDED EMPLOYEES.] The following persons are included in the meaning of "public employee":

(a) Elected or appointed officers and employees of elected officers.

- (b) District court reporters.
- (c) Officers and employees of the public employees retirement association.
- (d) Employees of the League of Minnesota Municipalities.
- (e) Officers and employees of public hospitals, owned or operated by or an integral part of, any governmental subdivision or governmental subdivisions.
- (f) Employees of a school district who receive separate salaries for driving their own buses.

Subd. 2b. [EXCLUDED EMPLOYEES.] The following persons are excluded from the meaning of "public employee":

- (a) Persons employed for professional services where such service is incidental to regular professional duties.
- (b) Election officers.
- (c) Independent contractors and their employees.
- (d) Patient and inmate help in governmental subdivision charitable, penal and correctional institutions.
- (e) Members of boards, commissions, bands and others who serve the governmental subdivision intermittently.
- (f) Employees who hold positions of an essentially temporary or seasonal character, provided such employment does not continue for a period in excess of 120 working days in any calendar year. In the event such employees receive compensation on a monthly salary basis, each calendar month for which they are so paid shall constitute 30 working days; however, immediately following the expiration of such 120 working days if such employees continue in public service and earn in excess of \$75 in any one calendar month, the department heads must then report all such employees for membership and must cause employee contributions to be made on behalf of such employees in accordance with section 353.27, subdivision 4.
- (g) Part-time employees who receive monthly compensation not exceeding \$75, and part-time employees and elected officials whose annual compensation is stipulated in advance to be not more than \$900 per year.
- (h) Persons who first occupy an elected office after February 1, 1969, the compensation for which does not exceed \$75 per month.
- (i) Emergency employees who are employed by reason of work caused by fire, flood, storm or similar disaster.

(j) Employees who by virtue of their employment are required to contribute to any other pension, relief or retirement fund established for the benefit of officers and employees of a governmental subdivision, except as an act of the legislature has specifically enabled participation by employees of a designated governmental subdivision in a plan supplemental to the public

employees retirement association; provided that this clause shall not prevent a person who belongs to the public employees retirement association from also belonging to or contributing to a volunteer firemen's relief association that does not determine its benefits or contributions on the basis of the salary or compensation of the firemen.

(k) Police matrons employed in a police department of any city who are transferred to the jurisdiction of a joint city and county detention and corrections authority.

(l) Persons who make application to be exempted from membership in the public employees retirement association, due to membership in any religious organization which has been organized five years or more, and whose customs, rites or religious beliefs forbid their membership in any public retirement association, providing such persons file an application stating the applicable provisions of their religious organization, and waive all claims for retirement annuities or benefits of any kind pursuant to this chapter.

(m) Students who are occasionally employed part time by a governmental subdivision in any capacity and full time students who are enrolled and are regularly attending classes at an accredited school, college or university.

(n) Resident physicians, medical interns and pharmacist interns who are serving in public hospitals.

(o) Appointed or elected officers, paid entirely on a fee basis, and who were not members on June 30, 1971.

Sec. 4. Minnesota Statutes 1971, Section 353.01, Subdivision 4, is amended to read:

Subd. 4. [ACCUMULATED DEDUCTIONS.] "Accumulated deductions" means the total of the amounts deducted from the salary of a member, *exclusive of interest*, and the total (AMOUNT) of (ASSESSMENTS) *the amounts paid by a member in lieu of such deductions and credited to his individual account in the retirement fund (WITHOUT INTEREST).*

Sec. 5. Minnesota Statutes 1971, Section 353.01, Subdivision 6, is amended to read:

Subd. 6. [GOVERNMENTAL SUBDIVISION.] "Governmental subdivision" means a county, city, village, borough, town, school district within this state, or a department or unit of state government, *the League of Minnesota Municipalities*, or any (OTHER) public body employing any person who is a public employee by virtue of specific authorization made in section 353.01, (SUBDIVISION 2) *subdivisions 2 and 2a*, but does not mean any municipal housing and redevelopment authority organized under the provisions of Minnesota Statutes, Sections 462.415 to 462.711; or any port authority organized pursuant to Minnesota Statutes, Chapter 458; or any soil conservation district organized pursuant to Minnesota Statutes, Chapter 40; or any hos-

pital district organized or reorganized pursuant to legislation enacted by the 1959 Legislature.

Sec. 6. Minnesota Statutes 1971, Section 353.01, Subdivision 7, is amended to read:

Subd. 7. [MEMBER.] ("MEMBER" MEANS A MEMBER OF THE PUBLIC EMPLOYEES RETIREMENT ASSOCIATION AND "MEMBERSHIP" THEREIN IS LIMITED TO PERSONS WHO ARE ENGAGED IN) *A member is a person who accepts employment as a "public employee" and remains a member while performing services as a public (EMPLOYEES BUT ALSO INCLUDES PERIODS WHEN SUCH PERSONS ARE) employee and while on an authorized leave of absence or an authorized temporary layoff; provided, however, (1) that any elected public officer or any person appointed to fill a vacancy in an elective office shall have the right to exercise an option to become a member by filing application for membership, but such option, once exercised, may not be withdrawn during the incumbency of such person in office; (2) that any member who is appointed by the governor to be a state department head and elects pursuant to Minnesota Statutes, Section 352.021, Subdivision 3, not to be covered by the Minnesota state retirement system, shall remain a member of the public employees retirement association. Membership in the retirement association of any person shall terminate upon his ceasing to be a "public employee."*

Sec. 7. Minnesota Statutes 1971, Section 353.01, Subdivision 10, is amended to read:

Subd. 10. [SALARY.] "Salary" means the periodical compensation of any public employee, *before deductions for deferred compensation or supplemental retirement plans*, and also means "wages" and includes net income from fees (AFTER DEDUCTION OF EXPENSES WHICH ARE PAID BY THE PRIMARY PUBLIC EMPLOYERS. WITH THE EXCEPTION OF JUSTICES OF THE PEACE WHO ARE MEMBERS OF PUBLIC EMPLOYEES RETIREMENT ASSOCIATION ON JUNE 30, 1971, OCCASIONAL COMPENSATION RECEIVED FROM OTHER THAN THE PRIMARY PUBLIC EMPLOYER OR FROM SOURCES OTHER THAN PUBLIC SHALL NOT BE CONSIDERED FEES FOR PURPOSES OF LAWS 1971, CHAPTER 106).

Sec. 8. Minnesota Statutes 1971, Section 353.01, Subdivision 11, is amended to read:

Subd. 11. [PUBLIC SERVICE.] "Public service" means service as an officer or employee (OF THE STATE OR) of a governmental subdivision.

Sec. 9. Minnesota Statutes 1971, Section 353.01, Subdivision 12, is amended to read:

Subd. 12. [TEMPORARY LAYOFF.] "Temporary layoff" means a suspension of public employment for a period not exceeding three and one half months in any calendar year, by action

of the employing governmental subdivision evidenced (PRIOR TO THE COMMENCEMENT THEREOF) by appropriate (CURRENT OFFICIAL) record of the (GOVERNMENTAL SUBDIVISION) *employer and promptly transmitted to the association.*

Sec. 10. Minnesota Statutes 1971, Section 353.01, Subdivision 15, is amended to read:

Subd. 15. [DEPENDENT CHILD.] "Dependent child" means any natural or adopted child of a deceased member, provided such child is (a) under the age of 18, (b) age 18 through 21 and a full time student, and in either case unmarried and (ACTUALLY) dependent for more than one half of (HIS) support upon such member at the time of death and for not less than 90 days prior thereto; provided, that effective retroactively to April 30, 1970 the child of a deceased member, who at the time of his death was receiving total and permanent disability benefits pursuant to section 353.33, shall be deemed dependent if (HE) *such child* was dependent upon the decedent for more than one half of (HIS) support during the 90 days prior to (HIS) *the decedent's* becoming totally and permanently disabled, except that no payment in behalf of such a dependent child shall commence prior to July 1, 1971. It also includes any child of the member conceived during his lifetime and born after his death in any case where a member died after July 1, 1957. It also means any dependent child who is the subject of (JOINT) adoption proceedings filed by a member (AND HIS WIFE), and who within two years after death of the member, by judgment and decree duly entered, is adjudged to be the adopted child of the deceased (MEMBER'S SURVIVING WIFE) *member*; subject, however, to the qualifying conditions of age and dependency aforesaid and the dependency of the child hereunder shall date from the decree of adoption.

Sec. 11. Minnesota Statutes 1971, Section 353.01, Subdivision 16, is amended to read:

Subd. 16. [ALLOWABLE SERVICE.] "Allowable service" means:

(1) Service during years of actual membership in the course of which employee contributions were currently made; periods covered by payments in lieu of salary deductions made as provided in (SECTIONS) *section 353.35 (AND 353.39)*, and service in years during which the public employee was not a member but for which he later elected, while a member, to obtain credit by making payments to the fund as permitted by any law then in effect.

(2) Any period of authorized leave of absence with pay from which deductions for employee contributions are made, deposited, and credited to the fund.

(3) Any period of authorized leave of absence without pay or temporary layoff, during or for which a member obtained

credit by payments to the fund made in lieu of salary deductions, provided that such payments are made in an amount or amounts based on his average salary on which deductions were paid (a) for the last six months of public service, or (b) that portion of the last six months while he was in public service, to apply to the period in either case immediately preceding commencement of such leave of absence or temporary layoff; provided, however, that if the employee elects to pay employee contributions for the period of any leave of absence without pay or temporary layoff, or for any portion thereof, he shall also, as a condition to the exercise of such election, pay to the fund an amount equivalent to both the required employer and additional employer contributions therefor, such payment to be made currently or within one year from the date the leave of absence or temporary layoff terminates, unless the employer by appropriate action of its governing body and made a part of its official records, prior to the date of the first payment of such employee contribution, certifies to the association in writing that it will cause to be paid such employer and additional employer contributions from the proceeds of a tax levy made pursuant to section 353.28.

(4) Any period during which a member is on an authorized sick leave of absence (OR AN AUTHORIZED TEMPORARY LAYOFF), *with or without pay.*

(5) *Any period during which a member is on an authorized leave of absence to enter military service, provided that the member returns to public service upon discharge from military service pursuant to Minnesota Statutes, Section 192.262, and pays into the fund employee contributions based upon his salary at the date of return from military service. The amount of these contributions shall be in accord with the contribution rates and salary limitations, if any, in effect during such leave, plus interest thereon at six percent per annum compounded annually from the date of return to public service to the date payment is made. In such cases the matching employer contribution and additional employer contribution provided in section 353.27, subdivisions 3 and 3a, shall be paid by the department employing such member upon his return to public service and the governmental subdivision involved is hereby authorized to appropriate money therefor. Such member shall not receive credit for any voluntary extension of military service at the instance of the member beyond the initial period of enlistment, induction or call to active duty.*

Sec. 12. Minnesota Statutes 1971, Section 353.01, Subdivision 20, is amended to read:

Subd. 20. [DEPENDENT SPOUSE.] "Dependent spouse" means: (1) the unmarried (WIDOW) spouse of a deceased member, OR (2) THE WIDOWER OF A DECEASED MEMBER who (HAS ATTAINED THE AGE OF 65, HAS NOT REMARRIED,) was living with and dependent upon the member at the time of death for more than one-half of (HIS) support(; OR THE WIDOWER OF A DECEASED MEMBER WHO HAS

NOT REMARRIED AND IS TOTALLY AND PERMANENTLY DISABLED).

Sec. 13. Minnesota Statutes 1971, Section 353.01, Subdivision 23, is amended to read:

Subd. 23. [RETIREMENT ANNUITY.] "Retirement annuity" means the (PENSION) *amount* paid or payable by the fund to a former member after retirement.

Sec. 14. Minnesota Statutes 1971, Section 353.01, Subdivision 25, is amended to read:

Subd. 25. [SPOUSE'S ANNUITY.] "Spouse's annuity" means the (ALLOWANCE) *annuity* paid or payable by the fund to a surviving spouse of a deceased member who is not an annuitant, if such surviving spouse has not remarried and has attained age 62 years.

Sec. 15. Minnesota Statutes 1971, Section 353.01, Subdivision 27, is amended to read:

Subd. 27. [BENEFIT.] "Benefit" means (AN ALLOWANCE) *a monthly survivor benefit* paid or payable by the fund to a surviving dependent spouse or a dependent child and also includes (AN ALLOWANCE) *a monthly disability benefit* paid or payable by the fund to a member (OR FORMER MEMBER) who is (PERMANENTLY AND) *totally and permanently disabled*.

Sec. 16. Minnesota Statutes 1971, Section 353.01, Subdivision 29, is amended to read:

Subd. 29. [DESIGNATED BENEFICIARY.] "Designated beneficiary" means the person designated by a member in writing, filed with the association, to receive *a refund of* the balance of his accumulated deductions after death. (IF THE MEMBER FAILS TO DESIGNATE SUCH A PERSON OR IF THE PERSON SO DESIGNATED PREDECEASES THE MEMBER, BENEFICIARY IN SUCH CASES MEANS THE ESTATE OF THE DECEASED MEMBER, EXCEPT AS PROVIDED IN SECTION 353.32, SUBDIVISION 5.)

Sec. 17. Minnesota Statutes 1971, Section 353.01, Subdivision 31, is amended to read:

Subd. 31. [LEAVE OF ABSENCE.] "Leave of absence" means any period during which a member is duly authorized by his employer to refrain from active employment, with or without pay, (NOT TO EXCEED IN THE AGGREGATE 12 MONTHS DURING THE ENTIRE PERIOD OF HIS MEMBERSHIP, EXCLUSIVE OF VACATION PERIODS, EDUCATIONAL LEAVES, LEAVES FOR JOB TRAINING AND SICK LEAVE,) evidenced (IN ANY CASE PRIOR TO THE COMMENCEMENT THEREOF) by appropriate (CURRENT) record of the employer and promptly transmitted to the association.

Sec. 18. Minnesota Statutes 1971, Section 353.01, is amended by adding subdivisions to read:

Subd. 32. [COORDINATED MEMBER.] "Coordinated member" means any public employee, including any public hospital employee, covered by any agreement or modification made between the state and the secretary of health, education and welfare, making the provisions of the federal old age, survivors and disability insurance act applicable to such member.

Subd. 33. [BASIC MEMBER.] "Basic member" means any public employee, including any public hospital employee, not covered by any agreement or modification made between the state and the secretary of health, education and welfare.

Sec. 19. Minnesota Statutes 1971, Section 353.03, Subdivision 1, is amended to read:

353.03 [BOARD OF TRUSTEES.] Subdivision 1. [MANAGEMENT; COMPOSITION; ELECTION.] The management of the public employees retirement fund is hereby vested in a board of trustees consisting of (12) 13 members, who shall be known as the board of trustees. This board shall consist of (THE STATE AUDITOR, THE STATE INSURANCE COMMISSIONER, THE STATE TREASURER,) three trustees, one of whom shall be designated by each of the following associations, Minnesota school boards association, League of Minnesota Municipalities, and Association of Minnesota Counties, and nine (OTHER) trustees, who shall be elected from the membership by the members of the retirement association (BY MAIL BALLOT), and one trustee who shall be a retired annuitant elected by other annuitants. Elected trustees shall hold office for a term of three years. On November 1 of each year, and for seven days thereafter, the (BOARD) association shall accept at its office filings in person or by mail of candidates for the board of trustees. The candidate shall submit at the time of his filing a nominating petition signed by 25 or more members of the fund, and in the case of a retired annuitant, a nominating petition signed by 25 or more such annuitants. No nominee may withdraw his name from nomination after November 15. Candidates shall file at large for all seats vacant at the forthcoming election. By December 10 of each year the board shall (PRINT AND) distribute by mail to the members (A BALLOT) and annuitants ballots listing the candidates, the number of positions to be filled and blank lines for write in votes. No special marking may be used on the ballot to indicate incumbents. (ANY CANDIDATE MAY HAVE AT HIS REQUEST A LIST OF THE MEMBERSHIP WITH THEIR EMPLOYING SUBDIVISION AND ADDRESS SHOWN, IF AVAILABLE, PREPARED AT THE EXPENSE OF THE FUND. IT IS ILLEGAL FOR A CANDIDATE TO USE OR ALLOW THE USE OF THE LIST FOR ANY PURPOSE OTHER THAN FURTHERING HIS CANDIDACY FOR THE BOARD. AFTER THE ELECTION THE LIST SHALL BE RETURNED TO THE BOARD. BALLOTS SHALL BE SENT TO THE MEMBERS BY DECEMBER 10 EACH YEAR.) The last day for mailing ballots to the fund shall be December 31. All terms expire on December 31 of the third year (IN WHICH THE TERM EXPIRES), and the position shall

remain vacant until the newly elected member is qualified. The ballot envelopes shall be so designed and the ballots shall be counted in such a manner as to insure that each (MEMBER'S) vote is secret. The election shall be supervised by the (EX-OFFICIO MEMBERS OF THE BOARD) *secretary of state*. (MEMBERS OF THE BOARD SO ELECTED SHALL HOLD OFFICE FOR A TERM OF THREE YEARS. PRESENT MEMBERS OF THE BOARD OF TRUSTEES SHALL SERVE FOR THE TERMS FOR WHICH THEY WERE ELECTED.) It shall be the duty of the board of trustees to faithfully administer the law without prejudice and consistent with the expressed intent of the legislature. They shall act as trustees with a fiduciary obligation to the state of Minnesota which created the fund, the taxpayers of the governmental subdivisions which aid in financing it and the public employees who are its beneficiaries.

Sec. 20. Minnesota Statutes 1971, Section 353.03, is amended by adding a subdivision to read:

Subd. 1a. [VACANCY, HOW FILLED.] Any vacancy on the board caused by death, resignation, or removal of any member so elected shall be filled by the board for the unexpired portion of the term in which the vacancy occurs.

Sec. 21. Minnesota Statutes 1971, Section 353.06, is amended to read:

353.06 [STATE BOARD OF INVESTMENT TO INVEST FUNDS.] *The secretary of the board of trustees shall from time to time certify to the state board of investment for investment such portions of the retirement fund as in its judgment may not be required for immediate use. Assets from the public employees retirement fund shall be transferred to the Minnesota adjustable fixed benefit fund as provided in Minnesota Statutes, Section 11.25. The state board of investment shall thereupon invest and reinvest the sum so certified, or transferred, in such securities as are duly authorized as legal investments for state employees retirement fund and shall have authority to sell, convey, and exchange such securities and invest and reinvest the securities when it deems it desirable to do so and shall sell securities upon request of the board of trustees when such funds are needed for its purposes. All of the provisions regarding accounting procedures and restrictions and conditions for the purchase and sale of securities for the state employees retirement fund shall apply to the accounting, purchase and sale of securities for the public employees retirement fund.*

Sec. 22. Minnesota Statutes 1971, Section 353.08, is amended to read:

353.08 [LEGAL ADVISER, ATTORNEY GENERAL.] *The attorney general shall be the legal adviser of the board of trustees. The board may sue or be sued in the name of the (PUBLIC EMPLOYEES') board of trustees of the public (EMPLOYEE'S) employees retirement association and, in all actions*

brought by it or against it, the board shall be represented by the attorney general.

Sec. 23. Minnesota Statutes 1971, Section 353.14, is amended to read:

353.14 [BENEFITS FROM OTHER FUNDS.] No annuity or benefit provided by chapter 353 shall be affected, diminished, or impaired by any pension, benefit, or annuity which any member or his survivor is entitled to receive from a tax supported public retirement system authorized by any other law, for (THE SAME OR) different service for which he is entitled to receive benefit or annuity from the public employees retirement association.

Sec. 24. Minnesota Statutes 1971, Section 353.15, is amended to read:

353.15 [NONASSIGNABILITY AND EXEMPTION OF ANNUITIES AND BENEFITS FROM JUDICIAL PROCESS AND TAXATION.] No money, annuity, or benefit provided for in this chapter is assignable or subject to a *power of attorney*, execution, levy, attachment, garnishment, or legal process, or to any state income tax or state inheritance tax, except that none shall be exempt from taxation under *Minnesota Statutes*, Chapter 291, unless transferred to a surviving spouse or minor or dependent child of the decedent or a trust for their benefit. *Provided, however, the association may pay an annuity, benefit or refund to a trust company, qualified under Minnesota Statutes, Chapter 48, that is trustee for a person eligible to receive such annuity, benefit or refund. The association may prescribe the conditions under which such payment will be made.*

Sec. 25. Minnesota Statutes 1971, Section 353.18, is amended to read:

353.18 [RULES AND REGULATIONS.] All matters and administrative details not specifically provided for in this chapter shall be governed by rules and regulations issued and promulgated by the board of trustees. The final power to determine the status of any individual in the employ of any governmental subdivision, for the purposes of this chapter, is hereby vested in the board, and such determination shall not be disturbed unless found to be arbitrary and capricious.

Sec. 26. Minnesota Statutes 1971, Section 353.19, is amended to read:

353.19 [PENALTIES FOR FALSE INFORMATION.] Any person who shall give any false information to the board of trustees or any officer or agent of the retirement association (FOR THE PURPOSE OF OBTAINING MEMBERSHIP IN SUCH ASSOCIATION), or any person, who shall wilfully fail or refuse to perform or discharge any duty prescribed by this chapter, shall, upon conviction thereof, be guilty of a gross misdemeanor.

Sec. 27. Minnesota Statutes 1971, Section 353.27, Subdivision 1, is amended to read:

353.27 [PUBLIC EMPLOYEES RETIREMENT FUND.] Subdivision 1. **[INCOME; DISBURSEMENTS.]** There is a special fund known as the "Public Employees Retirement Fund", the "retirement fund", or the "fund", which shall include all (OF) the assets of the association. (THAT) *This* fund shall be credited with all contributions, all interest and all other income authorized by law. From this fund there is appropriated the payments authorized by this chapter in the amounts and at such time provided herein, including the expenses of administering the fund (**AUTHORIZED BY THIS CHAPTER**), and including the proper share of the Minnesota adjustable fixed benefit fund.

Sec. 28. Minnesota Statutes 1971, Section 353.27, Subdivision 2, is amended to read:

Subd. 2. **[EMPLOYEE CONTRIBUTION.]** The employee contribution (**TO THE FUND**) shall be an amount (a) for a "*basic member*" equal to (SIX) *eight* percent of (THE) total salary (**OF EVERY MEMBER**); and (b) for a "*coordinated member*" equal to four percent of total salary. (**THIS CONTRIBUTION**) *These contributions* shall be made by deduction from salary in the manner provided in subdivision 4. (**PRIOR TO JULY 1, 1965 NO DEDUCTION SHALL BE MADE FROM ANY SALARY IN EXCESS OF \$4,000 IN ANY CALENDAR YEAR; FROM JULY 1, 1965 TO JULY 1, 1967 DEDUCTIONS SHALL BE MADE ON THE SALARY RECEIVED LIMITED TO \$6,000 IN ANY CALENDAR YEAR, AND THEREAFTER DEDUCTIONS SHALL BE MADE ON TOTAL SALARY.**) Where any portion of a member's salary is paid from other than public funds, such member's employee contribution shall be based on the total salary received from all sources.

Sec. 29. Minnesota Statutes 1971, Section 353.27, Subdivision 3, is amended to read:

Subd. 3. **[EMPLOYER CONTRIBUTION.]** The employer contribution (**TO THE FUND**) shall be an amount equal to (**FOUR PERCENT OF THE SALARY OF EACH MEMBER NOT EXCEEDING \$4,800 IN ANY CALENDAR YEAR FOR THE PERIOD JULY 1, 1956 TO JUNE 30, 1957, FIVE PERCENT OF SUCH SALARY FOR THE FOLLOWING 12 MONTH PERIOD, AND SIX PERCENT OF SUCH SALARY SUBSEQUENTLY THROUGH JUNE 30, 1965, SIX PERCENT OF THE SALARY RECEIVED LIMITED TO \$6,000 IN ANY CALENDAR YEAR FOR THE PERIOD FROM JULY 1, 1965 TO JULY 1, 1967, AND THEREAFTER SIX PERCENT OF THE TOTAL SALARY**) *the employee contribution under subdivision 2.* This contribution shall be made from funds available to the employing subdivision by the means and in the manner provided in section 353.28.

Sec. 30. Minnesota Statutes 1971, Section 353.27, is amended by adding a subdivision to read:

Subd. 3a. **[ADDITIONAL EMPLOYER CONTRIBUTION.]** *An additional employer contribution shall be made equal to (a)*

two and one-half percent of the total salary of each "basic member"; and (b) one and one-half percent of the total salary of each "coordinated member." These contributions shall be made from funds available to the employing subdivision by the means and in the manner provided in section 353.28.

Sec. 31. Minnesota Statutes 1971, Section 353.27, Subdivision 4, is amended to read:

Subd. 4. [EMPLOYERS REPORTING REQUIREMENTS; CONTRIBUTIONS; MEMBER STATUS.] The head of each department (OF THE VARIOUS GOVERNMENTAL SUBDIVISIONS) is hereby directed to cause employee contributions to be deducted at least once each month from the salary of each member and to issue or approve one voucher payable to the state treasurer for the aggregate amount so deducted from such salaries, and at the same time to issue or approve one voucher for the aggregate amount of the employer contributions and the additional employer contributions for the same period of employment as that covered by the employee contributions, and to cause the same to be remitted within 15 days thereafter to the secretary of the board of trustees (TOGETHER WITH A STATEMENT SHOWING THE AMOUNT OF EACH OF SUCH DEDUCTIONS, THE AMOUNT OF SALARIES FROM WHICH SUCH DEDUCTIONS HAVE BEEN MADE AND THE NAMES OF THE PUBLIC EMPLOYEES ON WHOSE ACCOUNTS THE SAME HAVE BEEN MADE). *The head of each department shall, for each pay period in which employee contributions are deducted, submit to the association a salary deduction report, or in lieu thereof a carbon or duplicate copy of departmental payroll abstract, showing (a) the legal names of all members; (b) the legal names of all new public employees and the effective dates of appointment; (c) the amount of each salary deduction; (d) the amount of salary from which each deduction was made; (e) effective dates of all terminations of public service on account of members and if such terminations were caused by death or retirement, there shall be inserted after such date the applicable word, "death" or "retirement"; and (f) effective dates of all temporary layoffs and leaves of absence and if such leaves are sick leaves, there shall be inserted after such date the words, "sick leave." Additionally, reports of contributions shall be accompanied by a membership enrollment form for each new employee in the form prescribed by the board, and it shall be the responsibility of department heads to obtain such enrollment forms from new employees for prompt submission to the association. (SUCH STATEMENT MAY BE FURNISHED IN THE FORM OF A CARBON OR DUPLICATE COPY OF DEPARTMENTAL PAYROLL ABSTRACTS AND IF NOT SUBMITTED IN SUCH FORM, THE HEAD OF EACH DEPARTMENT IS HEREBY REQUIRED TO FURNISH THE SECRETARY OF THE BOARD OF TRUSTEES WITH A CARBON OR DUPLICATE COPY OF HIS DEPARTMENTAL PAYROLL ABSTRACT FOR THE LAST PAY PERIOD DURING THE MONTHS OF JANUARY AND JULY, RESPECTIVELY,*

IN EACH YEAR AND IT SHALL BE THE DUTY OF SAID SECRETARY TO CHECK THE COPIES OF ALL SUCH PAY-ROLL ABSTRACTS AGAINST THE MEMBERSHIP RECORDS SO AS TO ASCERTAIN WHETHER OR NOT ANY OMISSIONS HAVE BEEN MADE BY THE SEVERAL DEPARTMENT HEADS IN THE REPORTING OF ANY NEW PUBLIC EMPLOYEES, AS REQUIRED BY SECTION 353.07. UPON NOTICE FROM THE SECRETARY OF OMISSION OF A REQUIRED DEDUCTION, OR DEDUCTIONS, FROM THE SALARY OF A MEMBER, THE HEAD OF THE DEPARTMENT SHALL DEDUCT FROM THE MEMBER'S NEXT SALARY PAYMENT AND FORTHWITH REMIT TO THE SECRETARY THE AMOUNT OF THE EMPLOYEE CONTRIBUTION DELINQUENCY, WITH CUMULATIVE INTEREST THEREON AT THE RATE OF SIX PERCENT PER ANNUM, COMPOUNDED ANNUALLY, PAYABLE FROM THE DATE OR DATES EACH DELINQUENT EMPLOYEE CONTRIBUTION WAS FIRST PAYABLE, SUCH INTEREST TO BE CONTRIBUTED BY THE EMPLOYER. TO THE EXTENT THAT ANY SUCH OMITTED REQUIRED DEDUCTIONS ARE NOT PAID BY THE EMPLOYEE, THEY SHALL CONSTITUTE A LIABILITY OF THE GOVERNMENTAL SUBDIVISION WHICH FAILED TO MAKE SAID REQUIRED DEDUCTIONS, WITH INTEREST THEREON AS HEREINBEFORE SPECIFIED. THE FAILURE TO DEDUCT ANY REQUIRED EMPLOYEE CONTRIBUTIONS SHALL NOT RELIEVE THE GOVERNMENTAL SUBDIVISION OF THE AFORESAID OBLIGATION TO THE RETIREMENT FUND. ANY AMOUNT SO DUE, TOGETHER WITH EMPLOYER AND ADDITIONAL EMPLOYER CONTRIBUTIONS AT THE RATES AND IN THE AMOUNTS SPECIFIED IN SUBDIVISIONS 3 AND 5, WITH INTEREST THEREON AT THE RATE OF SIX PERCENT COMPOUNDED ANNUALLY FROM THE DATE THEY WERE JUST PAYABLE, SHALL BE PAID FROM THE PROCEEDS OF A TAX LEVY MADE PURSUANT TO SECTION 353.28, OR FROM OTHER FUNDS AVAILABLE TO THE EMPLOYER. THIS SUBDIVISION SHALL HAVE BOTH RETROACTIVE AND PROSPECTIVE APPLICATION, AND THE GOVERNMENTAL SUBDIVISION IS LIABLE RETROACTIVELY AND PROSPECTIVELY FOR ALL AMOUNTS DUE HEREUNDER. AN ACTION FOR THE RECOVERY OF DELINQUENT PAYMENTS SHALL NOT BE SUBJECT TO ANY STATUTORY PROVISION WHICH WOULD OTHERWISE LIMIT THE TIME WITHIN WHICH SUCH AN ACTION MAY BE COMMENCED. ALL REMITTANCES SO RECEIVED BY THE SECRETARY OF THE BOARD OF TRUSTEES SHALL BE PROMPTLY DEPOSITED WITH THE STATE TREASURER. DEDUCTIONS FROM THE SALARY OF A DISTRICT COURT REPORTER IN A JUDICIAL DISTRICT CONSISTING OF TWO OR MORE COUNTIES SHALL BE MADE BY THE AUDITOR OF THE COUNTY IN WHICH THE BOND AND OFFICIAL OATH OF SUCH DISTRICT COURT REPORTER ARE FILED FROM THE PORTION OF HIS SALARY PAID BY SUCH COUNTY.)

Sec. 32. Minnesota Statutes 1971, Section 353.27, Subdivision 7, is amended to read:

Subd. 7. [ADJUSTMENT FOR ERRONEOUS RECEIPTS OR DISBURSEMENTS.] (1) [ERRONEOUS DEDUCTIONS.] Any deductions taken in error by the employer from the salary of an employee for the retirement fund and transmitted to the association(, WHEN SO DETERMINED BY THE BOARD OF TRUSTEES,) shall be refunded to the employee; and the employer contribution and the additional employer contribution, if any, for the erroneous employee contribution shall be refunded to the employer, *provided, however, the association and the state social security agency may make proper adjustments of moneys taken as employee and employer deductions.*

(2) [ERRONEOUS DISBURSEMENT.] In the event a salary warrant or check from which a deduction for the retirement fund was taken has been canceled or the amount of the warrant or check returned to the funds of the department making the payment, a (REFUNDMENT) *refund* of the sum so deducted, or any portion of it as is required to adjust the deductions, shall be made to the department or institution provided application for it is made on a form furnished by the board of trustees. (THE DEPARTMENT'S PAYMENTS SHALL BE REFUNDED TO THE DEPARTMENT IF THE AMOUNT OF THE REQUIRED ADJUSTMENT IS MORE THAN \$1.)

Sec. 33. Minnesota Statutes 1971, Section 353.27, is amended by adding subdivisions to read:

Subd. 8. [DISTRICT COURT REPORTERS; SALARY DEDUCTIONS.] *Deductions from the salary of a district court reporter in a judicial district consisting of two or more counties shall be made by the auditor of the county in which the bond and official oath of such district court reporter are filed, from the portion of his salary paid by such county.*

Subd. 9. [FEE OFFICERS; CONTRIBUTIONS; OBLIGATIONS OF EMPLOYERS.] *Any appointed or elected officer of a governmental subdivision who was or is a "public employee" within the meaning of section 353.01 and was or is a member of the fund and whose salary was or is paid in whole or in part from revenue derived by fees and assessments, shall pay his employee contribution in the amount, at the time, and in the manner provided in section 353.27, subdivisions 2 and 4. The employer contribution as provided in section 353.27, subdivision 3, and the additional employer contribution as provided in sections 353.27, subdivision 3a, and 353.36, subdivision 2a, with respect to such service shall be paid by the governmental subdivision. This subdivision shall have both retroactive and prospective application as to all such members; and every employing governmental subdivision is deemed liable, retroactively and prospectively, for all employer and additional employer contributions for every such member in its employ. Delinquencies under this section shall be governed in all respects by section 353.28.*

Subd. 10. [EMPLOYERS; FURNISH COPIES OF PAY-ROLL ABSTRACTS.] *The head of each department is required to furnish the secretary of the board of trustees with a carbon or duplicate copy of the departmental payroll abstracts for the last pay period during the months of January and July, respectively, in each year. It shall be the duty of said secretary to check the copies of all such payroll abstracts against the membership records of the association to ascertain whether or not any omissions have been made by any department head in the reporting of any new public employees for membership.*

Subd. 11. [EMPLOYERS; REQUIRED TO FURNISH REQUESTED INFORMATION.] *All governmental subdivisions shall furnish promptly such other information relative to the employment status of all employees or former employees, including but not limited to payroll abstracts pertaining to all past and present employees, as may be requested by the association or its secretary, including schedules of salaries applicable to various categories of employment. In the event payroll abstract records have been lost or destroyed, for whatever reason or in whatever manner, so that such schedules of salaries cannot be furnished therefrom, the employing governmental subdivision, in lieu thereof, shall furnish to the association an estimate of the earnings of any employee or former employee for any period as may be requested by the association or its secretary. Should the association receive such schedules of estimated earnings, the secretary is hereby authorized to use the same as a basis for making whatever computation might be necessary for determining obligations of the employee and employer to the retirement fund. If estimates are not furnished by the employer pursuant to the request of the association or its secretary, the association may estimate the obligations of the employee and employer to the retirement fund based upon such records as are in its possession. Where payroll abstracts have been lost or destroyed, the governmental agency need not furnish any information pertaining to employment prior to July 1, 1963. The association shall make no estimate of any obligation of any employee, former employee, or employer covering employment prior to July 1, 1963.*

Subd. 12. [OMITTED SALARY DEDUCTIONS; OBLIGATIONS.] *In the case of omission of required deductions from salary of an employee, past due for a period of 60 days or less, the head of the department shall deduct from the employee's next salary payment and forthwith remit to the secretary the amount of the employee contribution delinquency, with cumulative interest thereon at the rate of six percent per annum, compounded annually, from the date or dates each delinquent employee contribution was first payable, such interest to be paid by the employer. To the extent that any such omitted required deductions are not paid by the employee, they shall constitute a liability of the governmental subdivision which failed to make said required deductions, with interest thereon as hereinbefore specified. After July 1, 1973, any such omitted required deductions, past due for a period in excess of 60 days, shall become the sole obligation of*

the governmental subdivision from the time such deductions were first payable, together with interest thereon as hereinbefore specified. Any amount so due, together with employer and additional employer contributions at the rates and in the amounts specified in subdivisions 3 and 3a, with interest thereon at the rate of six percent compounded annually from the date they were first payable, shall be paid from the proceeds of a tax levy made pursuant to section 353.28, or from other funds available to the employer. Unless otherwise indicated, this subdivision shall have both retroactive and prospective application, and the governmental subdivision is liable retroactively and prospectively for all amounts due hereunder. An action for the recovery of delinquent employee and employer contributions together with interest thereon shall not be subject to any statutory provision which would otherwise limit the time within which such an action may be commenced.

Subd. 13. [CERTAIN WARRANTS CANCELED.] Any state auditor's warrant payable from the retirement fund remaining unpaid for a period of six years, shall be canceled into the retirement fund and not into the general fund.

Sec. 34. Minnesota Statutes 1971, Section 353.271, Subdivision 1, is amended to read:

353.271 [PARTICIPATION IN MINNESOTA ADJUSTABLE FIXED BENEFIT FUND.] Subdivision 1. **[AUTHORIZATION.]** The public employees retirement association, including the police and fire fund, is hereby authorized to participate in the Minnesota adjustable fixed benefit fund. (THE PROVISIONS HEREINAFTER PROVIDED IN CONNECTION WITH THE PARTICIPATION IN THE MINNESOTA ADJUSTABLE FIXED BENEFIT FUND AS THEY RELATE TO THE COMPUTATION AND RECOMPUTATION OF ANNUITIES FROM TIME TO TIME AND ALL OTHER MATTERS SHALL APPLY AS TO ASSETS, ANNUITIES AND MEMBERS, RETIRED AND ACTIVE OF ALL SECTIONS, DIVISIONS, AND BENEFIT SCHEDULES OF THE PUBLIC EMPLOYEES RETIREMENT ASSOCIATION, INCLUDING BUT NOT LIMITED TO HOSPITAL EMPLOYEES, POLICE AND FIRE EMPLOYEES, THOSE EMPLOYEES WHO ARE ALSO MEMBERS OF THE FEDERAL SOCIAL SECURITY SYSTEM AND THOSE EMPLOYEES WHO ARE NOT.) There shall be one general participation in the Minnesota adjustable fixed benefit fund for all purposes by the public employees retirement association.

Sec. 35. Minnesota Statutes 1971, Section 353.271, Subdivision 2, is amended to read:

Subd. 2. [VALUATION OF ASSETS; ADJUSTMENT OF BENEFITS.] (1) As of June 30, 1969, the present value of all annuities in force as of June 30, 1969, except for supplementary benefits payable from the general fund of the state and except for survivor or disability benefits, shall be determined

by the 1965 group annuity table - males, the 1965 group annuity table - females, and three and one-half percent interest, and assets representing the required reserves for these annuities shall be transferred to the Minnesota adjustable fixed benefit fund, during a period of one year in accordance with procedures specified in section 11.25.

(2) Effective July 1, 1969, for those members retiring pursuant to the provisions of the law relating to the public employees retirement association, the required reserves as determined in accordance with these sections shall be transferred to the Minnesota adjustable fixed benefit fund as of the date of retirement. The 1965 group annuity table - males, the 1965 group annuity table - females, and (THREE AND ONE-HALF) *five* percent interest, will be used to determine the amount to be transferred.

(3) Annuity payments shall be adjusted in accordance with the provisions of section 1125, subdivisions 12 and 13.

(4) Notwithstanding section 356.18, increases in annuity payments pursuant to this section will be made automatically unless written notice is filed by the annuitant with the public employees retirement association.

Sec. 36. Minnesota Statutes 1971, Chapter 353, is amended by adding a section to read:

[353.272] [INCREASE IN ANNUITIES AND BENEFITS.] *The retirement annuities and benefits authorized and in effect on June 30, 1973, shall be increased in the same ratio that the actuarially computed reserve for such annuities determined by using an interest assumption of three and one-half percent bears to the actuarially computed reserve for such annuities and benefits determined by using an interest assumption of five percent. The reserves upon which such increase shall be based shall be the actuarially determined reserve for annuities and benefits in effect at June 30, 1972, in accordance with the mortality assumptions then in effect and at interest assumptions of three and one-half percent and five percent. Such ratio of increase computed to the last full 1/100 of one percent shall be applied to annuities and benefits in effect on June 30, 1973, and shall begin to accrue July 1, 1973. Notwithstanding section 356.18, increases in payments pursuant to this section will be made automatically unless the intended recipient files written notice with the public employees retirement association requesting that the increase shall not be made.*

Sec. 37. Minnesota Statutes 1971, Section 353.28, Subdivision 1, is amended to read:

353.28 [FINANCING OF EMPLOYER CONTRIBUTIONS.] Subdivision 1. [TAXES AND OTHER REVENUE.] Each governmental subdivision shall secure its employer contributions and its *additional employer* contributions (TO AMORTIZE THE DEFICIT IN THE RETIREMENT FUND FROM THE SOURCES AND BY THE MEANS PROVIDED IN THIS SEC-

TION. EACH GOVERNMENTAL SUBDIVISION) *and shall pay these contributions to the retirement fund out of moneys collected from taxes or other revenue of the governmental subdivision, as its obligation for all members employed by such subdivision and these contributions shall be charged as administrative costs.*

Sec. 38. Minnesota Statutes 1971, Section 353.28, Subdivision 6, is amended to read:

Subd. 6. [TAX LEVY REQUIREMENT FOR DELINQUENCY.] *If the governmental subdivision fails to (INCLUDE THE AMOUNT REQUIRED BY SUBDIVISION 3 IN ITS LEVY FOR THE YEAR IN WHICH THE CERTIFICATION IS REQUIRED TO BE MADE, THE COUNTY AUDITOR SHALL LEVY IN THAT YEAR UPON ALL TAXABLE PROPERTY WITHIN THE GOVERNMENTAL SUBDIVISION A TAX IN THE AMOUNT OF 150 PERCENT OF THE AMOUNT CERTIFIED PURSUANT TO SUBDIVISION 2, WHICH IS TO BE ADDED TO THE LEVY OF THE GOVERNMENTAL SUBDIVISION) pay amounts due under Minnesota Statutes, Chapter 353, the secretary shall certify such amounts to the governmental subdivision for payment. If the governmental subdivision fails to remit the sum so due, the secretary may certify such amounts to the county auditor for collection. The county auditor shall collect such amounts out of the revenue of the governmental subdivision, or shall add them to the levy of the governmental subdivision and make payment directly to the association. This tax shall be levied, collected and apportioned in the manner other taxes are levied, collected and apportioned. (THE PROCEEDS OF ANY TAXES LEVIED UNDER THIS SUBDIVISION TO THE EXTENT OF THE AMOUNT CERTIFIED PURSUANT TO SUBDIVISION 2, SHALL BE REMITTED DIRECTLY TO THE ASSOCIATION. THE BALANCE SHALL BE REMITTED TO THE GOVERNMENTAL SUBDIVISION.)*

Sec. 39. Minnesota Statutes 1971, Section 353.28, Subdivision 8, is amended to read:

Subd. 8. [TAXES NOT LIMITED.] *Notwithstanding Minnesota Statutes, Sections 275.50 to 275.56, or any other law to the contrary, if the taxes authorized to be levied under this section cause the total amount of taxes levied to exceed any limitation upon the power of a county, city, village, borough, town, or school district to levy taxes, the governmental subdivision concerned, (IF IT IS OTHER THAN A SCHOOL DISTRICT,) may levy taxes in excess of the limitation in such amount as is necessary to meet its obligations under this section, and shall not have its formula aids reduced pursuant to Minnesota Statutes, Sections 275.50 to 275.56, or any other law. The expenditures authorized to be made under this chapter by any municipality are not included in computing the cost of government as defined in any home rule charter of any municipality affected by Laws 1957, Chapter 935.*

Sec. 40. Minnesota Statutes 1971, Section 353.29, Subdivision 1, is amended to read:

353.29 [RETIREMENT ANNUITY UPON SEPARATION FROM PUBLIC SERVICE.] Subdivision 1. [AGE AND ALLOWABLE SERVICE REQUIREMENTS.] Upon separation from public service any person who has attained the age of at least 65 years and who received credit for not less than ten years of allowable service is entitled upon application to a retirement annuity. *Such retirement annuity is known as the "normal" retirement annuity.*

Sec. 41. Minnesota Statutes 1971, Section 353.29, Subdivision 2, is amended to read:

Subd. 2. [AVERAGE SALARY.] (THE RETIREMENT ANNUITY HEREUNDER PAYABLE AT AGE 65 OR THEREAFTER SHALL BE COMPUTED IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF THE FORMULA STATED IN SUBDIVISION 3 HEREOF, ON THE BASIS OF THE MEMBER'S AVERAGE SALARY FOR THE PERIOD OF HIS ALLOWABLE SERVICE. SUCH RETIREMENT ANNUITY IS KNOWN AS THE "NORMAL" RETIREMENT ANNUITY.) *In calculating the annuity under subdivision 3:*

(a) (FOR YEARS PRIOR TO JULY 1, 1957,) "Average salary" (FOR THE PURPOSE OF DETERMINING A MEMBER'S RETIREMENT ANNUITY) means (THE) *an amount equivalent to the average of his highest salary upon which employee contributions were paid (TO THE RETIREMENT FUND) for any five (CONSECUTIVE) successive years of allowable service prior to (THAT) the date of separation from public service;*

(b) (FOR EACH YEAR SUBSEQUENT TO JUNE 30, 1957, "AVERAGE SALARY" OF A MEMBER FOR THE PURPOSE OF DETERMINING HIS RETIREMENT ANNUITY MEANS HIS SALARY UPON WHICH EMPLOYEE CONTRIBUTIONS WERE PAID TO THE RETIREMENT FUND.) *"Years" for the purpose of determining average salary means years of allowable service ending with the date of the last full pay period prior to the date of separation from public service.*

Sec. 42. Minnesota Statutes 1971, Section 353.29, Subdivision 3, is amended to read:

Subd. 3. [RETIREMENT ANNUITY FORMULA.] (THE AVERAGE SALARY, AS DEFINED IN SUBDIVISION 2, OF ANY MEMBER MULTIPLIED BY THE APPLICABLE PERCENTAGES INDICATED BELOW SHALL DETERMINE THE AMOUNT OF THE RETIREMENT ANNUITY TO WHICH THE MEMBER QUALIFYING THEREFOR IS ENTITLED:)

(YEARS OF ALLOWABLE SERVICE)	(PERCENTAGES AT THE RATE OF:)
((A) FIRST TEN YEARS)	(1 PERCENT PER YEAR OF SERVICE)
((B) SECOND TEN YEARS OR COMPLETED MONTHS OF SERVICE LESS THAN SUCH PERIOD)	(2 PERCENT PER YEAR OF SERVICE)
((C) THIRD TEN YEARS OR COMPLETED MONTHS OF SERVICE LESS THAN SUCH PERIOD)	(2-1/2 PERCENT PER YEAR OF SERVICE)
((D) SUBSEQUENT YEARS OR COMPLETED MONTHS OF SERVICE LESS THAN SUCH PERIOD)	(3 PERCENT PER YEAR OF SERVICE)

The average salary as defined in subdivision 2, multiplied by two percent for each year of allowable service and completed months less than a full year for the "basic member", and 1.25 percent for each year of allowable service and completed months less than a full year for the "coordinated member", shall determine the amount of the "normal" retirement annuity.

Sec. 43. Minnesota Statutes 1971, Section 353.29, is amended by adding subdivisions to read:

Subd. 5. [RETIREMENT BEFORE ELIGIBILITY FOR SOCIAL SECURITY BENEFITS.] Any "coordinated member" who retires before he is eligible for social security retirement benefits may elect to receive a retirement annuity from the association in an amount greater than the annuity computed on the basis of age at retirement, provided in subdivisions 2 and 3. This option shall be exercised by making application to the board of trustees. This greater amount shall be the actuarial equivalent of the "normal" retirement annuity computed on the basis of age at retirement. This greater amount shall be paid until the annuitant reaches the age of 62, at which time the payment from the association shall be reduced. The method of computing an annuity under this subdivision shall be determined by an approved actuary.

Subd. 6. [ANNUITIES; ACCRUAL.] Except as to elected public officials, all retirement annuities granted under the provisions of this chapter shall commence with the first day of the first calendar month next succeeding the date of termination of public service and shall be paid in equal monthly instalments commencing one month thereafter, but no payment shall be made for the month, or any portion thereof, in which entitlement to

such annuity has terminated. Any annuity granted to an elective public official shall accrue on the day following expiration of his public office or right thereto, and his annuity for that month shall be prorated accordingly. No annuity, once granted, shall be increased, decreased, or revoked except as provided in this chapter. No annuity payment shall be made retroactive beyond the first day of the calendar month in which application therefor shall be filed with the association.

Subd. 7. [ANNUITIES; PAYMENT; EVIDENCE OF RECEIPT.] *Payment of any annuity or benefit for a given month shall be mailed by the association to the annuitant, recipient of a disability benefit, or survivor, during the first week of the next ensuing month. Evidence of receipt of every warrant issued by the association in payment of an annuity or benefit shall be submitted by the payee thereof to the association, together with a written declaration that the annuitant or recipient of a disability benefit has or has not returned to public service; that the surviving dependent spouse has or has not remarried; and shall be furnished on forms provided by the secretary thereof, before the association shall pay to the annuitant, disability recipient, or survivor for the next ensuing month, the annuity or benefit to which he otherwise may be entitled.*

Sec. 44. Minnesota Statutes 1971, Section 353.30, is amended by adding a subdivision to read:

Subd. 1a. [EARLY RETIREMENT; NO REDUCTION IN ANNUITY.] *Any person who has attained the age of at least 62 years and who received credit for not less than 30 years of allowable service is entitled upon application to a retirement annuity in an amount equal to the normal annuity provided in section 353.29, subdivisions 2 and 3, without any reduction in annuity by reason of such early retirement.*

Sec. 45. Minnesota Statutes 1971, Section 353.30, Subdivision 3, is amended to read:

Subd. 3. [OPTIONAL ANNUITIES.] *The board of trustees shall establish optional annuities at retirement which shall take the form of (AN ANNUITY PAYABLE FOR A PERIOD CERTAIN AND FOR LIFE THEREAFTER; OR AS) a joint and survivor annuity. Such optional (FORMS) form shall be actuarially equivalent to the forms provided in section 353.29 and this section. In establishing (THOSE) this optional (FORMS) form the board shall obtain the written recommendation of an approved actuary and (THESE RECOMMENDATIONS) this recommendation shall be a part of the permanent records of the board.*

Sec. 46. Minnesota Statutes 1971, Section 353.30, Subdivision 4, is amended to read:

Subd. 4. [WAIVER OF ANNUITY OR BENEFIT.] *Any monthly payments to which any person may be entitled under this chapter may be reduced in amount upon application of the*

person entitled thereto to the (BOARD OF TRUSTEES) *association*, provided that such person shall first relinquish in writing all claim to that part of the full monthly payment which is the difference between the monthly payment which he would be otherwise entitled to receive and the monthly payment which he will receive. The reduced monthly payment shall be payment in full of all amounts due under this chapter for the month for which the payment is made and acceptance of the reduced monthly payment releases the retirement association from all obligation to pay to such person the difference between the amount of the reduced monthly payment and the full amount of the monthly payment which such person would otherwise have received. Upon application of the person who is entitled to such monthly payment (TO THE BOARD OF TRUSTEES), it may be increased *prospectively* to not more than the amount to which such person (WAS ORIGINALLY ENTITLED TO RECEIVE MONTHLY BUT SUCH PERSON SHALL NOT BE ENTITLED TO RECEIVE OR TO HAVE ANY CLAIM FOR ANY MONEY WHICH WAS NOT PAID TO HIM BY REASON OF SAID REDUCTION IN SUCH MONTHLY PAYMENTS) *would have been entitled had he not waived any portion thereof.*

Sec. 47. Minnesota Statutes 1971, Section 353.31, Subdivision 1, is amended to read:

353.31 [SURVIVOR BENEFITS.] Subdivision 1. [BENEFITS FOR SURVIVING SPOUSE AND DEPENDENT CHILDREN; BEFORE RETIREMENT.] Upon the death of (THE MEMBER) a "*basic member*" before retirement or upon the death of a (MEMBER) "*basic member*" who was disabled and receiving disability benefits pursuant to section 353.33 at the time of his death who has had at least 18 months of credited allowable service, his surviving dependent spouse and dependent children, as defined in section 353.01, subdivisions 15 and 20, shall receive the monthly benefit provided below (.):

- (a) Surviving dependent spouse 30 percent of the member's monthly average salary (NOT TO EXCEED \$65 PER MONTH) *in effect over the last full six months of allowable service preceding death*
- (b) Each dependent child (20) 10 percent of the member's monthly average salary (NOT TO EXCEED \$45 PER MONTH) *in effect over the last full six months of allowable service preceding death*

(IN ADDITION TO THE AMOUNTS PROVIDED IN (A) AND (B) HEREOF, TEN PERCENT OF THE MEMBER'S MONTHLY AVERAGE SALARY NOT TO EXCEED \$20 PER MONTH SHALL BE PAID TO BE DIVIDED EQUALLY

AMONG THE DEPENDENT CHILDREN.) Payments for the benefit of any dependent child, as defined in section 353.01, subdivision 15, shall be made to the surviving parent, or if there be none, to the legal guardian of such child. The maximum monthly benefit for any one family shall not exceed (\$250 FOR ANY ONE FAMILY) \$400, and the minimum benefit per family shall not be less than 30 percent of the "basic member's" said average salary, subject to the aforementioned maximum. The surviving dependent spouse benefit shall terminate upon his or her remarriage, and the dependent children's benefit shall be reduced pro tanto when any child is no longer dependent.

Any survivor of a (MEMBER) "basic member" whose average salary was less than \$75 per month shall not be entitled to the benefits provided in this subdivision. (IF THE SURVIVOR BENEFITS PROVIDED IN THIS SUBDIVISION EXCEED THE MONTHLY AVERAGE SALARY OF THE DECEASED MEMBER, THESE BENEFITS SHALL BE REDUCED TO AN AMOUNT EQUAL TO THE DECEASED MEMBER'S MONTHLY AVERAGE SALARY.)

Under the terms of this subdivision there are no survivor benefits, as such, payable to the surviving spouse or dependent children of any deceased "coordinated member."

Sec. 48. Minnesota Statutes 1971, Section 353.31, Subdivision 8, is amended to read:

Subd. 8. [ACCRUAL OF BENEFITS.] All benefits under this section and survivor benefits otherwise provided in this chapter when payable to persons qualifying therefor shall accrue on the first day of the month following the death of a (MEMBER) "basic member" or annuitant, whichever is applicable (, BUT). No payment may be made (a) retroactively for more than (THREE) 12 months prior to that month in which the application is filed, or (b) for the month, or any portion thereof, in which entitlement to such benefits has terminated. *This subdivision shall have retroactive effect to January 1, 1969.*

Sec. 49. Minnesota Statutes 1971, Section 353.32, Subdivision 1, is amended to read:

353.32 [REFUNDS AFTER DEATH OF MEMBER OR FORMER MEMBER.] Subdivision 1. [BEFORE RETIREMENT.] If a member dies before retirement or before he has received any retirement annuity (OR ALLOWANCE) and no other payment of any kind is or may become payable to any person, a refund shall be paid to his designated beneficiary or, if there be none, to his surviving spouse, or, if none, to the legal representative of his estate (,). *Such refund shall be in an amount equal to his accumulated deductions plus interest thereon at the rate of two percent per annum compounded annually to date of death, less the sum of any disability or other benefits, if any, that may have been paid by the fund; provided that a survivor who has a right to benefits pursuant to section 353.31 may waive such benefits in writing, except such benefits for a*

dependent child under the age of 21 years may only be waived pursuant to an order of the district court. If a former member dies before he received a retirement annuity (OR ALLOWANCE), a (REFUNDMENT) *refund* shall be paid to his designated beneficiary or, if there be none, to his surviving spouse or, if none, to the legal representative of his estate in an amount equal to his accumulated deductions without interest.

Sec. 50. Minnesota Statutes 1971, Section 353.32, Subdivision 2, is amended to read:

Subd. 2. [AFTER RETIREMENT.] If a former member dies after retirement and no payment of any kind is or may become payable to any person, including any deferred benefit or annuity, there shall be paid to the same succession of payees set forth in subdivision 1, a refund of his accumulated deductions, less the total payments of all kinds made by the fund to the former member during his lifetime or to any authorized person after his death, *without interest*.

Sec. 51. Minnesota Statutes 1971, Section 353.32, Subdivision 4, is amended to read:

Subd. 4. [LACK, OR DEATH, OF BENEFICIARY.] If a member or former member dies without having designated a beneficiary or if the beneficiary should die before making application for (REFUNDMENT) *refund*, and if there is no surviving spouse, and if the legal representative of such member or former member does not apply for (REFUNDMENT) *refund* within five years from the date of death of the member or former member, the accumulated deductions to his credit at the time of death shall be disposed of in the manner provided in section (353.17) 353.34, *subdivision 6*.

Sec. 52. Minnesota Statutes 1971, Section 353.32, Subdivision 5, is amended to read:

Subd. 5. [\$500 OR LESS, LIMITED.] If a member or former member dies without having designated a beneficiary, or if the beneficiary should die before making application for (REFUNDMENT) *refund* of the sum to the credit of such (DECEASED MEMBER OR FORMER MEMBER) *decedent*, and the amount of the (REFUNDMENT) *refund* is \$500 or less, the (RETIREMENT) board of trustees may 90 days after the date of death (OF THE MEMBER OR FORMER MEMBER) in the absence of probate proceedings, make payment to the surviving spouse of the (DECEASED MEMBER OR FORMER MEMBER) *said decedent*, or if none, to the next of kin under the laws of descent of the state of Minnesota (AND). Such payment shall be a bar to recovery by any other person or persons. Any retirement (ALLOWANCE OR) annuity which shall have accrued at the time of death of an annuitant may be paid in like manner.

Sec. 53. Minnesota Statutes 1971, Section 353.32, is amended by adding a subdivision to read:

Subd. 9. [PAYMENT TO A MINOR.] If a member or former member dies having named as his beneficiary a person who is a minor at the time of the application for refund and the amount of the refund does not exceed \$500, exclusive of interest, the board of trustees in the absence of guardianship or probate proceedings may make payment to the natural guardian having custody of such minor beneficiary, for the benefit of such child. Any annuity or disability benefit payable at the time of death of an annuitant or recipient of a disability benefit, which is payable to a beneficiary who is a minor, may be paid in the same manner. Such payment shall be a bar to recovery by any other person or persons.

Sec. 54. Minnesota Statutes 1971, Section 353.33, Subdivision 1, is amended to read:

353.33 [TOTAL AND PERMANENT DISABILITY BENEFITS.] Subdivision 1. **[AGE, SERVICE AND SALARY REQUIREMENTS.]** *After June 30, 1973* any member who becomes totally and permanently disabled before age 65 and after ten years of allowable service or after age 50 with five years of allowable service, whichever is sooner, shall be entitled to a disability benefit in an amount provided in subdivision 3. If such disabled person's public service has terminated at any time, at least five of the required ten years of allowable service must have been rendered after last becoming a member. Any member whose average salary is less than \$75 per month shall not be entitled to a disability benefit.

Sec. 55. Minnesota Statutes 1971, Section 353.33, Subdivision 2, is amended to read:

Subd. 2. [APPLICATIONS; ACCRUAL OF BENEFITS.] Every claim or demand for a total and permanent disability benefit shall be initiated by written application in the manner and form prescribed by the board of trustees, filed in the office of the retirement association, showing compliance with the statutory conditions qualifying the applicant for such total and permanent disability benefit. A former member who (HAS BECOME) *became* totally and permanently disabled during his period of membership may file his application for total and permanent disability benefits within (ONE YEAR) *three years* next following termination of public service, but not thereafter; provided, however, that if he is otherwise qualified therefor, benefits shall not be paid retroactively for more than three months immediately preceding the month in which he files his application. This benefit shall begin to accrue 90 days following the commencement of disability or 30 days after the application is filed whichever is later. If annual or sick leave is paid for more than the said 90 or 30-day period, whichever applies, the benefit shall accrue from the date salary ceased.

Sec. 56. Minnesota Statutes 1971, Section 353.33, Subdivision 3, is amended to read:

Subd. 3. [COMPUTATION OF BENEFITS.] This disability benefit is an amount equal to the normal annuity payable to

a member who has reached 65 with the same number of years of allowable service and the same average salary, as provided in section 353.29 (PLUS), subdivisions 2 and 3. A "basic member" shall receive in addition a supplementary monthly benefit computed in accordance with the following table:

Age when Disabled	Supplementary benefit
Under 56	\$50
56	45
57	40
58	35
59	30
60	25
61	20
62	15
63	10
64	5

If the disability benefits provided in this subdivision exceed the (MONTHLY) average salary (OF THE DISABLED MEMBER) as defined in section 353.29, subdivision 2, the disability benefits shall be reduced to an amount equal to (THE DISABLED MEMBER'S MONTHLY) said average salary.

Sec. 57. Minnesota Statutes 1971, Section 353.33, Subdivision 11, is amended to read:

Subd. 11. [RETIREMENT STATUS AT AGE 65.] No person shall be entitled to receive disability benefits and a (PUBLIC) retirement annuity at the same time. The disability benefits paid to a person hereunder shall terminate when he reaches age 65, if he is still totally and permanently disabled. At that time he shall be deemed to be on retirement status and may at his option be paid either a (STRAIGHT LIFE) normal retirement annuity as provided in section 353.29 or (STRAIGHT LIFE) normal retirement annuity equal to the disability benefit paid to him before he reached age 65, whichever amount is greater. He may instead of taking the (STRAIGHT LIFE) normal annuity provided herein, however, select an optional retirement annuity as provided in section 353.30, subdivision 3. In no event after he has attained age 65, shall his surviving spouse or dependent child or children be entitled to the benefits provided in section 353.31. Any disabled person who becomes age 65 after June 30, 1973, shall have his annuity computed in accordance with the law in effect on July 1, 1973.

Sec. 58. Minnesota Statutes 1971, Section 353.34, Subdivision 2, is amended to read:

Subd. 2. [REFUND WITHOUT INTEREST.] Except as provided in subdivision 1, any person who ceases to be a public employee shall receive a (REFUNDMENT) *refund* in an amount equal to his accumulated deductions without interest.

Sec. 59. Minnesota Statutes 1971, Section 353.34, Subdivision 3, is amended to read:

Subd. 3. [DEFERRED ANNUITY; ELIGIBILITY; COMPUTATION.] Any person with at least ten years of allowable service when (SUCH) termination of *public service* occurs may at his option leave his accumulated deductions in the fund and thereby be entitled to a deferred annuity commencing at age 65, *except that any person who terminates public service after June 30, 1973, may qualify for early retirement under section 353.30, subdivisions 1 and 1a.* The deferred annuity shall be computed in the manner provided in section 353.29, subdivisions 2 and 3, on the basis of (ALLOWABLE SERVICE PRIOR TO) *the law in effect on the date of termination of public service* and shall be augmented as provided in section 353.71, subdivision 2. Such person may revoke this option at any time prior to the commencement of deferred annuity payments by making application for a refund. Such person shall be entitled to a refund of his accumulated deductions within 30 days following date of receipt of such application by the secretary of the association.

Sec. 60. Minnesota Statutes 1971, Section 353.34, Subdivision 6, is amended to read:

Subd. 6. [ADDITIONS TO FUND.] The board of trustees may credit to the fund any moneys received in the form of contributions, donations, gifts, appropriations, bequests, or otherwise. If a former (PUBLIC EMPLOYEE) *member* does not apply for refund within five years after the last deduction was taken from his salary for the retirement fund, and the total amount of his accumulated deductions is not over \$25, such accumulated deductions shall be credited to and become a part of the retirement fund proper. Refundable accumulated deductions of any former member, if over \$25 in amount and if unclaimed for a period of five years after separation from public service, shall be credited to a donations suspense account. The board of trustees may pay refunds of accumulated deductions without interest, from such donations suspense account, upon proper application therefor. After the refundable accumulated deductions of any former member have remained in such donations suspense account for a period of ten years, without application for a refund thereof having been made, such deductions shall be transferred to and credited to the retirement fund proper. In the event the former (PUBLIC EMPLOYEE) *member* should return to public service, the amount so credited to the retirement fund shall be restored to his individual account.

Sec. 61. Minnesota Statutes 1971, Section 353.35, is amended to read:

353.35 [CONSEQUENCES OF REFUND; REPAYMENT, RIGHTS RESTORED.] When any *former member* accepts

a refund all existing service credits and all rights and benefits to which the member was entitled prior to the acceptance of such refund shall terminate and shall not again be restored until the former member acquires not less than 18 months allowable service credit subsequent to taking his last refund. In that event he may repay all refund taken plus interest at (FIVE) *six* percent per annum compounded annually. If more than one refund has been taken, all refunds must be repaid with interest at (FIVE) *six* percent per annum compounded annually.

Sec. 62. Minnesota Statutes 1971, Section 353.36, Subdivision 2, is amended to read:

Subd. 2. [EMPLOYEE CONTRIBUTIONS; INTEREST; MATCHING PAYMENT.] (PURCHASE OF PRIOR SERVICE CREDIT ARE AUTHORIZED AND SHALL BE EFFECTIVE ONLY IF (A) THE MEMBER SHALL PAY, IN A LUMP SUM, TO THE ASSOCIATION AN AMOUNT EQUIVALENT TO THE REQUIRED EMPLOYEE CONTRIBUTIONS FOR THE PRIOR SERVICE SOUGHT TO BE PURCHASED AT THE RATE OF SIX PERCENT OF SALARY NOT EXCEEDING \$4,000 IN ANY CALENDAR YEAR THROUGH JUNE 30, 1965, AND AT THE RATE OF SIX PERCENT OF SALARY ON WHICH EMPLOYEE CONTRIBUTIONS ARE BASED FROM AND AFTER JULY 1, 1965, PLUS ACCRUED INTEREST THEREON AT THE RATE OF FIVE PERCENT PER ANNUM, COMPOUNDED ANNUALLY FROM THE YEAR OF SERVICE PURCHASED TO THE DATE PAYMENT IS MADE; AND (B) THE MEMBER AT THE SAME TIME SHALL PAY ADDITIONALLY A MATCHING AMOUNT EQUIVALENT TO THAT REQUIRED TO BE PAID UNDER (A); (C) AS AN ALTERNATIVE TO THE EMPLOYEE OBLIGATION UNDER (B) HEREOF, THE EMPLOYER MAY, BY APPROPRIATE ACTION OF ITS GOVERNING BODY AND MADE A PART OF ITS OFFICIAL RECORDS, CERTIFY TO THE ASSOCIATION, IN WRITING, AT THE TIME OF OR PRIOR TO THE PAYMENT BY THE MEMBER OF THE AMOUNT REQUIRED UNDER (A) HEREOF, THAT IT ASSUMES THE OBLIGATION AND WILL PAY TO THE ASSOCIATION THE MATCHING AMOUNT AS REQUIRED UNDER (B) HEREOF FROM THE PROCEEDS OF A TAX LEVY MADE PURSUANT TO SECTION 353.28 OR FROM OTHER FUNDS AVAILABLE TO THE EMPLOYER. NO MEMBER SHALL BE ENTITLED TO SERVICE CREDIT UNDER THIS SUBDIVISION UNLESS THE ASSOCIATION HAS FIRST RECEIVED IN FULL (1) THE EMPLOYEE'S CONTRIBUTIONS, PLUS INTEREST THEREON; AND (2) THE MATCHING AMOUNT FROM THE EMPLOYEE OR FROM THE EMPLOYER; OR (3) IN LIEU OF (2) HEREOF, THE EMPLOYER'S CERTIFICATION ASSUMING THE OBLIGATION FOR THE MATCHING AMOUNT. THE EMPLOYER'S OBLIGATION UNDER (C), IF ASSUMED, SHALL BE LIMITED ON A PRO-

RATA BASIS TO THAT PORTION OF THE SERVICE INCLUDED IN THE PURCHASE WHICH WAS RENDERED BY THE MEMBER FOR THE RESPECTIVE EMPLOYING GOVERNMENTAL SUBDIVISIONS.) *A person who has prior public service on which salary deductions were not taken for the retirement fund and who does not have the required minimum number of years of allowable service credit to qualify for an annuity, may apply for such annuity if otherwise qualified, and within 90 days thereafter purchase whatever period of said public service is necessary to bring his total allowable service credit to said minimum, provided that last service shall be purchased first. Such person may gain such allowable service credit by paying six percent of the salary covered under the law in effect at the time that such public service was performed, with interest thereon at the rate of six percent per annum compounded annually from the date first payable to the date payment is made, plus a matching amount, unless the employer agrees to pay said matching amount pursuant to subdivision 2a. An annuity shall accrue as provided in section 353.29, subdivision 6, but no annuity shall be paid until the applicant's payment is made in full for the prior public service; if said payment is not made within such 90 days, the application for retirement shall be void.*

Sec. 63. Minnesota Statutes 1971, Section 353.36, is amended by adding subdivisions to read:

Subd. 2a. [MATCHING PAYMENT; EMPLOYER MAY ASSUME.] *Any employer may certify to the association that it assumes the matching payment under subdivision 2 with respect to all persons who exercise the option provided in subdivision 2 and pay such amount pursuant to section 353.28.*

Subd. 2b. [PURCHASES OF PRIOR SERVICE CREDIT; LIMITED.] *After June 30, 1973, no person shall be allowed to purchase prior public service credit, except as provided in subdivision 2.*

Subd. 2c. [REFUND OF ADDITIONAL PAYMENTS MADE ON TOTAL SALARY.] *Any member who elected to pay additional contributions and interest based on total salary received in excess of prior salary limitations may make application to the board of trustees for return of the total amount so paid, but not less than the total amount of such contributions and interest; provided, however, said amount shall be so returned without interest thereon. Any member who accepts a refund hereunder shall thereby relinquish all contributory credit with respect to payments which were made on total salary. No matching amount paid by the employer, or assumed by the employer pursuant to certification, shall be repaid.*

Sec. 64. Minnesota Statutes 1971, Section 353.37, Subdivision 1, is amended to read:

353.37 [PUBLIC RE-EMPLOYMENT OF ANNUITANT; EFFECT ON ANNUITIES.] (SUBDIVISION 1.) *The an-*

nunity of a person otherwise eligible therefor under this chapter shall be suspended if he re-enters and as long as he remains in public service as a non-elective employee of a governmental subdivision, if his earned compensation for such service exceeds \$2,000 in any calendar year. The suspension of the annuity shall commence as of the first of the month in which the maximum permitted compensation is exceeded as herein provided, but shall not apply to any months in which the annuitant is not actually employed in non-elective service in a position covered by chapter 353. Any annuitant of the association, who is elected to public office after his retirement following June 30, 1959 shall be entitled to hold such office and receive his annuity otherwise payable from the public employees retirement association from and after July 1, 1959. Upon proper showing by an annuitant that this ineligibility no longer exists (THE BOARD OF TRUSTEES SHALL ORDER THAT), the monthly annuity payments *shall* be resumed. Public service performed by an annuitant subsequent to his retirement under this chapter does not increase or decrease any (BENEFIT) *annuity* when payments thereof are resumed. The annuitant is not required to make any further contributions to the retirement fund by reason of this subsequent public service. (PROVIDED, HOWEVER, THAT THE FOREGOING SHALL NOT APPLY TO ANY BENEFITS AUTHORIZED BY FEDERAL LAW TO WHICH ANY PUBLIC EMPLOYEE AND PUBLIC OFFICIAL MAY BE ENTITLED.)

Sec. 65. Minnesota Statutes 1971, Section 353.40, is amended to read:

353.40 [ANNUAL LEAVE; OVERTIME; AFTER TERMINATION OF SERVICE.] *When any person whose service with any governmental subdivision has terminated and who has been paid for any unused portion of his annual leave allowance, or overtime, (THE UNUSED PORTION OF HIS ANNUAL LEAVE) such portion for which he was so paid shall be deemed allowable service (IF NO REFUNDMENT IS TAKEN) ; however, should compensation for such portion extend beyond the end of the calendar month in which the person withdrew from active public service, it shall be considered compensation for service rendered prior to the end of said month and shall have no effect on the date that annuity would otherwise commence pursuant to section 353.01, Subdivision 28. (IF APPLICATION FOR REFUNDMENT IS MADE, THE LAST WORKING DAY IS DEEMED THE DATE PUBLIC SERVICE TERMINATES AND CREDIT FOR SUCH SERVICE CEASES ON THAT DATE.)*

Sec. 66. Minnesota Statutes 1971, Section 353.46, Subdivision 1, is amended to read:

353.46 [SAVINGS CLAUSES.] Subdivision 1. (ANY PERSON WHO WAS A MEMBER OF THE ASSOCIATION ON JUNE 30, 1957, AND WHO THEN HAD TEN OR MORE YEARS OF ALLOWABLE SERVICE AND WHOSE DEDUCTIONS FROM SALARY CONTINUE AT THE RATE IN EFFECT UNDER LAWS 1957, CHAPTER 935 SHALL HAVE

THE OPTION WHEN HE RETIRES TO RECEIVE THE RETIREMENT BENEFITS COMPUTED UNDER MINNESOTA STATUTES 1953, CHAPTER 353, AS AMENDED BY LAWS 1955, CHAPTER 815, OR THE BENEFITS COMPUTED UNDER LAWS 1957, CHAPTER 935, AND ALL LAWS AMENDATORY THEREOF.

A PERSON WHO WAS A MEMBER ON JUNE 30, 1957, WHO HAD LESS THAN TEN YEARS ALLOWABLE SERVICE, MAY ELECT TO RECEIVE A RETIREMENT ANNUITY COMPUTED AS FOLLOWS: (A) FOR ALL FULL YEARS OF ALLOWABLE SERVICE CREDIT AT THE TIME OF RETIREMENT, A COMPUTATION SHALL BE MADE BASED THEREON ACCORDING TO MINNESOTA STATUTES 1953, CHAPTER 353, AS AMENDED BY LAWS 1955, CHAPTER 815; (B) FOR ALL ALLOWABLE SERVICE CREDIT AT THE TIME OF RETIREMENT, A COMPUTATION SHALL BE MADE ACCORDING TO MINNESOTA STATUTES 1961, SECTION 353.29, SUBDIVISION 3; (C) DETERMINE THE DIFFERENCE BETWEEN THE AMOUNTS UNDER (A) AND (B); (D) FOR EACH FULL YEAR OF ALLOWABLE SERVICE CREDIT PRIOR TO JULY 1, 1957, NOT EXCEEDING TEN YEARS, $1/10$ OF THE AMOUNT OF THE DIFFERENCE DETERMINED UNDER (C) SHALL BE ADDED TO THE AMOUNT DETERMINED UNDER (B); AND THE AGGREGATE OF THE AMOUNTS UNDER (B) AND (D) SHALL CONSTITUTE THE ANNUITY, NOTWITHSTANDING OTHER PROVISIONS OF THE LAW TO THE CONTRARY. AN ANNUITY INCREMENT ADDITIONAL TO (A) SHALL BE PAID FOR EACH COMPLETED YEAR OF ALLOWABLE SERVICE CREDIT AFTER JUNE 30, 1965 BASED ON THAT PORTION OF SALARY ON WHICH EMPLOYEE CONTRIBUTIONS ARE PAID IN EXCESS OF \$4,800 IN ANY FULL YEAR ACCORDING TO THE APPLICABLE PERCENTAGES SPECIFIED IN MINNESOTA STATUTES 1961, SECTION 353.29, SUBDIVISION 3.) *The rights of a person receiving an annuity or benefit under the law in effect on June 30, 1973, or prior thereto are herein preserved.*

Sec. 67. Minnesota Statutes 1971, Section 353.46, Subdivision 2, is amended to read:

Subd. 2. [CERTAIN DEFERRED ANNUITIES PRESERVED.] (ANY PERSON WHO CEASED TO BE A PUBLIC EMPLOYEE PRIOR TO JULY 1, 1957 AND WHO LEFT HIS ACCUMULATED DEDUCTIONS IN THE FUND FOR THE PURPOSE OF RECEIVING, WHEN ELIGIBLE, A RETIREMENT ANNUITY OR ALLOWANCE IN ACCORDANCE WITH THE LAW IN EFFECT AT THE DATE PUBLIC SERVICE TERMINATED, SHALL HAVE HIS ANNUITY OR RETIREMENT ALLOWANCE COMPUTED IN ACCORDANCE WITH THE LAW IN EFFECT ON THE DATE HE CEASED TO BE A PUBLIC EMPLOYEE.) *The right of a deferred annuitant or other former member to receive an annuity under the*

law in effect at the time such person terminated public service is herein preserved; provided, however, the provisions of section 353.71, subdivision 2, as amended by this act shall apply to a deferred annuitant or other former member who first begins receiving an annuity after July 1, 1973.

Sec. 68. Minnesota Statutes 1971, Section 353.46, Subdivision 3, is amended to read:

Subd. 3. [CERTAIN SURVIVOR BENEFIT SELECTIONS CONTINUED.] (ANY SURVIVOR BENEFITS SELECTED BY A MEMBER PRIOR TO JULY 1, 1957 PURSUANT TO LAWS 1955, CHAPTER 815, SECTION 10, SHALL CONTINUE IN EFFECT UNTIL THE MEMBER RETIRES. SUCH SURVIVOR SHALL HAVE THE OPTION OF RECEIVING THE PAYMENTS PROVIDED UNDER SUCH ELECTION OR THE SURVIVOR BENEFITS PROVIDED IN LAWS 1957, CHAPTER 935. IN THE CASE OF DEATH AFTER RETIREMENT OF A MEMBER WHO QUALIFIES FOR AND ELECTS TO RECEIVE A RETIREMENT ANNUITY COMPUTED UNDER SUBDIVISION 1 OF THIS SECTION, THE SURVIVOR BENEFITS UNDER LAWS 1955, CHAPTER 815, SECTION 10 SHALL APPLY.) *The rights of a member who qualifies under Laws 1959, Chapter 650, Subdivision 29, are herein preserved.*

Sec. 69. Minnesota Statutes 1971, Section 353.46, Subdivision 4, is amended to read:

Subd. 4. [CERTAIN DEFERRED ANNUITIES, JOINT AND SURVIVOR ANNUITY ENTITLEMENT.] (ANY MEMBER WHO RETIRES WITH A DEFERRED ANNUITY PAYABLE PURSUANT TO MINNESOTA STATUTES 1953, CHAPTER 353, AS AMENDED BY LAWS 1955, CHAPTER 815, MAY SELECT AN OPTIONAL ANNUITY PAYABLE AS A JOINT AND SURVIVOR ANNUITY WHICH SHALL BE IN LIEU OF THE STRAIGHT LIFE DEFERRED ANNUITY OTHERWISE PAYABLE. THIS OPTIONAL ANNUITY SHALL BE THE ACTUARIAL EQUIVALENT OF SUCH STRAIGHT LIFE DEFERRED ANNUITY. THE SELECTION OF THIS OPTIONAL ANNUITY SHALL BE MADE AT LEAST 30 DAYS BEFORE THE DEFERRED ANNUITY PAYMENTS ARE TO BEGIN EXCEPT THAT ANY PERSON WHO BEGAN RECEIVING A DEFERRED ANNUITY AFTER JUNE 30, 1957, AND BEFORE JULY 1, 1961, PURSUANT TO MINNESOTA STATUTES 1953, CHAPTER 353, AS AMENDED BY LAWS 1955, CHAPTER 815, MAY SELECT THE OPTIONAL ANNUITY PROVIDED HEREIN BY MAKING APPLICATION TO THE BOARD OF TRUSTEES BEFORE JANUARY 1, 1962.) *The rights of a survivor of a former member, where such former member died prior to June 30, 1973, shall be determined by the law in effect when such former member died even though a benefit is not payable until after June 30, 1973.*

Sec. 70. Minnesota Statutes 1971, Section 353.65, Subdivision 2, is amended to read:

Subd. 2. [EMPLOYEE CONTRIBUTION.] The employee contribution (TO THE FUND SHALL BE AN AMOUNT EQUAL TO SIX PERCENT OF THE SALARY OF EVERY MEMBER. EFFECTIVE JULY 1, 1971, THE EMPLOYEE CONTRIBUTION) shall be *an amount equal to (SEVEN) eight percent of the total salary of every member.* This contribution shall be made by deduction from salary in the manner provided in subdivision 4. (PRIOR TO JULY 1, 1965 NO DEDUCTION SHALL BE MADE FROM ANY SALARY IN EXCESS OF \$4,800 IN ANY CALENDAR YEAR; FROM JULY 1, 1965 TO JUNE 30, 1967 DEDUCTIONS SHALL BE MADE ON THE SALARY RECEIVED LIMITED TO \$6,000 IN ANY CALENDAR YEAR, AND FROM AND AFTER JULY 1, 1967 DEDUCTIONS SHALL BE MADE ON TOTAL SALARY.) Where any portion of a member's salary is paid from other than public funds, such member's employee contribution shall be based on the total salary received from all sources.

Sec. 71. Minnesota Statutes 1971, Section 353.65, Subdivision 3, is amended to read:

Subd. 3. [EMPLOYER CONTRIBUTION.] The employer contribution (TO THE FUND) shall be an amount equal to (NINE PERCENT OF THE SALARY OF EACH MEMBER NOT EXCEEDING \$4,800 IN ANY CALENDAR YEAR FOR THE PERIOD JULY 1, 1958 THROUGH JUNE 30, 1965; NINE PERCENT OF THE SALARY RECEIVED LIMITED TO \$6,000 IN ANY CALENDAR YEAR FOR THE PERIOD FROM JULY 1, 1965 TO JUNE 30, 1967; NINE PERCENT OF THE TOTAL SALARY RECEIVED IN ANY CALENDAR YEAR FOR THE PERIOD JULY 1, 1967 THROUGH JUNE 30, 1971, AND THEREAFTER 10 1/2) *12 percent of the total salary of every member.* This contribution shall be made *from funds available to the employing subdivision* by the means and in the manner provided in section 353.28.

Sec. 72. Minnesota Statutes 1971, Section 353.65, is amended by adding a subdivision to read:

Subd. 3a. [ADDITIONAL EMPLOYER CONTRIBUTION.] *An additional employer contribution shall be made equal to one and one-half percent of the total salary of every member. This contribution shall be made from funds available to the employing subdivision by the means and in the manner provided in section 353.28.*

Sec. 73. Minnesota Statutes 1971, Chapter 353, is amended by adding a section to read:

[353.651] [RETIREMENT ANNUITY UPON SEPARATION FROM PUBLIC SERVICE.] *Subdivision 1. [AGE AND ALLOWABLE SERVICE REQUIREMENTS.] Upon separation from public service, any police officer or fire fighter member who has attained the age of at least 55 years and who received*

credit for not less than ten years of allowable service is entitled upon application to a retirement annuity. Such retirement annuity is known as the "normal" retirement annuity.

Subd. 2. [AVERAGE SALARY.] In calculating the annuity under subdivision 3:

(a) "Average salary" means an amount equivalent to the average of the highest salary earned as a police officer or fire fighter upon which employee contributions were paid for any five successive years of allowable service prior to the date of separation from public service;

(b) "Years" for the purpose of determining average salary means years of allowable service ending with the date of the last full pay period prior to the date of separation from public service.

Subd. 3. [RETIREMENT ANNUITY FORMULA.] The average salary as defined in subdivision 2 hereof, multiplied by two and one-half percent per year of allowable service for the first 20 years and two percent per year of allowable service thereafter, shall determine the amount of the "normal" retirement annuity; provided, however, if the annuity calculated hereunder is less than the annuity calculated under the law in effect on June 30, 1973, this latter amount shall be the "normal" annuity. If the member has earned allowable service for performing services other than those of a police officer or fire fighter, the annuity representing such service shall be computed in accordance with sections 353.29 and 353.30.

Sec. 74. Minnesota Statutes 1971, Section 353.656, Subdivision 1, is amended to read:

353.656 [DISABILITY BENEFITS.] Subdivision 1. [DISABILITY IN LINE OF DUTY.] Any member of the police and fire fund less than 55 years of age, who shall become disabled and physically unfit to perform his duties as a police officer or fire fighter subsequent to June 30, (1971) 1973, as a direct result of an injury, sickness, or other disability incurred in or arising out of any act of duty, which shall render him physically or mentally unable to perform his duties as a police officer or fire fighter, shall receive disability benefits during the period of such disability. The benefits shall be (PAID IN MONTHLY INSTALLMENTS EQUAL TO THAT PORTION OF THE AVERAGE MONTHLY SALARY OF THE BENEFICIARY AS A POLICE OFFICER OR FIRE FIGHTER FROM WHICH DEDUCTIONS WERE MADE FOR CONTRIBUTIONS TO THE POLICE AND FIRE FUND, MULTIPLIED (A) BY) in an amount equal to 50 percent (AND, (B) BY) of the "average salary" pursuant to section 73 of this act plus an additional two percent of said "average salary" for each year of service in excess of 20. Should disability under this subdivision occur before the member has at least five years of allowable service credit in the police and fire fund, the disability benefit shall be computed on the "average salary" from which deductions were made for contributions to the police and fire fund.

Sec. 75. Minnesota Statutes 1971, Section 353.656, Subdivision 3, is amended to read:

Subd. 3. [AGE AND SERVICE REQUIREMENTS.] *After June 30, 1973*, any member who *becomes disabled* after not less than five years of allowable service, before reaching the age of 55, (RETIRES) because of sickness or injury occurring while not on duty as a police officer or fire fighter, and (THE RETIREMENT IS NECESSARY BECAUSE) *by reason thereof* the member is unable to perform his duties, shall be entitled to receive a (LIFE ANNUITY) *disability benefit*. The (ANNUITY) *benefit* shall be in the same amount and paid in the same manner as if the (ANNUITANT) *member* were 55 years of age at the date of his disability and the (ANNUITY) *benefit* were paid pursuant to section (353.655) *73 of this act*. Should disability under this clause occur after five but in less than ten years allowable service, the disability benefit shall be the same as though the member had at least ten years service.

Sec. 76. Minnesota Statutes 1971, Section 353.656, Subdivision 6, is amended to read:

Subd. 6. [RETIREMENT STATUS AT AGE 55.] All disability benefits payable under this section shall terminate when the disabled fireman or police officer becomes 55 years of age. Thereafter, retirement benefits shall be paid to the disabled fireman or police officer in the same amount as the disability benefits which he was previously receiving, except that he may elect when he attains 55 years of age to receive retirement benefits in accordance with any option then available to other members retiring at the time. *Any disabled person who becomes age 55 after June 30, 1973, shall have his annuity computed in accordance with the law in effect on July 1, 1973.*

Sec. 77. Minnesota Statutes 1971, Section 353.657, Subdivision 1, is amended to read:

353.657 [SURVIVOR BENEFITS.] Subdivision 1. [BENEFITS FOR SURVIVING SPOUSE AND DEPENDENT CHILDREN; BEFORE RETIREMENT.] In the event any member of the (ASSOCIATION, SERVING ACTIVELY AS A POLICE OFFICER OR FIRE FIGHTER,) *police and fire fund* shall die from any cause, the association shall grant survivor (BENEFIT PAYMENTS FROM THE RETIREMENT FUND) *benefits* to any dependent spouse who was residing with him at the time of his death and who was married to him (,) for a period of at least one year, (WHILE OR PRIOR TO THE TIME HE WAS AN ACTIVE MEMBER OF THE ASSOCIATION,) and to a *dependent* child or children, *unmarried and* under the age of 18 years (WHO WERE LIVING WHILE THE DECEASED POLICE OFFICER OR FIRE FIGHTER WAS AN ACTIVE MEMBER OF THE ASSOCIATION,). The spouse and child or children shall be entitled to (BENEFIT) *monthly benefits* as provided in the following subdivisions.

Sec. 78. Minnesota Statutes 1971, Section 353.657, Subdivision 2, is amended to read:

Subd. 2. [COMPUTATION OF BENEFITS; SPOUSE; BEFORE RETIREMENT.] (TO) The spouse, for (HER NATURAL) life (,) or until remarriage, shall receive a monthly benefit equal to (20) 30 percent of (THAT PORTION OF) the member's average monthly salary (OF THE DECEDENT) earned as a police officer or fire fighter (FROM WHICH DEDUCTIONS WERE MADE FOR CONTRIBUTION TO THE POLICE AND FIRE FUND) on which employee contributions were paid over the last full six months of allowable service preceding death. (IF THE SPOUSE REMARRIES, THE BENEFIT SHALL CEASE AS OF THE DATE OF THE REMARRIAGE.) The spouse of a police officer or fire fighter who, after attaining 55 years of age elected to receive a joint and survivor annuity, shall, notwithstanding her remarriage, receive such joint and survivor annuity, for her natural life, in lieu of the spouse's benefit prescribed by this section. In the event such police officer or fire fighter did not elect to receive a joint and survivor annuity his spouse shall receive the spouse's benefit provided herein.

Sec. 79. Minnesota Statutes 1971, Section 353.657, Subdivision 3, is amended to read:

Subd. 3. [COMPUTATION OF BENEFITS; CHILDREN; BEFORE RETIREMENT.] (TO) Each (UNMARRIED) dependent child, until the child reaches the age of 18 years, shall receive a monthly benefit equal to (EIGHT) ten percent (OF THAT PORTION) of the member's average monthly salary (OF THE DECEDENT) earned as a police officer or fire fighter (FROM WHICH DEDUCTIONS WERE MADE FOR CONTRIBUTION TO THE POLICE AND FIRE FUND) on which employee contributions were paid over the last full six months of allowable service preceding death. (IN ADDITION, THE ASSOCIATION SHALL MAKE A PAYMENT OF \$20 PER MONTH TO BE PRORATED EQUALLY TO SUCH CHILDREN WHEN THE MEMBER IS SURVIVED BY ONE OR MORE CHILDREN.) Payments for the benefit of any qualified dependent child under the age of 18 years shall be made to the surviving parent, or if there be none, to the legal guardian of such child. The maximum monthly benefit for any one family, including surviving spouse and children, shall not exceed (\$200 FOR ANY NUMBER OF CHILDREN) \$400, and the minimum benefit per family shall not be less than 30 percent of the member's said average salary, subject to the aforementioned maximum.

Sec. 80. Minnesota Statutes 1971, Section 353.68, Subdivision 4, is amended to read:

Subd. 4. [DEFERRED ANNUITY.] The deferred annuity of section 353.34, subdivision 3, as it applies to members of the police and fire fund shall commence at age (58) 55 and shall be computed in the manner provided in section (353.66) 73 of this act on the basis of (ALLOWABLE SERVICE PRIOR TO)

the law in effect on the date of termination of public service and shall be augmented as provided in section 353.71, subdivision 2.

Sec. 81. Minnesota Statutes 1971, Section 353.69, is amended to read:

353.69 [OFFICERS OR EMPLOYEES OF NONCOVERED MUNICIPALITIES; OPTIONAL MEMBERSHIP.] Any former member who is an elected official or an employee of a municipality not covered by the public employees retirement association, has the option to continue his membership in the association for any period of service with the municipality. *Except for the repayment of refunds pursuant to section 353.35, this option applies to future service (AS WELL AS PAST SERVICE) only.* Any person desiring to exercise this option shall (MAKE) file application (TO THE BOARD, SHALL DESIGNATE THE PERIOD OF SERVICE FOR WHICH HE DESIRES COVERAGE AND SHALL PAY THE EMPLOYEE CONTRIBUTION TO THE FUND FOR SUCH SERVICE AT THE RATE OF SIX PERCENT OF SALARY AS PRESCRIBED BY SECTION 353.27, SUBDIVISION 2. THE MUNICIPALITY SHALL PAY A MATCHING AMOUNT PLUS THE AMOUNT TO AMORTIZE THE DEFICIT IN THE FUND IN THE MANNER PROVIDED IN SECTIONS 353.27, SUBDIVISIONS 3 AND 5, AND 353.28. CONTRIBUTIONS FOR ANY PAST SERVICE SHALL BE PAID WITH INTEREST AT THE RATE OF FIVE PERCENT PER ANNUM COMPOUNDED ANNUALLY) *with the association.* (NOTWITHSTANDING ANY PROVISION TO THE CONTRARY.) No such person shall be entitled to *allowable service credit* (FOR SERVICE WITH THE PUBLIC EMPLOYEES RETIREMENT ASSOCIATION) *under this chapter,* if for the same period of service he receives credit with any other public retirement or pension plan maintained by the municipality.

Sec. 82. Minnesota Statutes 1971, Section 353.71, Subdivision 1, is amended to read:

353.71 [COVERAGE BY MORE THAN ONE RETIREMENT SYSTEM; DEFERRED ANNUITY; AUGMENTATION.] Subdivision 1. [ELIGIBILITY.] Any person who has been a member of the public employees retirement association, or the Minnesota state retirement system, or the teachers retirement association, or any other public retirement system in the state of Minnesota having a like provision, except a fund providing benefits for policemen or firemen as referred to in (SECTION) *sections 69.71 and 69.771,* shall be entitled when qualified to an annuity from each fund if his total allowable service in all funds or in any two of these funds totals ten or more years, provided no portion of the allowable service upon which the retirement annuity from one fund is based is again used in the computation for benefits from another fund and provided further that he has not taken a (REFUNDMENT) *refund* from any one of these funds since his membership in that association or system last terminated. The annuity from each fund shall be determined by the appropriate provisions of the law except that the

requirement that a person must have at least ten years of allowable service in the respective association or system shall not apply for the purposes of this section provided the combined service in two or more of these funds equals ten or more years.

Sec. 83. Minnesota Statutes 1971, Section 353.71, Subdivision 2, is amended to read:

Subd. 2. [DEFERRED ANNUITY COMPUTATION; AUGMENTATION.] The deferred annuity, if any, accruing under subdivision 1, or sections 353.34, subdivision 3, and 353.68, subdivision 4, shall be computed in the manner provided in said sections, on the basis of allowable service prior to termination of public service and augmented as provided herein. The required reserves applicable to a deferred annuity, *or to an annuity for which a former member was eligible but had not applied*, or to any deferred segment of an annuity shall be *determined as of the date the annuity begins to accrue and shall be augmented by interest at the rate of three and one-half percent per annum compounded annually from the first day of the month following the month in which the (EMPLOYEE) former member ceased to be a public employee, of July 1, 1971, whichever is later, to the first day of the month in which the annuity begins to accrue. (THE RATES OF INTEREST USED FOR THIS PURPOSE SHALL BE THE INTEREST ASSUMPTIONS WHICH WERE IN EFFECT DURING THE PERIOD FOR WHICH INTEREST IS COMPOUNDED.)* If a person has more than one period of uninterrupted service, the required reserves related to each period shall be augmented by interest pursuant to this subdivision. The sum of the augmented required reserves so determined shall be the present value of the annuity. Uninterrupted service for the purpose of this subdivision shall mean periods of covered employment during which the employee has not been separated from public service for more than two years. If a person repays a refund, the service restored thereby shall be considered as continuous with the next period of service for which the employee has credit with this association. The formula percentages used for each period of uninterrupted service shall be those as would be applicable to a new employee. (THE MORTALITY TABLE AND INTEREST ASSUMPTION USED TO COMPUTE SUCH ANNUITY SHALL BE THOSE IN EFFECT AT THE TIME THE EMPLOYEE FILES APPLICATION FOR ANNUITY. THE ANNUITY PAYABLE HEREUNDER SHALL NOT BE LESS THAN THE ANNUITY AS COMPUTED UNDER SECTIONS 353.29, SUBDIVISIONS 2 AND 3; 353.53, SUBDIVISIONS 1 AND 2; 353.66, SUBDIVISIONS 2 AND 3; AND 355.84, SUBDIVISIONS 1 AND 2; WHICHEVER IS APPLICABLE.) *This section shall not reduce the annuity otherwise payable under this chapter. This subdivision shall apply to deferred annuitants of record on July 1, 1971 and to employees who thereafter become deferred annuitants; it shall also apply from July 1, 1971 to former members who make application for an annuity after July 1, 1973.*

Sec. 84. Minnesota Statutes 1971, Section 353.71, Subdivision 3, is amended to read:

Subd. 3. [DEFERRED ANNUITY; POSTPONED PAYMENT.] No deferred annuity shall commence to be paid from the public employees retirement fund during the time the former member is working and accruing service credit as a member of (THE MINNESOTA STATE RETIREMENT SYSTEM OR THE TEACHERS RETIREMENT ASSOCIATION OR) any (OTHER) public retirement system (IN THE STATE OF MINNESOTA AS) referred to in subdivision 1.

Sec. 85. Minnesota Statutes 1971, Section 353.71, Subdivision 4, is amended to read:

Subd. 4. [REPAYMENT OF REFUND.] Any person who has received a (REFUNDMENT) *refund* from the public employees retirement fund (PRIOR TO JULY 1, 1961,) and who is a member of (THE MINNESOTA STATE RETIREMENT SYSTEM OR THE STATE TEACHERS RETIREMENT ASSOCIATION OR) any (OTHER) public retirement system (IN THE STATE OF MINNESOTA AS) referred to in subdivision 1, may repay such (REFUNDMENT WITH INTEREST) *refund* to the public employees retirement fund as provided in section 353.35. (IF A REFUNDMENT IS REPAID TO THE FUND AND MORE THAN ONE REFUNDMENT HAS BEEN RECEIVED FROM THE FUND, ALL REFUNDMENTS MUST BE REPAID. SUCH REPAYMENT SHALL BE MADE AS PROVIDED IN SECTION 353.35, AND UNDER SUCH TERMS AND CONDITIONS CONSISTENT THEREWITH AS MAY BE AGREED UPON WITH THE BOARD OF TRUSTEES. IF A REFUNDMENT HAS BEEN RECEIVED FROM THE FUND SUBSEQUENT TO JUNE 30, 1961, THE PROVISIONS OF THIS SUBDIVISION DO NOT APPLY AND REPAYMENT OF REFUNDMENT CAN BE MADE ONLY AS PROVIDED IN SECTION 353.35.)

Sec. 86. Minnesota Statutes 1971, Chapter 353, is amended by adding a section to read:

[353.84] [INCREASE IN BENEFITS.] *All survivors and disabilitants who were receiving benefits on June 30, 1973, shall receive from the appropriate special fund, a 20 percent increase in such benefits accruing from January 1, 1974; provided, that survivors of members who died prior to July 1, 1973 and will not become eligible to receive benefits until after June 30, 1973, shall receive the 20 percent increase in such benefits when the benefits begin to accrue. Such increases shall not be affected by any maximum limitations otherwise provided in this chapter.*

Sec. 87. Minnesota Statutes 1971, Section 490.12, Subdivision 5, is amended to read:

Subd. 5. [MEMBERSHIP IN OTHER RETIREMENT PENSION FUNDS.] The probate judges retirement pension as provided herein shall be reduced by the full amount of any retirement pension other than is herein provided received by a probate judge from the state, any political subdivision, or public

employees retirement association, until the total reduction equals the amount of such other pension, if any, received prior to retirement as a probate judge plus the amount of the contribution, if any, made by the state or any political subdivision to fund any such other pension pursuant to section 353.27, subdivisions 3 and (5) 3a, in connection with service as probate judge or in any other capacity. The amount of each reduction shall be remitted by the county to each such contributing employer in proportion to its total contribution pursuant to section 353.27, subdivisions 3 and (5) 3a. In the event the probate judge withdraws from any retirement pension fund other than as herein provided prior to his retirement as a probate judge, the amount contributed by the state or any political subdivision shall be computed and deducted from the probate judge's retirement over a five-year period commencing upon the date of such judge's retirement.

Sec. 88. *Minnesota Statutes 1971, Sections 353.015; 353.07; 353.13; 353.26; 353.27, Subdivision 5; 353.28, Subdivisions 2, 3, 4, 7, 9, and 10; 353.31, Subdivisions 3, 4, 5, 6, 7, and 10; 353.33, Subdivision 10; 353.36, Subdivisions 5, 6, 7, 8, 9, and 10; 353.37, Subdivisions 2 and 3; 353.39; 353.44; 353.45; 353.46, Subdivision 5; 353.51; 353.52; 353.53; 353.54; 353.55; 353.56; 353.57; 353.58; 353.59; 353.591; 353.60; 353.61; 353.65, Subdivision 5; 353.654; 353.655; 353.66; and 353.68, Subdivisions 2, 3, 5, 6, 7, 8, and 9, are repealed.*

Sec. 89. *This act is effective July 1, 1973.*

Further amend the title by striking it in its entirety and insert in lieu thereof the following:

"A bill for an act relating to the public employees retirement association; appointment of assistant attorney general to serve three funds; clarification of language, elimination of unnecessary language; increased contributions, actuarial interest assumption, and benefits on high five years final average salary; providing penalties; amending Minnesota Statutes 1971, Chapter 8, by adding a section; Sections 353.01, Subdivisions 2, 4, 6, 7, 10, 11, 12, 15, 16, 20, 23, 25, 27, 29, and 31, and by adding subdivisions; 353.03, Subdivision 1, and by adding a subdivision; 353.06; 353.08; 353.14; 353.15; 353.18; 353.19; 353.27, Subdivisions 1, 2, 3, 4, and 7, and by adding subdivisions; 353.271, Subdivisions 1 and 2; 353.28, Subdivisions 1, 6, and 8; 353.29, Subdivisions 1, 2, and 3, and by adding subdivisions; 353.30, Subdivisions 3 and 4, and by adding a subdivision; 353.31, Subdivisions 1 and 8; 353.32, Subdivisions 1, 2, 4, and 5, and by adding a subdivision; 353.33, Subdivisions 1, 2, 3, and 11; 353.34, Subdivisions 2, 3, and 6; 353.35; 353.36, Subdivision 2, and by adding subdivisions; 353.37, Subdivision 1; 353.40; 353.46, Subdivisions 1, 2, 3, and 4; 353.65, Subdivisions 2 and 3, and by adding a subdivision; 353.656, Subdivisions 1, 3 and 6; 353.657, Subdivisions 1, 2, and 3; 353.68, Subdivision 4; 353.69; 353.71, Subdivisions 1, 2, 3, and 4; 490.12, Subdivision 5; and Chapter 353, by adding sections; repealing Minnesota Statutes 1971, Sections 353.015; 353.07; 353.13; 353.26; 353.27, Subdivision 5; 353.28, Subdivisions 2, 3, 4, 7, 9, and 10; 353.31, Subdivisions 3, 4, 5, 6, 7, and

10; 353.33, Subdivision 10; 353.36, Subdivisions 5, 6, 7, 8, 9, and 10; 353.37, Subdivisions 2 and 3; 353.39; 353.44; 353.45; 353.46, Subdivision 5; 353.51; 353.52; 353.53; 353.54; 353.55; 353.56; 353.57; 353.58; 353.59; 353.591; 353.60; 353.61; 353.65, Subdivision 5; 353.654; 353.655; 353.66; 353.68, Subdivisions 2, 3, 5, 6, 7, 8, and 9.”

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

S. F. No. 1287, A bill for an act relating to county courts; providing for retirement of judges before age 70 who have served ten years or more; amending Minnesota Statutes 1971, Section 487.06, Subdivisions 2 and 4.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 1124, A bill for an act relating to public welfare; adopting the interstate compact on the placement of children; amending Minnesota Statutes 1971, Chapter 257, by adding sections.

Reported the same back with recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1234, A bill for an act relating to education; higher education coordinating commission; requiring a feasibility study of a state college on the iron range.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1996, A bill for an act relating to the Minnesota state college board; appropriating money and authorizing a loan to the board for the refunding of outstanding revenue bonds; authorizing the issuance and sale of bonds under the provisions of

Article IX, Section 6 of the Constitution to provide money for such loan, and appropriating money in connection with such bonds; amending Minnesota Statutes 1971, Section 136.40, by adding a subdivision.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Fugina from the Committee on Higher Education to which was referred:

H. F. No. 2233, A bill for an act relating to education; establishing a work-study program for post-secondary education students; appropriating money therefor.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mr. Fugina from the Committee on Higher Education to which was referred:

H. F. No. 2234, A bill for an act relating to education; clarifying responsibilities of the higher education advisory council; amending Minnesota Statutes 1971, Section 136A.02, Subdivision 6.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Fugina from the Committee on Higher Education to which was referred:

S. F. No. 1222, A bill for an act relating to education; redesignating all state junior colleges as community colleges and the state junior college board as the state board for community colleges; amending Minnesota Statutes 1971, Chapter 136, by adding a section.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Parish from the Committee on Judiciary to which was referred:

H. F. No. 712, A bill for an act relating to county attorneys; creating a county attorneys council and the office of executive director; creating the offices of district attorney; prescribing powers and duties; and appropriating money.

Reported the same back with the following amendments:

Page 3, line 7, strike the comma and insert in lieu thereof "and"; strike "and" after "supervise" in line 7.

Page 3, line 8, strike "set the salary of".

Page 6, line 28, after the word "supplies" and before the period, insert the words "which shall be submitted to the district court for approval".

Page 7, line 7, after the period insert "Subdivisions 7 and 9 of this section shall not apply to those judicial districts comprised of a single county.".

Page 7, after line 25, add a new section to read:

"Sec. 4. Minnesota Statutes 1971, Section 15A.083, Subdivision 3, is amended to read:

Subd. 3. [RANGES FOR OTHER JUDICIAL POSITIONS.] Salary ranges are provided for the following positions in the judicial branch of government. The appointing authority of each position shall fix individual salaries under the provisions of section 15A.081, subdivision 2.

Public defender	\$18,000 - 27,500
Deputy public defender	14,000 - 21,000
<i>County attorneys council executive director</i>	<i>18,000 - 27,500</i>
Court administrator	18,000 - 26,500
Revisor of statutes	18,000 - 27,500
Assistant revisor of statutes	15,600 - 23,400
Special assistant to the revisor of statutes	12,000 - 22,000
Law librarian	10,500 - 15,500"

Renumber the remaining section.

Page 7, line 23, strike everything after the period and strike lines 24 and 25.

Further amend the title as follows:

Line 7, after "money" insert "; amending Minnesota Statutes 1971, Section 15A.083, Subdivision 3".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

Mr. Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1689, A bill for an act relating to plumbers; fees for examination and licensing; amending Minnesota Statutes 1971, Section 326.42.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1691, A bill for an act relating to steamfitters, licensing thereof; fees; amending Minnesota Statutes 1971, Section 326.50.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1692, A bill for an act relating to labor and industry; boiler and pressure vessel fees to be paid to the state of Minnesota; amending Minnesota Statutes 1971, Sections 183.545, Subdivisions 3 and 4; and 183.57, Subdivision 2.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Pavlak, R., from the Committee on Taxes to which was referred:

H. F. No. 2057, A bill for an act relating to counties; creating a special board on ad valorem tax appeals for certain counties; providing for the appointment, compensation, authority and financial support for board members; appropriating money; providing a penalty; amending Minnesota Statutes 1971, Chapter 278, by adding a section; and Section 278.08.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mr. Carlson, B., from the Committee on Transportation to which was referred:

H. F. No. 166, A bill for an act relating to courts, procedure and penalties in traffic violation cases; amending Minnesota Statutes 1971, Sections 169.89, Subdivision 1; 171.01, Subdivision 13; 171.16, Subdivisions 1 and 3; and 484.63; repealing Minnesota Statutes 1971, Section 169.122, Subdivision 4.

Reported the same back with the following amendments:

Page 2, line 21, strike "shall report" and insert "reports".

Page 2, line 21, before "person" strike "any" and insert "a" and after "person" insert ": (1)".

Page 2, line 22, reinstate the stricken language.

Page 2, line 22, strike "any" and insert "a" and after "state" strike the comma.

Page 2, line 23, before "ordinance" insert "an".

Page 2, line 23, strike "regulating" and insert "*which regulates*".

Page 2, line 24, after "vehicles," insert "(2)".

Page 2, line 25, after "and" insert "(3)".

Page 2, line 26, strike the comma and insert "*notwithstanding the fact that*".

Page 2, line 26, strike "having" and insert "has".

Page 2, line 27, before "person" strike "such" and insert "*that the*" and after "pay" strike "such" and insert "*the*".

Page 2, line 27, after "fine" insert a comma.

Page 3, line 1, strike "*each such*" and insert in lieu thereof "a".

Page 3, line 7, strike "in any court".

Page 3, line 8, strike the comma and insert "*punishable by a fine only*".

Page 3, line 9, after "court" insert: "*upon questions of law only. Any person convicted of a violation of a municipal ordinance for which a sentence of imprisonment is authorized may appeal to the district court*".

Page 3, after line 15, add new sections to read:

"Sec. 6. Minnesota Statutes 1971, Section 488.20, is amended to read:

[488.20] [APPEALS TO DISTRICT COURT.] Appeals may be taken to the district court of the county from the judgments of municipal courts in the same cases, upon the same procedure, and with the same effect as provided by law respecting appeals from justice courts, and all laws relating to such last named appeals shall be adapted and applied to appeals from the municipal courts. The time for appeal shall not start to run until the judgment has been perfected, the costs taxed, and notice of entry of judgment served upon the adverse party. On appeal to district court the appellant shall not be entitled to a trial by jury if trial by jury was held in municipal court (OR IF THE OFFENSE FOR WHICH CONVICTED IS PUNISHABLE BY A

SENTENCE TO THE PAYMENT OF A FINE ONLY.) *Appeals from a conviction of a petty misdemeanor or an ordinance violation punishable by a fine only shall be upon questions of law only.*

Sec. 7. Minnesota Statutes 1971, Section 488A.18, Subdivision 12, is amended to read:

Subd. 12. [REMOVAL OF CAUSES TO SUPREME COURT.] All causes *except petty misdemeanors and violation of municipal ordinances punishable by fine only* may be removed from the municipal court to the supreme court of the state of Minnesota in the same manner, upon like proceedings and with like effect as from district court.

Sec. 8. *"This act is in effect June 1, 1973."*

Page 3, strike lines 16 and 17.

Amend the title as follows:

Line 7, strike the second "and"; after "484.63;" insert "488.20; and 488A.18, Subdivision 12." and strike the remaining language.

Strike lines 8 and 9.

With the recommendation that when so amended the bill do pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1807, 1042, 1378, 1978, 659, 1870, 1932, 1959, 1968, 2244, 371, 1043, 1297, 1381, 1498, 1616, 1720, 1767, 1119, 1506, 2093, 2111, 2150, 358, 827, 1508, 1550, 1626, 1673, 1234, 1996, 2234, 1689, 1691, 1692, and 166 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1092, 1287, 1124, and 1222 were read for the second time.

INTRODUCTION OF BILLS

Miller, M.; Schreiber; McEachern; Vanasek; and Sherwood introduced:

H. F. No. 2305, A bill for an act relating to agriculture; nurserymen's and dealer's certificates; providing penalties; amending Minnesota Statutes 1971, Sections 18.46, Subdivision 9; 18.51, Subdivision 2; and 18.52, Subdivision 5.

The bill was read for the first time and referred to the Committee on Agriculture.

Miller, M., introduced:

H. F. No. 2306, A bill for an act relating to the claim of Gerald E. Host; arising from negligence by the highway department; appropriating money for the payment thereof.

The bill was read for the first time and referred to the Committee on Appropriations.

Norton; Anderson, I.; and Graba introduced:

H. F. No. 2307, A bill for an act appropriating money to the special compensation fund for administrative costs incurred for the year beginning July 1, 1971 and ending June 30, 1972.

The bill was read for the first time and referred to the Committee on Appropriations.

Bennett; Ferderer; Tomlinson; Pavlak, R. L.; and Vento introduced:

H. F. No. 2308, A bill for an act relating to the city of Saint Paul; providing for the contracting out to a private party of the operation and management of the parking ramps and other parking facilities owned by the city which are located within or adjacent to the city's civic center and auditorium; amending Laws 1967, Chapter 459, Section 4, as amended.

The bill was read for the first time and referred to the Committee on City Government.

Laidig introduced:

H. F. No. 2309, A bill for an act relating to animals; regulation of pet shops; licensing; amending Minnesota Statutes 1971, Sections 347.31; 347.32; 347.33; 347.34; 347.35; 347.37; 347.38; 347.39; and 347.40.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Newcome; Dirlam; Adams, J.; Kelly; and Miller, D., introduced:

H. F. No. 2310, A bill for an act relating to intoxicating liquor; labeling required; providing a penalty; amending Minnesota Statutes 1971, Section 340.461, Subdivision 4, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Johnson, R.; Voss; Johnson, C.; Wolcott; and Larson introduced:

H. F. No. 2311, A bill for an act relating to certain industries regulated by the department of public service; defining telephone company; amending Minnesota Statutes 1971, Section 237.01.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Pavlak, R. L.; Johnson, R.; Laidig; Jopp; and Fudro introduced:

H. F. No. 2312, A bill for an act relating to crimes and criminals; establishing a regional justice information system; prescribing its powers and duties; and providing for its financing.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

McCarron; Pavlak, R. L.; Ryan; Resner; and Ferderer introduced:

H. F. No. 2313, A bill for an act relating to training; creating a state training center; creating a state training center advisory council.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Lindstrom, J.; Peterson; Munger; Carlson, D.; and Sherwood introduced:

H. F. No. 2314, A bill for an act relating to safety in the use of waters of this state; amending Minnesota Statutes 1971, Sections 361.03, Subdivisions 6 and 12; 361.10, Subdivision 1; and 361.141, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

Johnson, C.; Lemke; Eckstein; Patton; and Biersdorf introduced:

H. F. No. 2315, A bill for an act relating to soil and water conservation; amending Minnesota Statutes 1971, Sections 40.03, Subdivision 1; 40.04, Subdivision 12; 40.05, Subdivisions 3, 3a, and 4; and 40.07, Subdivision 15.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

Vanasek, Culhane, Peterson, Biersdorf, and Prahl introduced:

H. F. No. 2316, A bill for an act relating to the powers of the county board of commissioners; amending Minnesota Statutes 1971, Section 375.19.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

Fudro, Patton, Cleary, Belisle, and Sarna introduced:

H. F. No. 2317, A bill for an act relating to collection agencies; the licensing and regulation thereof; providing penalties; amending Minnesota Statutes 1971, Sections 332.31, Subdivision 1; 332.33, Subdivisions 1, 2, 3, 4, and 5; 332.34; 332.36, Subdivisions 1, 2, 3, and 5; 332.37; 332.38; 332.39; 332.40; 332.41, Subdivision 1; 332.42; 332.44; and Chapter 332, by adding a section; and repealing Minnesota Statutes 1971, Sections 332.43 and 332.45.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Esau, Erickson, DeGroat, Klaus, and Smith introduced:

H. F. No. 2318, A bill for an act relating to elections; requiring that address on drivers license be the same as voting residence; amending Minnesota Statutes 1971, Chapter 204, by adding a section.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Parish, Norton, and Johnson, R., introduced:

H. F. No. 2319, A bill for an act relating to the operation of the state government; providing for the purchase of electronic data processing equipment where bids are unsatisfactory; amending Minnesota Statutes 1971, Section 16.07, Subdivision 14.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Voss introduced:

H. F. No. 2320, A bill for an act relating to the village of Circle Pines; payment of firemen's service pensions.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Resner, Newcome, Parish, Cummiskey, and Peterson introduced:

H. F. No. 2321, A bill for an act relating to motor vehicles; exempting certain state owned vehicles from special markings; amending Minnesota Statutes 1971, Section 168.012, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Ojala, Fugina, Mueller, Knickerbocker, and Moe introduced:

H. F. No. 2322, A bill for an act relating to manpower services; unemployment compensation; extending benefits; amending Minnesota Statutes 1971, Sections 268.071, Subdivision 1; 268.10, Subdivision 4; 268.12, Subdivision 6; and 268.13, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Fugina and Johnson, C., introduced:

H. F. No. 2323, A bill for an act relating to travel and other expenses of boards; amending Minnesota Statutes 1971, Section 15A.21; and 121.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sieben, H.; Bell; Growe; Andersen, R.; and Berglin introduced:

H. F. No. 2324, A bill for an act relating to manpower services; unemployment compensation; administration fund; amending Minnesota Statutes 1971, Section 268.15, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Resner, Moe, Menke, Patton, and Carlson, A., introduced:

H. F. No. 2325, A bill for an act relating to the application of the state mobile homes building code; amending Minnesota Statutes 1971, Section 327.31, Subdivision 6.

The bill was read for the first time and referred to the Committee on Governmental Operations.

McCarron; Sieben, M.; Resner; Jacobs; and Rice introduced:

H. F. No. 2326, A bill for an act relating to regulated industries; changing manner of determining valuation of telephone property for the purpose of prescribing telephone rates; amending Minnesota Statutes 1971, Section 237.08.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Fugina, LaVoy, Graba, and Carlson, B., introduced:

H. F. No. 2327, A bill for an act relating to retirement; state aid to nonprofit firefighting corporations; amending Minnesota Statutes 1971, Section 69.774.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sarna, McEachern, and Jacobs introduced:

H. F. No. 2328, A bill for an act relating to the state building code act; clarifying application of the act; providing for municipal vacancies regarding certified building officials; allowing the commissioner of administration to establish the surcharge amount and for municipal retention of a portion thereof; clarifying parties responsible for permit fees and surcharges; amending Minnesota Statutes 1971, Sections 16.851; 16.861, by adding a subdivision; and 16.866; and Chapter 16, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Resner, Casserly, Kelly, Jude, and Anderson, I., introduced:

H. F. No. 2329, A bill for an act relating to expenses of attorney general's appeals; amending Minnesota Statutes 1971, Sections 237.25 and 237.30.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Salchert and Flakne introduced:

H. F. No. 2330, A bill for an act relating to health; defining physical therapist; prohibiting certain conduct relating to the practice of physical therapy; providing penalties; amending Minnesota Statutes 1971, Sections 148.65, Subdivision 2; 148.76; and 148.77.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Stanton, Casserly, Rice, Knickerbocker, and Flakne introduced:

H. F. No. 2331, A bill for an act relating to welfare; defining county of financial responsibility in medical assistance; amending Minnesota Statutes 1971, Section 256B.02, Subdivision 3.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Kahn; Johnson, J.; Swanson; Forsythe; and Faricy introduced:

H. F. No. 2332, A bill for an act relating to adoption; amending Minnesota Statutes 1971, Sections 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivisions 1 and 2; 260.221; 260.231, Subdivision 3; and Chapter 259, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Berglin, Casserly, Vanasek, Clifford, and Forsythe introduced:

H. F. No. 2333, A bill for an act relating to welfare; providing for mandatory certification to the commissioner of manpower services; amending Minnesota Statutes 1971, Section 256.736, Subdivisions 3 and 4.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Dahl, Cleary, Niehaus, Jacobs, and Braun introduced:

H. F. No. 2334, A bill for an act relating to child welfare; requiring agency placement prior to adoption; amending Minnesota Statutes 1971, Section 259.22.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Smith, Rice, Jacobs, Heinitz, and Wenzel introduced:

H. F. No. 2335, A bill for an act relating to public welfare, authorizing access to certain records for the purpose of verifying assets of recipients and applicants; amending Minnesota Statutes 1971, Section 256.978.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Jacobs, Dahl, Forsythe, Ohnstad, and Miller, D., introduced:

H. F. No. 2336, A bill for an act relating to child welfare; foster care and day care facilities; providing penalties for certain violations; amending Minnesota Statutes 1971, Section 257.123, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Stanton; Long; Lindstrom, J.; Mann; and Esau introduced:

H. F. No. 2337, A bill for an act relating to welfare; appropriating money for New Tomorrow, Inc.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Hanson, Munger, Menke, Sherwood, and Pavlak, R. L., introduced:

H. F. No. 2338, A bill for an act relating to highway traffic regulations; directing the department of public safety to cooperate with the Minnesota pollution control agency in the enforcement of motor vehicle noise regulations; amending Minnesota Statutes 1971, Chapter 169, by adding a section; repealing Minnesota Statutes 1971, Sections 169.691; and 169.692.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

Ulland introduced:

H. F. No. 2339, A bill for an act relating to intoxicating liquor; places where sales prohibited; amending Minnesota Statutes 1971, Section 340.14, Subdivision 3, as amended.

The bill was read for the first time and referred to the Committee on Higher Education.

Salchert introduced:

H. F. No. 2340, A bill for an act relating to mental health; providing for civil commitment of a person incompetent to stand trial; amending Minnesota Statutes 1971, Section 631.18.

The bill was read for the first time and referred to the Committee on Judiciary.

Pavlak, R.; Pieper; Klaus; Sieben, H.; and Kempe introduced:

H. F. No. 2341, A bill for an act relating to courts; providing for an additional judge of district court in the first judicial district; amending Minnesota Statutes 1971, Section 2.722.

The bill was read for the first time and referred to the Committee on Judiciary.

McCarron, Lemke, and McCauley introduced:

H. F. No. 2342, A bill for an act relating to intoxicating liquor; actions for damages resulting from intoxication; amending Minnesota Statutes 1971, Sections 340.95 and 340.951.

The bill was read for the first time and referred to the Committee on Judiciary.

McCarron, McCauley, and Lemke introduced:

H. F. No. 2343, A bill for an act relating to intoxicating liquor; liability for illegal sale; repealing the dramshop law; repealing Minnesota Statutes 1971, Sections 340.95; and 340.951.

The bill was read for the first time and referred to the Committee on Judiciary.

Newcome; Faricy; Johnson, R.; Norton; and Pavlak, R., introduced:

H. F. No. 2344, A bill for an act relating to adoption; providing for appointment of guardian ad litem and attorney for child.

The bill was read for the first time and referred to the Committee on Judiciary.

Newcome; Faricy; Johnson, R.; Norton; and Pavlak, R., introduced:

H. F. No. 2345, A bill for an act relating to juvenile court; providing for payment by parents of attorneys fees of court-appointed counsel; amending Minnesota Statutes 1971, Section 260.251, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

Newcome, Faricy, Weaver, Dirlam, and Bennett introduced:

H. F. No. 2346, A bill for an act relating to crimes and criminals; highway traffic regulations; providing that the driver of any vehicle who fails to stop and give information at the scene of an accident resulting in injury or death to any person shall be guilty of a felony; amending Minnesota Statutes 1971, Section 169.09, Subdivision 14.

The bill was read for the first time and referred to the Committee on Judiciary.

McCarron, Parish, Vento, Casserly, and Knickerbocker introduced:

H. F. No. 2347, A bill for an act relating to intoxicating liquor; requiring retail dealers to have liability insurance; amending Minnesota Statutes 1971, Section 340.12.

The bill was read for the first time and referred to the Committee on Judiciary.

Patton, Parish, Pehler, Boland, and Wolcott introduced:

H. F. No. 2348, A bill for an act relating to hospitalization and commitment; requiring review of admission and retention of patients in federal mental hospitals; amending Minnesota Statutes 1971, Section 253A.16, Subdivisions 1, 2, 3 and 4.

The bill was read for the first time and referred to the Committee on Judiciary.

Fugina, Ojala, and Johnson, D., introduced:

H. F. No. 2349, A bill for an act relating to St. Louis county; authorizing the issuance of an on-sale license for the sale of intoxicating liquor.

The bill was read for the first time and referred to the Committee on Local Government.

Prahl introduced:

H. F. No. 2350, A bill for an act relating to the county of Itasca; mileage allowance for certain county employees; repealing Laws 1959, Chapter 391.

The bill was read for the first time and referred to the Committee on Local Government.

Tomlinson, Bennett, Vento, Moe, and Pavlak, R. L., introduced:

H. F. No. 2351, A bill for an act relating to Ramsey county; authorizing issuance of bonds for construction and equipping of certain recreational facilities; amending Laws 1969, Chapter 1055, as amended, by adding a section.

The bill was read for the first time and referred to the Committee on Local Government.

Vento; Newcome; Pavlak, R. L.; Boland; and Moe introduced:

H. F. No. 2352, A bill for an act relating to the county of Ramsey; tax levy for educational, scientific and artistic purposes; amending Laws 1961, Chapter 583, Section 1, as amended.

The bill was read for the first time and referred to the Committee on Local Government.

Tomlinson, Newcome, Moe, Bell, and Vento introduced:

H. F. No. 2353, A bill for an act relating to Ramsey county; appropriations by the county for the preliminary plans for a detention center or centers.

The bill was read for the first time and referred to the Committee on Local Government.

Newcome, Weaver, and Kempe introduced:

H. F. No. 2354, A bill for an act relating to the metropolitan sewer service board; requiring a budget and legislative approval of capital expenditures.

The bill was read for the first time and referred to the Committee on Metropolitan and Urban Affairs.

Vento, Ferderer, Faricy, Hanson, and Bennett introduced:

H. F. No. 2355, A bill for an act relating to Ramsey county; providing for a park and open space system and recreational program; conferring power on the Ramsey county board to acquire land and personal property under certain conditions; authorizing the expenditure of county road and bridge funds for the construction and maintenance of bicycle paths on roads under county jurisdiction; amending Laws 1971, Chapter 950, Sections 2, by adding a subdivision; and 7.

The bill was read for the first time and referred to the Committee on Metropolitan and Urban Affairs.

Ferderer and Vento introduced:

H. F. No. 2356, A bill for an act relating to metropolitan government; creating a metropolitan sports commission and prescribing its powers and duties.

The bill was read for the first time and referred to the Committee on Metropolitan and Urban Affairs.

Stanton introduced:

H. F. No. 2357, A bill for an act relating to sales and use tax and the refund of such tax to cooperatives; amending Minnesota Statutes 1971, Section 297A.35, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Jopp; Salchert; Dirlam; Johnson, C.; and Pavlak, R., introduced:

H. F. No. 2358, A bill for an act relating to taxation and the method of valuing agricultural land on the basis of highest and best agricultural use; amending Minnesota Statutes 1971, Section 273.111, Subdivisions 3, 4, 5, 6, 8, 8a, 9, and 11.

The bill was read for the first time and referred to the Committee on Taxes.

Esau, Kempe, Wenzel, Klaus, and Johnson, D., introduced:

H. F. No. 2359, A bill for an act relating to inheritance taxes; defining and prescribing inheritance tax rates and exemptions for certain beneficiaries and donees; amending Minnesota Statutes 1971, Sections 291.03; 291.05; and 292.07, Subdivisions 3 and 5.

The bill was read for the first time and referred to the Committee on Taxes.

Carlson, B.; Anderson, I.; Mueller; Dirlam; and Lemke introduced:

H. F. No. 2360, A bill for an act authorizing the issuance and sale of Minnesota trunk highway bonds under the provisions of Minnesota Constitution, Article IX, Section 6; and Article XVI, Section 12; and the expenditure of the proceeds thereof.

The bill was read for the first time and referred to the Committee on Transportation.

Wenzel, Vanasek, St. Onge, Stanton, and Jude introduced:

H. F. No. 2361, A bill for an act relating to highway traffic regulations; requiring certain equipment on motor vehicles sold after a certain date; amending Minnesota Statutes 1971, Sections 169.57, Subdivision 1; and 169.64, Subdivision 3.

The bill was read for the first time and referred to the Committee on Transportation.

Lindstrom, J.; Anderson, D.; Voss; Stanton; and Carlson, B., introduced:

H. F. No. 2362, A bill for an act relating to aeronautics; financial assistance to commuter airlines; appropriating money; amending Minnesota Statutes 1971, Sections 360.013, by adding a subdivision; 360.015, Subdivision 13; 360.038, by adding a subdivision; and 360.305, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation.

Ojala; Savelkoul; Carlson, A.; Fugina; and Carlson, L., introduced:

H. F. No. 2363, A bill for an act relating to adoption; amending Minnesota Statutes 1971, Sections 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivisions 1 and 2; 260.221; 260.231, Subdivision 3; and Chapter 259, by adding a section.

The bill was read for the first time and referred to the Committee on Judiciary.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested.

H. F. No. 356, A bill for an act relating to teachers retirement; amending Minnesota Statutes 1971, Sections 136.82, Subdivision 2; 354.05, Subdivision 26; 354.07, Subdivision 5; 354.09, Subdivision 3; 354.145, Subdivisions 1 and 2; 354.34, Subdivision 2; 354.38; 354.42, Subdivision 2; 354.44, Subdivision 4; 354.49, Subdivision 5; 354.53; 354.55, by adding a subdivision; and 354.62, Subdivisions 3, 4 and 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate wishes to recall for the purpose of further consideration House File No. 356:

H. F. No. 356, A bill for an act relating to teachers retirement; amending Minnesota Statutes 1971, Sections 136.82, Subdivision 2; 354.05, Subdivision 26; 354.07, Subdivision 5; 354.09, Subdivision 3; 354.145, Subdivisions 1 and 2; 354.34, Subdivision 2; 354.33; 354.42, Subdivision 2; 354.44, Subdivision 4; 354.49, Subdivision 5; 354.53; 354.55, by adding a subdivision; and 354.62, Subdivisions 3, 4 and 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

Moe moved that the House accede to the request of the Senate for the return of H. F. No. 356 for further consideration by the Senate. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, con-

sisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 917, A bill for an act relating to the city of North Mankato; authorizing the common council of the city of North Mankato to annually levy money as a contingent fund for the use by the common council for incidental and promotional expenses.

The Senate has appointed as such committee Messrs. Ueland, Lord and Olhoft.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 437, A bill for an act relating to highway traffic regulations; unsafe equipment; prohibiting design modifications of certain vehicles without approval of the commissioner of public safety; prescribing penalties; amending Minnesota Statutes 1971, Section 169.47.

The Senate has appointed as such committee Messrs. Laufenburger, Brown and Schrom.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 347, A bill for an act relating to wild animals; taking of small game by an owner or lessee of the land; amending Minnesota Statutes 1971, Section 98.47, Subdivision 10.

The Senate has appointed as such committee Messrs. Purfeerst, Renneke and Humphrey.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in

which amendment the concurrence of the House is respectfully requested:

H. F. No. 308, A bill for an act relating to the organization and operation of the state government; creating a department of finance; a legislative audit commission and a legislative auditor; appropriating moneys; amending Minnesota Statutes 1971, Sections 6.21; 9.031; 11.10; 215.04; 215.05; 215.06; 215.07; 215.08 and 215.09; repealing Minnesota Statutes 1971, Sections 16.02, Subdivisions 11, 12, 20 and 22; and 215.02.

PATRICK E. FLAHAVEN, Secretary of the Senate

Quirin moved that the House refuse to concur in the Senate amendments to H. F. No. 308, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 308:

Quirin; Anderson, I.; Kelly; Norton; and Newcome.

MESSAGES FROM THE SENATE, Continued

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2166 and 2167.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2166, A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways, and for other purposes.

The bill was read for the first time.

Norton moved that S. F. No. 2166 and H. F. No. 2216, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2167, A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for county and district agricultural societies; for various stock-breeders', dairymen's, horticultural and poultry association and societies; for sheriffs' per diem and mileage in certain cases; for vessel tonnage tax; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local

subdivisions of government and school districts; for maintenance of the uniform laws commission; for maintenance of the capitol area architectural and planning commission; and for other purposes; and amending Minnesota Statutes 373.23.

The bill was read for the first time.

Norton moved that S. F. No. 2167 and H. F. No. 2274, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

S. F. No. 1503, A bill for an act relating to natural resources; the production, procurement, distribution, and planting of trees, shrubs, and vines for conservation purposes; amending Minnesota Statutes 1971, Sections 89.36, Subdivision 2; 89.37, by adding a subdivision; 89.38; and Chapter 89, by adding a section; repealing Minnesota Statutes 1971, Sections 89.31 through 89.34, and 89.40.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Mueller	Schreiber
Adams, S.	Dirlam	Johnson, R.	Munger	Schulz
Andersen, R.	Eckstein	Jopp	Myrah	Searle
Anderson, D.	Eken	Jude	Nelson	Sherwood
Anderson, G.	Enebo	Kahn	Newcome	Sieben, H.
Anderson, I.	Erdahl	Kelly	Niehaus	Sieben, M.
Becklin	Erickson	Klaus	Norton	Skaar
Belisle	Esau	Knickerbocker	Ohnstad	Smith
Bell	Faricy	Kvam	Ojala	Spanish
Bennett	Ferderer	Laidig	Parish	Stangeland
Berg	Fjoslien	Larson	Patton	Stanton
Berglin	Flakne	LaVoy	Pavlak, R.	Swanson
Biersdorf	Forsythe	Lemke	Pavlak, R. L.	Tomlinson
Boland	Fudro	Lindstrom, E.	Pehler	Ulland
Braun	Fugina	Lindstrom, J.	Peterson	Vanasek
Carlson, A.	Graba	Lombardi	Pieper	Vento
Carlson, B.	Graw	Long	Pleasant	Voss
Carlson, D.	Growe	Mann	Prahl	Weaver
Carlson, L.	Hagedorn	McArthur	Quirin	Wenzel
Casserly	Hanson	McCarron	Resner	Wigley
Cleary	Haugerud	McCauley	Rice	Wohlwend
Clifford	Heinitz	McEachern	Ryan	Wolcott
Connors	Hook	McFarlin	St. Onge	Mr. Speaker
Culhane	Jacobs	Menke	Salchert	
Cummiskey	Jaros	Miller, D.	Samuelson	
Dahl	Johnson, C.	Miller, M.	Sarna	
DeGroat	Johnson, D.	Moe	Savelkoul	

The bill was passed and its title agreed to.

S. F. No. 1507 was reported to the House.

Culhane moved to amend S. F. No. 1507, the printed bill, as follows:

Page 2, after line 4, add a section to read:

"Sec. 2. Minnesota Statutes 1971, Section 246.51, is amended to read:

246.51 [PAYMENT FOR CARE AND TREATMENT; DETERMINATION.] The commissioner shall make such investigation as he deems necessary and determine, and as circumstances require redetermine, what part of the cost of care, if any, the patient is able to pay. If the commissioner finds that the patient is unable to pay the full cost of care he shall make a determination as to the ability of the relatives to pay provided, however, that in no case shall the relatives be ordered to pay more for each patient than ten percent of the cost of care *but not to exceed \$60 per month* but voluntary payments in excess thereof may be accepted by the commissioner. No parent shall be liable for the cost given a patient at a state hospital after such patient has reached the age of 21 years. Such determination shall be conclusive in any action to enforce payment of the cost of care unless appealed from as hereinafter provided. All money received shall be paid to the state treasurer and placed in the general fund and a separate account kept thereof. Responsibility under this section shall not apply to those relatives earning less than \$4,000 per year."

Further, amend the title in line 5 by striking "Section" and inserting "Sections" and in line 6 after "5" and before the period by inserting "; and 246.51".

The motion prevailed and the amendment was adopted.

S. F. No. 1507, A bill for an act relating to public welfare; changing the method of determining rates for state hospital care; amending Minnesota Statutes 1971, Section 246.50, Subdivision 5.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Clifford	Fugina	Klaus	Munger
Adams, S.	Connors	Graba	Knickerbocker	Myrah
Andersen, R.	Culhane	Graw	Laidig	Nelson
Anderson, D.	Cummiskey	Growe	Larson	Newcome
Anderson, G.	Dahl	Hagedorn	LaVoy	Niehaus
Anderson, I.	DeGroat	Hanson	Lemke	Norton
Becklin	Dieterich	Haugerud	Lindstrom, E.	Ohnstad
Belisle	Dirlam	Heinitz	Lindstrom, J.	Ojala
Bell	Eckstein	Hook	Lombardi	Parish
Bennett	Eken	Jacobs	Long	Patton
Berg	Enebo	Jaros	Mann	Pavlak, R.
Berglin	Erdahl	Johnson, C.	McArthur	Pavlak, R. L.
Biersdorf	Erickson	Johnson, D.	McCarron	Pehler
Boland	Esau	Johnson, J.	McEachern	Peterson
Braun	Faricy	Johnson, R.	McFarlin	Pieper
Carlson, A.	Ferderer	Jopp	Menke	Pleasant
Carlson, B.	Fjoslien	Jude	Miller, D.	Prahl
Carlson, D.	Flakne	Kahn	Miller, M.	Quirin
Carlson, L.	Forsythe	Kelly	Moe	Resner
Casserly	Fudro	Kempe	Mueller	Rice

Ryan	Schreiber	Skaar	Tomlinson	Wigley
St. Onge	Schulz	Smith	Ulland	Wohlwend
Salchert	Searle	Spanish	Vanasek	Wolcott
Samuelson	Sherwood	Stangeland	Vento	Mr. Speaker
Sarna	Sieben, H.	Stanton	Weaver	
Savelkoul	Sieben, M.	Swanson	Wenzel	

The bill was passed, as amended, and its title agreed to.

H. F. No. 1969 was reported to the House.

La Voy moved that H. F. No. 1969 be returned to General Orders and considered first in the Committee of the Whole. The motion prevailed.

H. F. No. 2087 was reported to the House.

Jaros moved that H. F. No. 2087 be laid over until Thursday, May 10, 1973. The motion prevailed.

H. F. No. 1664, A bill for an act relating to state parks; authorizing additional lands to be included within the boundaries of William O'Brien state park.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, C.	Miller, D.	Sarna
Adams, S.	Dieterich	Johnson, D.	Miller, M.	Savelkoul
Andersen, R.	Dirlam	Johnson, J.	Mueller	Schulz
Anderson, D.	Eckstein	Johnson, R.	Munger	Searle
Anderson, G.	Eken	Jopp	Myrah	Sherwood
Anderson, I.	Enebo	Jude	Nelson	Sieben, H.
Becklin	Erdahl	Kahn	Newcome	Sieben, M.
Bellisle	Erickson	Kelly	Niehaus	Skaar
Bell	Esau	Kempe	Norton	Smith
Bennett	Faricy	Klaus	Ohnstad	Stangeland
Berg	Ferderer	Knickerbocker	Ojala	Stanton
Berglin	Fjoslien	Kvam	Parish	Swanson
Biersdorf	Flakne	Laidig	Patton	Tomlinson
Boland	Forsythe	Larson	Pavlak, R.	Ulland
Braun	Fudro	LaVoy	Pavlak, R. L.	Vanasek
Carlson, A.	Fugina	Lemke	Pehler	Vento
Carlson, B.	Graba	Lindstrom, E.	Pieper	Voss
Carlson, D.	Graw	Lombardi	Pleasant	Weaver
Carlson, L.	Grove	Long	Prahl	Wenzel
Casserly	Hagedorn	Mann	Quirin	Wigley
Cleary	Hanson	McArthur	Resner	Wohlwend
Clifford	Haugerud	McCarron	Rice	Wolcott
Connors	Heinitz	McCauley	Ryan	Mr. Speaker
Culhane	Hook	McEachern	St. Onge	
Cummiskey	Jacobs	McFarlin	Salchert	
Dahl	Jaros	Menke	Samuelson	

The bill was passed and its title agreed to.

H. F. No. 534, A bill for an act relating to workmen's compensation; compensation for permanent partial disability; amending Minnesota Statutes 1971, Section 176.101, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll call being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, D.	Miller, M.	Savelkoul
Adams, S.	Dirlam	Johnson, J.	Mueller	Schreiber
Andersen, R.	Eckstein	Johnson, R.	Munger	Schulz
Anderson, D.	Eken	Jopp	Myrah	Searle
Anderson, G.	Enebo	Jude	Nelson	Sherwood
Anderson, I.	Erdahl	Kahn	Newcome	Sieben, H.
Becklin	Erickson	Kelly	Niehaus	Sieben, M.
Belisle	Esau	Kempe	Norton	Skaar
Bell	Faricy	Klaus	Ohnstad	Smith
Bennett	Ferderer	Knickerbocker	Ojala	Spanish
Berg	Fjoslien	Kvam	Parish	Stangeland
Berglin	Flakne	Laidig	Patton	Stanton
Biersdorf	Forsythe	Larson	Pavlak, R.	Swanson
Boland	Fudro	LaVoy	Pavlak, R. L.	Tomlinson
Braun	Fugina	Lemke	Pehler	Ulland
Carlson, A.	Graba	Lindstrom, E.	Pieper	Vanasek
Carlson, B.	Graw	Lombardi	Pleasant	Vento
Carlson, D.	Grove	Long	Prahl	Voss
Carlson, L.	Hagedorn	Mann	Quirin	Weaver
Casserly	Hanson	McArthur	Resner	Wenzel
Cleary	Haugerud	McCarron	Rice	Wigley
Clifford	Heinitz	McCauley	Ryan	Wohlwend
Connors	Hook	McEachern	St. Onge	Wolcott
Culhane	Jacobs	McFarlin	Salchert	Mr. Speaker
Cummiskey	Jaros	Menke	Samuelson	
Dahl	Johnson, C.	Miller, D.	Sarna	

The bill was passed and its title agreed to.

H. F. No. 1841, A bill for an act authorizing the commissioner of administration to convey the water system at the St. Peter state hospital to the city of St. Peter, Nicollet County, Minnesota.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, D.	Esau	Jaros	Lindstrom, E.
Adams, S.	Carlson, L.	Faricy	Johnson, C.	Lombardi
Andersen, R.	Casserly	Ferderer	Johnson, D.	Long
Anderson, D.	Cleary	Fjoslien	Johnson, J.	Mann
Anderson, G.	Clifford	Flakne	Johnson, R.	McArthur
Anderson, I.	Connors	Forsythe	Jopp	McCarron
Becklin	Culhane	Fudro	Jude	McCauley
Belisle	Cummiskey	Fugina	Kahn	McEachern
Bell	Dahl	Graba	Kelly	McFarlin
Bennett	DeGroat	Graw	Kempe	Menke
Berg	Dieterich	Grove	Klaus	Miller, D.
Berglin	Dirlam	Hagedorn	Knickerbocker	Miller, M.
Biersdorf	Eckstein	Hanson	Kvam	Moe
Boland	Eken	Haugerud	Laidig	Mueller
Braun	Enebo	Heinitz	Larson	Munger
Carlson, A.	Erdahl	Hook	LaVoy	Myrah
Carlson, B.	Erickson	Jacobs	Lemke	Nelson

Newcome	Pieper	Samuelson	Skaar	Voss
Niehaus	Pleasant	Sarna	Smith	Weaver
Norton	Prahl	Savelkoul	Spanish	Wenzel
Ohnstad	Quirin	Schreiber	Stangeland	Wigley
Ojala	Resner	Schulz	Stanton	Wohlwend
Parish	Rice	Searle	Swanson	Wolcott
Patton	Ryan	Sherwood	Tomlinson	Mr. Speaker
Paviak, R. L.	St. Onge	Sieben, H.	Ulland	
Pehler	Salchert	Sieben, M.	Vanasek	

The bill was passed and its title agreed to.

H. F. No. 1903, A bill for an act authorizing the commissioner of administration to convey the water system at the Brainerd state hospital to the city of Brainerd, Crow Wing county, Minnesota.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, C.	Miller, D.	Sarna
Adams, S.	Dieterich	Johnson, D.	Miller, M.	Savelkoul
Andersen, R.	Dirlam	Johnson, J.	Moe	Schreiber
Anderson, D.	Eckstein	Johnson, R.	Munger	Schulz
Anderson, G.	Eken	Jopp	Myrah	Searle
Anderson, I.	Enebo	Jude	Nelson	Sherwood
Becklin	Erdahl	Kahn	Newcome	Sieben, H.
Belisle	Erickson	Kelly	Niehaus	Sieben, M.
Bell	Esau	Kempe	Norton	Skaar
Bennett	Faricy	Klaus	Ohnstad	Smith
Berg	Ferderer	Knickerbocker	Ojala	Spanish
Berglin	Fjoslien	Kvam	Parish	Stangeland
Biersdorf	Flakne	Laidig	Patton	Stanton
Boland	Forsythe	Larson	Paviak, R.	Swanson
Braun	Fudro	LaVoy	Paviak, R. L.	Tomlinson
Carlson, A.	Fugina	Lemke	Pehler	Ulland
Carlson, B.	Graba	Lindstrom, E.	Pieper	Vanasek
Carlson, D.	Graw	Lombardi	Pleasant	Vento
Carlson, L.	Growe	Long	Prahl	Voss
Casserly	Hagedorn	Mann	Quirin	Weaver
Cleary	Hanson	McArthur	Resner	Wenzel
Clifford	Haugerud	McCarron	Rice	Wigley
Connors	Heinitz	McCauley	Ryan	Wohlwend
Culhane	Hook	McEachern	St. Onge	Wolcott
Cummiskey	Jacobs	McFarlin	Salchert	Mr. Speaker
Dahl	Jaros	Menke	Samuelson	

The bill was passed and its title agreed to.

H. F. No. 284, A bill for an act relating to the practice of medicine; physicians, surgeons, and osteopaths; licensing thereof; amending Minnesota Statutes 1971, Sections 147.021, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, C.	Miller, M.	Sarna
Adams, S.	Dirlam	Johnson, D.	Moe	Savelkoul
Andersen, R.	Eckstein	Johnson, J.	Munger	Schreiber
Anderson, D.	Eken	Johnson, R.	Myrah	Schulz
Anderson, G.	Enebo	Jopp	Nelson	Searle
Anderson, I.	Erdahl	Jude	Newcome	Sherwood
Becklin	Erickson	Kelly	Niehaus	Sieben, H.
Belisle	Esau	Klaus	Norton	Sieben, M.
Bell	Faricy	Knickerbocker	Ohnstad	Skaar
Bennett	Ferderer	Kvam	Ojala	Smith
Berg	Fjoslien	Laidig	Parish	Spanish
Berglin	Flakne	Larson	Patton	Stangeland
Biersdorf	Forsythe	LaVoy	Pavlak, R.	Stanton
Boland	Fudro	Lemke	Pavlak, R. L.	Swanson
Braun	Fugina	Lindstrom, E.	Pehler	Tomlinson
Carlson, A.	Graba	Lombardi	Pieper	Ulland
Carlson, B.	Graw	Long	Pleasant	Vanasek
Carlson, D.	Growe	Mann	Prahl	Vento
Casserly	Hagedorn	McArthur	Quirin	Voss
Cleary	Hanson	McCarron	Resner	Weaver
Clifford	Haugerud	McCauley	Rice	Wenzel
Connors	Heinitz	McEachern	Ryan	Wigley
Cummiskey	Hook	McFarlin	St. Onge	Wohlwend
Dahl	Jacobs	Menke	Salchert	Wolcott
DeGroat	Jaros	Miller, D.	Samuelson	Mr. Speaker

The bill was passed and its title agreed to.

H. F. No. 285, A bill for an act relating to health; physicians, surgeons and osteopaths; examination and licensing thereof; amending Minnesota Statutes 1971, Section 147.02, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Hook	McCarron	Prahl
Adams, S.	DeGroat	Jacobs	McCauley	Quirin
Andersen, R.	Dirlam	Jaros	McEachern	Resner
Anderson, D.	Eckstein	Johnson, C.	McFarlin	Rice
Anderson, G.	Eken	Johnson, D.	Menke	Ryan
Anderson, I.	Enebo	Johnson, J.	Miller, D.	St. Onge
Becklin	Erdahl	Johnson, R.	Miller, M.	Salchert
Belisle	Erickson	Jopp	Moe	Samuelson
Bell	Esau	Jude	Munger	Sarna
Bennett	Faricy	Kahn	Myrah	Savelkoul
Berg	Ferderer	Kelly	Nelson	Schreiber
Berglin	Fjoslien	Klaus	Newcome	Schulz
Biersdorf	Flakne	Knickerbocker	Niehaus	Searle
Boland	Forsythe	Kvam	Norton	Sherwood
Braun	Fudro	Laidig	Ohnstad	Sieben, H.
Carlson, A.	Fugina	Larson	Ojala	Sieben, M.
Carlson, B.	Graba	LaVoy	Parish	Skaar
Carlson, D.	Graw	Lemke	Patton	Smith
Carlson, L.	Growe	Lindstrom, E.	Pavlak, R.	Spanish
Cleary	Hagedorn	Lombardi	Pavlak, R. L.	Stangeland
Clifford	Hanson	Long	Pehler	Stanton
Connors	Haugerud	Mann	Pieper	Swanson
Cummiskey	Heinitz	McArthur	Pleasant	Tomlinson

Ulland
VanasekVento
VossWeaver
WenzelWigley
WohlwendWolcott
Mr. Speaker

Those who voted in the negative were:

Dieterich

The bill was passed and its title agreed to.

H. F. No. 1750, A bill for an act relating to the Crow Wing county welfare board and the county nursing home board; providing for increased compensation.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Johnson, R.	Mueller	Savelkoul
Adams, S.	Eken	Jopp	Munger	Schreiber
Andersen, R.	Enebo	Jude	Myrah	Schulz
Anderson, D.	Erdahl	Kahn	Nelson	Searle
Anderson, G.	Erickson	Kelly	Newcome	Sherwood
Anderson, I.	Esau	Kempe	Niehaus	Sieben, H.
Becklin	Faricy	Klaus	Norton	Sieben, M.
Belisle	Ferderer	Knickerbocker	Ohnstad	Skaar
Bell	Fjoslien	Kvam	Ojala	Smith
Bennett	Flakne	Laidig	Parish	Spanish
Berg	Forsythe	Larson	Patton	Stangeland
Biersdorf	Fudro	LaVoy	Pavlak, R.	Stanton
Boland	Fugina	Lemke	Pavlak, R. L.	Swanson
Carlson, A.	Graba	Lindstrom, E.	Pehler	Tomlinson
Carlson, B.	Graw	Lombardi	Peterson	Ulland
Carlson, D.	Growe	Long	Pieper	Vanasek
Carlson, L.	Hagedorn	Mann	Pleasant	Vento
Cleary	Hanson	McArthur	Prahl	Voss
Clifford	Haugerud	McCarron	Quirin	Weaver
Connors	Heinitz	McCauley	Resner	Wenzel
Culhane	Hook	McEachern	Rice	Wigley
Cummiskey	Jacobs	McFarlin	Ryan	Wohlwend
Dahl	Jaros	Menke	St. Onge	Wolcott
DeGroat	Johnson, C.	Miller, D.	Salchert	Mr. Speaker
Dieterich	Johnson, D.	Miller, M.	Samuelson	
Dirlam	Johnson, J.	Moe	Sarna	

The bill was passed and its title agreed to.

H. F. No. 988, A bill for an act relating to Hennepin county; tax levies for the purposes of the county park reserve district; amending Laws 1967, Chapter 721, Section 2, as amended; and Laws 1971, Chapter 954, Section 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Andersen, R.	Anderson, G.	Becklin	Bell
Adams, S.	Anderson, D.	Anderson, I.	Belisle	Bennett

Berg	Faricy	Kempe	Myrah	Savelkoul
Berglin	Ferderer	Klaus	Nelson	Schreiber
Biersdorf	Fjoslien	Knickerbocker	Newcome	Schulz
Boland	Flakne	Kvam	Niehaus	Searle
Braun	Forsythe	Laidig	Norton	Sherwood
Carlson, A.	Fudro	Larson	Ohnstad	Sieben, H.
Carlson, B.	Fugina	LaVoy	Ojala	Sieben, M.
Carlson, D.	Graba	Lemke	Parish	Skaar
Carlson, L.	Graw	Lindstrom, E.	Patton	Smith
Casserly	Growe	Lindstrom, J.	Pavlak, R.	Spanish
Cleary	Hagedorn	Lombardi	Pavlak, R. L.	Stangeland
Connors	Hanson	Long	Pehler	Stanton
Culhane	Haugerud	Mann	Peterson	Swanson
Cummiskey	Heinitz	McArthur	Pieper	Tomlinson
Dahl	Hook	McCarron	Pleasant	Ulland
DeGroat	Jacobs	McCauley	Prahl	Vanasek
Dieterich	Jaros	McEachern	Quirin	Vento
Dirlam	Johnson, C.	McFarlin	Resner	Voss
Eckstein	Johnson, D.	Menke	Rice	Weaver
Eken	Johnson, J.	Miller, D.	Ryan	Wenzel
Enebo	Johnson, R.	Miller, M.	St. Onge	Wigley
Erdahl	Jude	Moe	Salchert	Wohlwend
Erickson	Kahn	Mueller	Samuelson	Wolcott
Esau	Kelly	Munger	Sarna	Mr. Speaker

The bill was passed and its title agreed to.

H. F. No. 1699, A bill for an act relating to highway traffic regulations; slow moving vehicles, signs required; amending Minnesota Statutes 1971, Section 169.522, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 119, and nays 6, as follows:

Those who voted in the affirmative were:

Adams, J.	Eken	Jude	Mueller	Savelkoul
Adams, S.	Enebo	Kahn	Munger	Schreiber
Andersen, R.	Erdahl	Kelly	Myrah	Schulz
Anderson, I.	Erickson	Kempe	Nelson	Searle
Becklin	Esau	Klaus	Newcome	Sherwood
Bell	Flakne	Knickerbocker	Niehaus	Sieben, H.
Bennett	Forsythe	Kvam	Norton	Sieben, M.
Biersdorf	Fudro	Laidig	Ojala	Skaar
Boland	Fugina	Larson	Parish	Smith
Braun	Graba	LaVoy	Patton	Spanish
Carlson, A.	Graw	Lemke	Pavlak, R. L.	Stanton
Carlson, B.	Growe	Lindstrom, E.	Pehler	Swanson
Carlson, D.	Hagedorn	Lindstrom, J.	Peterson	Tomlinson
Carlson, L.	Hanson	Lombardi	Pieper	Ulland
Casserly	Haugerud	Long	Pleasant	Vanasek
Cleary	Heinitz	Mann	Prahl	Vento
Clifford	Hook	McArthur	Quirin	Voss
Connors	Jacobs	McCarron	Resner	Weaver
Culhane	Jaros	McCauley	Rice	Wenzel
Cummiskey	Johnson, C.	McEachern	Ryan	Wigley
Dahl	Johnson, D.	McFarlin	St. Onge	Wohlwend
Dieterich	Johnson, J.	Menke	Salchert	Wolcott
Dirlam	Johnson, R.	Miller, D.	Samuelson	Mr. Speaker
Eckstein	Jopp	Miller, M.	Sarna	

Those who voted in the negative were:

Anderson, D.	Berg	DeGroat	Faricy	Ohnstad
Anderson, G.				

The bill was passed and its title agreed to.

S. F. No. 1187, A bill for an act relating to handicapped persons; authorizing the use of rubber stamps as the legal signatures of such persons; amending Minnesota Statutes 1971, Section 645.44, Subdivision 14.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Mueller	Schreiber
Adams, S.	Dirlam	Johnson, R.	Myrah	Schulz
Andersen, R.	Eckstein	Jopp	Nelson	Searle
Anderson, D.	Eken	Jude	Newcome	Sherwood
Anderson, G.	Enebo	Kahn	Niehaus	Sieben, H.
Anderson, I.	Erdahl	Kelly	Norton	Sieben, M.
Becklin	Erickson	Kempe	Ohnstad	Skaar
Belisle	Esau	Knickerbocker	Ojala	Smith
Bell	Faricy	Kvam	Parish	Spanish
Bennett	Ferderer	Laidig	Patton	Stangeland
Berg	Fjoslien	Larson	Pavlak, R.	Stanton
Berglin	Flakne	LaVoy	Pavlak, R. L.	Swanson
Biersdorf	Fudro	Lemke	Pehler	Tomlinson
Boland	Fugina	Lindstrom, E.	Peterson	Ulland
Braun	Graba	Lindstrom, J.	Pieper	Vanasek
Carlson, A.	Graw	Lombardi	Pleasant	Vento
Carlson, B.	Grove	Long	Prahl	Voss
Carlson, D.	Hagedorn	Mann	Quirin	Weaver
Carlson, L.	Hanson	McArthur	Resner	Wenzel
Casserly	Haugerud	McCarron	Rice	Wigley
Cleary	Heinitz	McCauley	Ryan	Wohlwend
Clifford	Hook	McFarlin	St. Onge	Wolcott
Connors	Jacobs	Menke	Salchert	Mr. Speaker
Culhane	Jaros	Miller, D.	Samuelson	
Cummiskey	Johnson, C.	Miller, M.	Sarna	
Dahl	Johnson, D.	Moe	Savelkoul	

Those who voted in the negative were:

DeGroat Klaus

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 1931, A bill for an act relating to cities of the first class; providing for the transfer of liquor licenses in certain cases; amending Minnesota Statutes 1971, Section 340.57.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 78, and nays 42, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Munger	Samuelson
Anderson, G.	Eckstein	Kahn	Nelson	Schreiber
Anderson, I.	Eken	Kelly	Newcome	Schulz
Bennett	Enebo	Kempe	Norton	Sieben, H.
Berg	Faricy	Knickerbocker	Ojala	Sieben, M.
Berglin	Ferderer	LaVoy	Patton	Stangeland
Biersdorf	Flakne	Lindstrom, J.	Pavlak, R.	Stanton
Boland	Fudro	Lombardi	Pehler	Tomlinson
Braun	Fugina	McArthur	Peterson	Vanasek
Carlson, A.	Graba	McCarron	Prahl	Vento
Carlson, B.	Grove	McEachern	Quirin	Voss
Casserly	Haugerud	Menke	Resner	Wenzel
Connors	Jacobs	Miller, D.	Rice	Wigley
Culhane	Jaros	Miller, M.	Ryan	Mr. Speaker
Cummiskey	Johnson, D.	Moe	St. Onge	
Dahl	Johnson, R.	Mueller	Salchert	

Those who voted in the negative were:

Andersen, R.	Dieterich	Hook	Long	Searle
Anderson, D.	Erdahl	Johnson, C.	McFarlin	Sherwood
Becklin	Erickson	Johnson, J.	Myrah	Skaar
Belisle	Esau	Jopp	Niehaus	Swanson
Bell	Fjoslien	Klaus	Ohnstad	Ulland
Carlson, D.	Forsythe	Kvam	Pavlak, R. L.	Weaver
Carlson, L.	Graw	Laidig	Pieper	
Clifford	Hanson	Larson	Pleasant	
DeGroat	Heinitz	Lindstrom, E.	Savelkoul	

The bill was passed and its title agreed to.

H. F. No. 1329, A bill for an act relating to tort liability of school districts and certain towns; amending Minnesota Statutes, 1971, Section 466.12, Subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 118, and nays 9, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Heinitz	Long	Pehler
Adams, S.	Dahl	Hook	Mann	Peterson
Andersen, R.	Dieterich	Jacobs	McArthur	Pieper
Anderson, D.	Dirlam	Jaros	McCarron	Pleasant
Anderson, G.	Eckstein	Johnson, C.	McEachern	Prahl
Anderson, I.	Eken	Johnson, D.	McFarlin	Quirin
Becklin	Enebo	Johnson, J.	Miller, D.	Resner
Belisle	Erdahl	Johnson, R.	Miller, M.	Rice
Bennett	Erickson	Jopp	Moe	Ryan
Biersdorf	Esau	Jude	Mueller	St. Onge
Boland	Ferderer	Kahn	Munger	Samuelson
Braun	Fjoslien	Kelly	Myrah	Sarna
Carlson, A.	Flakne	Kempe	Nelson	Savelkoul
Carlson, B.	Forsythe	Klaus	Newcome	Schreiber
Carlson, D.	Fudro	Knickerbocker	Niehaus	Schulz
Carlson, L.	Fugina	Kvam	Norton	Searle
Casserly	Graba	Laidig	Ohnstad	Sieben, M.
Cleary	Graw	Larson	Ojala	Skaar
Clifford	Grove	LaVoy	Parish	Smith
Connors	Hanson	Lindstrom, E.	Patton	Spanish
Culhane	Haugerud	Lombardi	Pavlak, R. L.	Stangeland

Stanton
Swanson
Tomlinson

Ulland
Vanasek
Vento

Voss
Weaver
Wenzel

Wigley
Wohlwend
Wolcott

Mr. Speaker

Those who voted in the negative were:

Bell
Berg

DeGroat
Faricy

Lindstrom, J.
Menke

Pavlak, R.
Salchert

Sieben, H.

The bill was passed and its title agreed to.

H. F. No. 715, A bill for an act relating to metropolitan transit; exempting property not served by transit system from tax levies; amending Minnesota Statutes 1971, Section 473A.111, Subdivisions 1 and 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 113, and nays 11, as follows:

Those who voted in the affirmative were:

Adams, J.
Adams, S.
Andersen, R.
Anderson, G.
Anderson, I.
Becklin
Bell
Bennett
Berg
Berglin
Biersdorf
Boland
Braun
Carlson, A.
Carlson, B.
Carlson, L.
Casserly
Cleary
Clifford
Connors
Culhane
Cummiskey
Dahl

DeGroat
Dieterich
Dirlam
Eckstein
Eken
Enebo
Erdahl
Erickson
Faricy
Ferderer
Fjoslien
Flakne
Forsythe
Fudro
Fugina
Graba
Graw
Growe
Hanson
Haugerud
Jacobs
Jaros
Johnson, C.

Johnson, D.
Johnson, R.
Jopp
Jude
Kahn
Kelly
Klaus
Knickerbocker
Laidig
LaVoy
Lemke
Lindstrom, J.
Lombardi
Mann
McArthur
McCarron
McFarlin
Menke
Miller, D.
Miller, M.
Moe
Mueller
Munger

Myrah
Nelson
Newcome
Niehaus
Norton
Ohnstad
Ojala
Parish
Patton
Pavlak, R.
Pavlak, R. L.
Pehler
Peterson
Pieper
Prah
Quirin
Resner
Rice
Ryan
St. Onge
Samuelson
Sarna
Savelkoul

Schreiber
Schulz
Searle
Sherrwood
Sieben, H.
Sieben, M.
Smith
Spanish
Stangeland
Stanton
Swanson
Tomlinson
Ulland
Vanasek
Vento
Voss
Wenzel
Wigley
Wohlwend
Wolcott

Mr. Speaker

Those who voted in the negative were:

Anderson, D.
Belisle
Heinitz

Hook
Johnson, J.
Kvam

Larson
Lindstrom, E.

Long
Skaar

Weaver

The bill was passed and its title agreed to.

H. F. No. 854, A bill for an act relating to the designation of a specific route for the great river road in Minnesota; amending Minnesota Statutes 1971, Chapter 161, by adding a section; repealing Minnesota Statutes 1971, Sections 161.143 to 161.147.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, D.	Moe	Samuelson
Adams, S.	Dieterich	Johnson, J.	Mueller	Sarna
Andersen, R.	Dirlam	Johnson, R.	Munger	Savelkoul
Anderson, D.	Eckstein	Jude	Myrah	Schreiber
Anderson, G.	Eken	Kahn	Nelson	Schulz
Anderson, I.	Enebo	Kelly	Newcome	Searle
Becklin	Erdahl	Klaus	Niehaus	Sherwood
Belisle	Erickson	Knickerbocker	Norton	Sieben, H.
Bell	Esau	Kvam	Ohnstad	Sieben, M.
Bennett	Faricy	Laidig	Ojala	Skaar
Berg	Ferderer	Larson	Parish	Smith
Berglin	Flakne	LaVoy	Patton	Spanish
Biersdorf	Forsythe	Lemke	Pavlak, R.	Stangeland
Boland	Fudro	Lindstrom, E.	Pavlak, R. L.	Stanton
Braun	Fugina	Lindstrom, J.	Pehler	Swanson
Carlson, A.	Graba	Lombardi	Peterson	Tomlinson
Carlson, B.	Graw	Long	Pieper	Vanasek
Carlson, D.	Growe	Mann	Pleasant	Vento
Carlson, L.	Hanson	McArthur	Prahl	Voss
Casserly	Haugerud	McCarron	Quirin	Weaver
Cleary	Heinitz	McCauley	Reasner	Wenzel
Clifford	Hook	McFarlin	Rice	Wigley
Connors	Jacobs	Menke	Ryan	Wohlwend
Culhane	Jaros	Miller, D.	St. Onge	Wolcott
Cummiskey	Johnson, C.	Miller, M.	Salchert	Mr. Speaker

Those who voted in the negative were:

DeGroat Jopp Ulland

The bill was passed and its title agreed to.

S. F. No. 627, A bill for an act relating to motor vehicles; licensing and taxation thereof; providing penalties; amending Minnesota Statutes 1971, Sections 168.011, Subdivisions 16 and 17; 168.013, Subdivisions 1, 3, 12, and 15; 168.12, Subdivision 1; and 168.29; repealing Minnesota Statutes 1971, Sections 168.011, Subdivision 24; 168.013, Subdivisions 1a, 10, and 13; 168.015; and 168.165.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 102, and nays 28, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, L.	Forsythe	Johnson, D.	Mann
Adams, S.	Casserly	Fudro	Johnson, J.	McArthur
Andersen, R.	Cleary	Fugina	Johnson, R.	McCarron
Anderson, I.	Clifford	Graba	Jude	McEachern
Belisle	Connors	Graw	Kahn	McFarlin
Bell	Cummiskey	Growe	Klaus	Menke
Bennett	Dahl	Hagedorn	Knickerbocker	Miller, D.
Berg	Dieterich	Hanson	Laidig	Moe
Berglin	Eckstein	Haugerud	LaVoy	Mueller
Boland	Enebo	Heinitz	Lemke	Munger
Braun	Faricy	Jacobs	Lindstrom, E.	Nelson
Carlson, A.	Ferderer	Jaros	Lombardi	Newcome
Carlson, B.	Flakne	Johnson, C.	Long	Norton

Ojala	Quirin	Schulz	Stanton	Wenzel
Parish	Resner	Searle	Swanson	Wigley
Patton	Rice	Sherwood	Tomlinson	Wohlwend
Pavlak, R.	Ryan	Sieben, H.	Ulland	Wolcott
Pavlak, R. L.	Salchert	Sieben, M.	Vanasek	Mr. Speaker
Pehler	Samuelson	Skaar	Vento	
Pieper	Sarna	Smith	Voss	
Prahl	Schreiber	Stangeland	Weaver	

Those who voted in the negative were:

Anderson, D.	DeGroat	Fjoslien	Lindstrom, J.	Peterson
Anderson, G.	Dirlam	Hook	McCauley	St. Onge
Becklin	Eken	Jopp	Miller, M.	Savelkoul
Biersdorf	Erdahl	Kelly	Myrah	Spanish
Carlson, D.	Erickson	Kvam	Niehaus	
Culhane	Esau	Larson	Ohnstad	

The bill was passed and its title agreed to.

S. F. No. 613, A bill for an act relating to the counties of Lake and St. Louis; requiring the counties to provide toilet facilities and other environmental protection measures along the north shore of Lake Superior during the time when the smelt season is open; annually appropriating money; amending Laws 1971, Chapter 121.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 114, and nays 14, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Munger	Sherwood
Adams, S.	Eckstein	Kahn	Nelson	Sieben, H.
Anderson, G.	Enebo	Kelly	Newcome	Sieben, M.
Anderson, I.	Erickson	Knickerbocker	Norton	Skaar
Becklin	Faricy	Kvam	Ojala	Smith
Belisle	Fjoslien	Laidig	Parish	Spanish
Bell	Flakne	Larson	Patton	Stangeland
Bennett	Forsythe	LaVoy	Pavlak, R.	Stanton
Berg	Fudro	Lemke	Pavlak, R. L.	Swanson
Berglin	Fugina	Lindstrom, E.	Pehler	Tomlinson
Biersdorf	Graba	Lindstrom, J.	Peterson	Ulland
Boland	Graw	Lombardi	Pleasant	Vanasek
Braun	Grove	Long	Prahl	Vento
Carlson, A.	Hanson	Mann	Quirin	Weaver
Carlson, B.	Haugerud	McArthur	Resner	Wenzel
Carlson, D.	Heinitz	McCarron	Rice	Wigley
Carlson, L.	Hook	McCauley	Ryan	Wolcott
Cassery	Jacobs	McEachern	St. Onge	Mr. Speaker
Clifford	Jaros	McFarlin	Salchert	
Connors	Johnson, C.	Menke	Samuelson	
Culhane	Johnson, D.	Miller, D.	Sarna	
Cummiskey	Johnson, J.	Miller, M.	Schreiber	
Dahl	Johnson, R.	Moe	Schulz	
Dieterich	Jopp	Mueller	Searle	

Those who voted in the negative were:

Andersen, R.	Eken	Ferderer	Myrah	Pieper
Anderson, D.	Erdahl	Hagedorn	Niehaus	Wohlwend
DeGroat	Esau	Klaus	Ohnstad	

The bill was passed and its title agreed to.

S. F. No. 118, A bill for an act relating to commerce; home solicitation sales; permitting buyers and lessees of personal property or services to cancel agreements under certain circumstances; and prescribing penalties.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 116, and nays 13, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Jaros	Menke	Schreiber
Adams, S.	Dahl	Johnson, C.	Miller, D.	Schulz
Andersen, R.	Dirlam	Johnson, D.	Moe	Searle
Anderson, D.	Eckstein	Johnson, J.	Mueller	Sherwood
Anderson, G.	Eken	Johnson, R.	Munger	Sieben, H.
Anderson, I.	Enebo	Jopp	Myrah	Sieben, M.
Becklin	Erdahl	Jude	Nelson	Skaar
Belisle	Erickson	Kahn	Newcome	Smith
Bell	Esau	Kelly	Niehaus	Spanish
Bennett	Faricy	Kempe	Norton	Stanton
Berg	Ferderer	Knickerbocker	Ojala	Swanson
Berglin	Flakne	Kvam	Parish	Tomlinson
Biersdorf	Forsythe	Laidig	Patton	Ulland
Boland	Fudro	LaVoy	Pavlak, R.	Vanasek
Braun	Fugina	Lemke	Pavlak, R. L.	Vento
Carlson, A.	Graba	Lindstrom, E.	Pehler	Voss
Carlson, B.	Graw	Lindstrom, J.	Prahl	Weaver
Carlson, D.	Grove	Lombardi	Quirin	Wenzel
Carlson, L.	Hagedorn	Long	Resner	Wohlwend
Casserly	Hanson	Mann	Rice	Mr. Speaker
Cleary	Haugerud	McArthur	Ryan	
Clifford	Heinitz	McCarron	Salchert	
Connors	Hook	McCauley	Sarna	
Culhane	Jacobs	McFarlin	Savelkoul	

Those who voted in the negative were:

DeGroat	McEachern	Peterson	St. Onge	Wigley
Klaus	Miller, M.	Pieper	Samuelson	
Larson	Ohnstad	Pleasant	Stangeland	

The bill was passed and its title agreed to.

H. F. No. 666, A bill for an act relating to Independent School District No. 332; education; state aids and teacher contracts.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Bell	Carlson, B.	Cummiskey	Erdahl
Adams, S.	Bennett	Carlson, D.	Dahl	Erickson
Andersen, R.	Berg	Carlson, L.	DeGroat	Esau
Anderson, D.	Berglin	Casserly	Dieterich	Faricy
Anderson, G.	Biersdorf	Cleary	Dirlam	Ferderer
Anderson, I.	Boland	Clifford	Eckstein	Fjoslien
Becklin	Braun	Connors	Eken	Flakne
Belisle	Carlson, A.	Culhane	Enebo	Forsythe

Fudro	Kahn	McEachern	Pehler	Sieben, M.
Fugina	Kelly	McFarlin	Peterson	Skaar
Graba	Kempe	Menke	Pieper	Smith
Graw	Klaus	Miller, D.	Pleasant	Spanish
Grove	Knickerbocker	Moe	Prahl	Stangeland
Hagedorn	Kvam	Mueller	Quirin	Stanton
Hanson	Laidig	Munger	Resner	Swanson
Haugerud	Larson	Myrah	Rice	Tomlinson
Heinitz	LaVoy	Nelson	Ryan	Ulland
Hook	Lemke	Newcome	St. Onge	Vanasek
Jacobs	Lindstrom, E.	Niehaus	Salchert	Vento
Jaros	Lindstrom, J.	Norton	Samuelson	Voss
Johnson, C.	Lombardi	Ohnstad	Savelkoul	Weaver
Johnson, D.	Long	Ojala	Schreiber	Wenzel
Johnson, J.	Mann	Parish	Schulz	Wigley
Johnson, R.	McArthur	Patton	Searle	Wohlwend
Jopp	McCarron	Pavlak, R.	Sherwood	Wolcott
Jude	McCauley	Pavlak, R. L.	Sieben, H.	Mr. Speaker

The bill was passed and its title agreed to.

H. F. No. 1567, A bill for an act relating to education; state aids for summer school or year-round classes; amending Minnesota Statutes 1971, Section 124.20.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Moe	Schreiber
Adams, S.	Dirlam	Johnson, R.	Mueller	Schulz
Andersen, R.	Eckstein	Jopp	Munger	Searle
Anderson, D.	Eken	Jude	Myrah	Sherwood
Anderson, G.	Enebo	Kahn	Nelson	Sieben, H.
Anderson, I.	Erdahl	Kelly	Newcome	Sieben, M.
Becklin	Erickson	Kempe	Niehaus	Skaar
Belisle	Esau	Klaus	Norton	Smith
Bell	Faricy	Knickerbocker	Ohnstad	Spanish
Bennett	Ferderer	Kvam	Ojala	Stangeland
Berg	Fjoslien	Laidig	Parish	Stanton
Berglin	Flakne	Larson	Patton	Swanson
Biersdorf	Forsythe	LaVoy	Pavlak, R.	Tomlinson
Boland	Fudro	Lemke	Pavlak, R. L.	Ulland
Braun	Fugina	Lindstrom, E.	Pehler	Vanasek
Carlson, A.	Graba	Lindstrom, J.	Peterson	Vento
Carlson, B.	Graw	Lombardi	Pieper	Voss
Carlson, D.	Grove	Long	Pleasant	Weaver
Carlson, L.	Hagedorn	Mann	Prahl	Wenzel
Casserly	Hanson	McArthur	Quirin	Wigley
Cleary	Haugerud	McCarron	Resner	Wohlwend
Clifford	Heinitz	McCauley	Rice	Wolcott
Connors	Hook	McEachern	Ryan	Mr. Speaker
Culhane	Jacobs	McFarlin	St. Onge	
Cummiskey	Jaros	Menke	Salchert	
Dahl	Johnson, C.	Miller, D.	Samuelson	
DeGroat	Johnson, D.	Miller, M.	Savelkoul	

The bill was passed and its title agreed to.

H. F. No. 924, A bill for an act relating to credit unions; amending Minnesota Statutes 1971, Sections 52.04; 52.05; 52.06, Subdivisions 1 and 2; 52.17; and 52.18.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 70, and nays 54, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, D.	Ojala	Sarna
Anderson, I.	Dieterich	Kahn	Parish	Schulz
Bennett	Eckstein	Larson	Patton	Sherwood
Berg	Eken	LaVoy	Pavlak, R. L.	Sieben, H.
Berglin	Enebo	Lemke	Pehler	Sieben, M.
Biersdorf	Faricy	Lombardi	Peterson	Smith
Boland	Ferderer	McArthur	Prahl	Spanish
Braun	Fudro	McCarron	Quirin	Stanton
Carlson, B.	Fugina	McFarlin	Resner	Swanson
Carlson, D.	Growe	Menke	Rice	Tomlinson
Carlson, L.	Hanson	Miller, D.	Ryan	Vento
Casserly	Haugerud	Munger	St. Onge	Voss
Connors	Jacobs	Nelson	Salchert	Wolcott
Cummiskey	Jaros	Norton	Samuelson	Mr. Speaker

Those who voted in the negative were:

Adams, S.	Dirlam	Johnson, C.	Lindstrom, J.	Schreiber
Andersen, R.	Erdahl	Johnson, J.	Long	Searle
Anderson, D.	Erickson	Johnson, R.	Mann	Skaar
Anderson, G.	Esau	Jopp	McCauley	Stangeland
Belisle	Flakne	Kelly	Mueller	Ulland
Bell	Forsythe	Kempe	Myrah	Vanasek
Carlson, A.	Graba	Klaus	Newcome	Weaver
Cleary	Graw	Knickerbocker	Niehaus	Wenzel
Cliffhane	Hagedorn	Kvam	Ohnstad	Wigley
Culhane	Heinitz	Laidig	Pieper	Wohlwend
DeGroat	Hook	Lindstrom, E.	Pleasant	

The bill was passed and its title agreed to.

H. F. No. 1307, A bill for an act relating to money; maximum interest rates; exempting certain loans therefrom; amending Minnesota Statutes 1971, Section 334.01.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 79, and nays 45, as follows:

Those who voted in the affirmative were:

Adams, J.	Braun	Dirlam	Heinitz	Kvam
Andersen, R.	Carlson, B.	Eken	Jacobs	Laidig
Anderson, D.	Carlson, D.	Fjoslien	Johnson, J.	Larson
Anderson, I.	Casserly	Flakne	Johnson, R.	Lindstrom, E.
Becklin	Cleary	Forsythe	Jude	Lindstrom, J.
Belisle	Clifford	Fudro	Kahn	Mann
Bell	Cummiskey	Graba	Kelly	McArthur
Berg	Dahl	Growe	Kempe	McCarron
Biersdorf	DeGroat	Hagedorn	Klaus	McCauley
Boland	Dieterich	Haugerud	Knickerbocker	McFarlin

Miller, D.	Pavlak, R.	Rice	Searle	Ulland
Munger	Pavlak, R. L.	Ryan	Sherwood	Voss
Myrah	Pieper	Salchert	Sieben, H.	Weaver
Newcome	Pleasant	Sarna	Sieben, M.	Wohlwend
Norton	Quirin	Savelkoul	Stangeland	Mr. Speaker
Ohnstad	Resner	Schreiber	Tomlinson	

Those who voted in the negative were:

Adams, S.	Erickson	Johnson, D.	Nelson	Samuelson
Anderson, G.	Esau	LaVoy	Niehaus	Schulz
Berglin	Faricy	Lemke	Ojala	Skaar
Carlson, A.	Ferderer	Lombardi	Parish	Smith
Carlson, L.	Fugina	Long	Patton	Swanson
Culhane	Hanson	McEachern	Pehler	Vanasek
Eckstein	Hook	Menke	Peterson	Vento
Enebo	Jaros	Miller, M.	Prahl	Wenzel
Erdahl	Johnson, C.	Moe	St. Onge	Wigley

The bill was passed and its title agreed to.

H. F. No. 1134, A bill for an act relating to the organization and operation of state government; the powers and duties of the commissioner of iron range resources and rehabilitation; creation, powers and duties of advisory commission; appropriation of funds; amending Minnesota Statutes 1971, Sections 298.22 and 298.221.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Miller, M.	Samuelson
Adams, S.	Dirlam	Johnson, R.	Moe	Sarna
Andersen, R.	Eckstein	Jopp	Mueller	Savelkoul
Anderson, D.	Eken	Jude	Munger	Schreiber
Anderson, G.	Enebo	Kahn	Myrah	Schulz
Anderson, I.	Erdahl	Kelly	Nelson	Searle
Becklin	Erickson	Kempe	Newcome	Sherwood
Bell	Esau	Klaus	Niehaus	Sieben, H.
Bennett	Faricy	Knickerbocker	Norton	Sieben, M.
Berg	Ferderer	Kvam	Ohnstad	Skaar
Berglin	Fjoslien	Laidig	Ojala	Smith
Biersdorf	Flakne	Larson	Parish	Spanish
Boland	Forsythe	LaVoy	Patton	Stangeland
Braun	Fudro	Lemke	Pavlak, R.	Stanton
Carlson, A.	Fugina	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, B.	Graba	Lindstrom, J.	Pehler	Tomlinson
Carlson, D.	Graw	Lombardi	Peterson	Ulland
Carlson, L.	Growe	Long	Pieper	Vanasek
Casserly	Hagedorn	Mann	Pleasant	Vento
Cleary	Hanson	McArthur	Prahl	Voss
Clifford	Heinitz	McCarron	Quirin	Weaver
Connors	Hook	McCauley	Resner	Wenzel
Culhane	Jacobs	McEachern	Rice	Wigley
Cummiskey	Jaros	McFarlin	Ryan	Wohlwend
Dahl	Johnson, C.	Menke	St. Onge	Wolcott
DeGroat	Johnson, D.	Miller, D.	Salchert	Mr. Speaker

The bill was passed and its title agreed to.

H. F. No. 1217, A bill for an act relating to employees of the state and of the University of Minnesota; prohibiting financial or beneficial interest in state business; exception; providing a penalty; repealing Minnesota Statutes 1971, Sections 16.11, 241.12, and 246.20.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, J.	Miller, M.	Samuelson
Adams, S.	Dieterich	Johnson, R.	Moe	Sarna
Andersen, R.	Dirlam	Jopp	Mueller	Savelkoul
Anderson, D.	Eckstein	Jude	Munger	Schreiber
Anderson, G.	Eken	Kahn	Myrah	Schulz
Anderson, I.	Enebo	Kelly	Nelson	Searle
Becklin	Erdahl	Kempe	Newcome	Sherwood
Belisle	Erickson	Klaus	Niehaus	Sieben, H.
Bell	Esau	Knickerbocker	Norton	Sieben, M.
Bennett	Faricy	Kvam	Ohnstad	Skaar
Berg	Ferderer	Laidig	Ojala	Smith
Berglin	Fjoslien	Larson	Parish	Spanish
Biersdorf	Flakne	LaVoy	Patton	Stangeland
Boland	Forsythe	Lemke	Pavlak, R.	Stanton
Braun	Fudro	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, A.	Graba	Lindstrom, J.	Pehler	Tomlinson
Carlson, B.	Grove	Lombardi	Peterson	Ulland
Carlson, D.	Hagedorn	Long	Pieper	Vanasek
Carlson, L.	Hanson	Mann	Pleasant	Vento
Casserly	Haugerud	McArthur	Prahl	Voss
Cleary	Heinitz	McCarron	Quirin	Weaver
Clifford	Hook	McCauley	Resner	Wenzel
Connors	Jacobs	McEachern	Rice	Wigley
Culhane	Jaros	McFarlin	Ryan	Wohlwend
Cummiskey	Johnson, C.	Menke	St. Onge	Wolcott
Dahl	Johnson, D.	Miller, D.	Salchert	Mr. Speaker

The bill was passed and its title agreed to.

H. F. No. 1472, A bill for an act relating to Hennepin County; abolishing board of tax levy; repealing Special Laws 1879, Chapter 338 as amended.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Bennett	Carlson, L.	Dieterich	Ferderer
Adams, S.	Berg	Casserly	Dirlam	Fjoslien
Andersen, R.	Berglin	Cleary	Eckstein	Flakne
Anderson, D.	Biersdorf	Clifford	Eken	Forsythe
Anderson, G.	Boland	Connors	Enebo	Fudro
Anderson, I.	Braun	Culhane	Erdahl	Graba
Becklin	Carlson, A.	Cummiskey	Erickson	Graw
Belisle	Carlson, B.	Dahl	Esau	Grove
Bell	Carlson, D.	DeGroat	Faricy	Hagedorn

Hanson	Laidig	Mueller	Quirin	Stangeland
Haugerud	Larson	Munger	Resner	Stanton
Heinitz	LaVoy	Myrah	Rice	Swanson
Hook	Lemke	Nelson	Ryan	Tomlinson
Jacobs	Lindstrom, E.	Newcome	St. Onge	Ulland
Jaros	Lindstrom, J.	Niehaus	Salchert	Vanasek
Johnson, C.	Lombardi	Norton	Samuelson	Vento
Johnson, D.	Long	Ohnstad	Sarna	Voss
Johnson, J.	Mann	Ojala	Savelkoul	Weaver
Johnson, R.	McArthur	Parish	Schreiber	Wenzel
Jopp	McCarron	Patton	Schulz	Wigley
Jude	McCauley	Pavlak, R.	Searle	Wohlwend
Kahn	McEachern	Pavlak, R. L.	Sherwood	Wolcott
Kelly	McFarlin	Pehler	Sieben, H.	Mr. Speaker
Kempe	Menke	Peterson	Sieben, M.	
Klaus	Miller, D.	Pieper	Skaar	
Knickerbocker	Miller, M.	Pleasant	Smith	
Kvam	Moe	Prahl	Spanish	

The bill was passed and its title agreed to.

S. F. No. 1013 was reported to the House and read for the third time.

Anderson, I., moved that S. F. No. 1013 be laid over for one day. The motion prevailed.

H. F. No. 641, A bill for an act relating to excise taxes; the distribution of unrefunded tax for motor boat purposes and the computation of such unrefunded tax; amending Minnesota Statutes 1971, Section 296.421, Subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, J.	Miller, M.	Samuelson
Adams, S.	Dieterich	Johnson, R.	Moe	Sarna
Andersen, R.	Dirlam	Jopp	Mueller	Savelkoul
Anderson, D.	Eckstein	Jude	Munger	Schreiber
Anderson, G.	Eken	Kahn	Myrah	Schulz
Anderson, I.	Enebo	Kelly	Nelson	Searle
Becklin	Erdahl	Kempe	Newcome	Sherwood
Belisle	Erickson	Klaus	Niehaus	Sieben, H.
Bell	Esau	Knickerbocker	Norton	Sieben, M.
Bennett	Faricy	Kvam	Ohnstad	Skaar
Berg	Ferderer	Laidig	Ojala	Smith
Berglin	Fjoslien	Larson	Parish	Spanish
Biersdorf	Flakne	LaVoy	Patton	Stangeland
Boland	Forsythe	Lemke	Pavlak, R.	Stanton
Braun	Fudro	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, A.	Graba	Lindstrom, J.	Pehler	Tomlinson
Carlson, B.	Graw	Lombardi	Peterson	Ulland
Carlson, D.	Grove	Long	Pieper	Vanasek
Carlson, L.	Hagedorn	Mann	Pleasant	Vento
Casserly	Hanson	McArthur	Prahl	Voss
Cleary	Haugerud	McCarron	Quirin	Weaver
Clifford	Heinitz	McCauley	Resner	Wenzel
Connors	Jacobs	McEachern	Rice	Wigley
Culhane	Jaros	McFarlin	Ryan	Wohlwend
Cummiskey	Johnson, C.	Menke	St. Onge	Wolcott
Dahl	Johnson, D.	Miller, D.	Salchert	Mr. Speaker

Those who voted in the negative were:

Hook

The bill was passed and its title agreed to.

H. F. No. 1566, A bill for an act relating to education; requiring all special and independent school districts to provide transportation to pupils living two miles or more from school; amending Minnesota Statutes 1971, Section 123.39, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	Moe	Samuelson
Andersen, R.	Dieterich	Johnson, J.	Mueller	Savelkoul
Anderson, D.	Dirlam	Johnson, R.	Munger	Schulz
Anderson, G.	Eckstein	Jopp	Myrah	Searle
Anderson, I.	Eken	Jude	Nelson	Sherwood
Becklin	Enebo	Kahn	Newcome	Sieben, H.
Belisle	Erdahl	Kelly	Niehaus	Sieben, M.
Bell	Erickson	Kempe	Norton	Skaar
Bennett	Esau	Klaus	Ohnstad	Smith
Berg	Faricy	Knickerbocker	Ojala	Spanish
Berglin	Ferderer	Laidig	Parish	Stanton
Biersdorf	Fjoslien	Larson	Patton	Swanson
Boland	Flakne	LaVoy	Paviak, R.	Tomlinson
Braun	Forsythe	Lemke	Paviak, R. L.	Ulland
Carlson, A.	Fudro	Lindstrom, E.	Pehler	Vanasek
Carlson, B.	Graba	Lindstrom, J.	Peterson	Vento
Carlson, D.	Grove	Lombardi	Pieper	Voss
Carlson, L.	Hagedorn	Long	Pleasant	Weaver
Casserly	Hanson	McArthur	Prahl	Wenzel
Cleary	Haugerud	McCarron	Quirin	Wigley
Clifford	Heinitz	McCauley	Resner	Wohlwend
Connors	Hook	McEachern	Rice	Wolcott
Culhane	Jacobs	McFarlin	Ryan	Mr. Speaker
Cummiskey	Jaros	Menke	St. Onge	
Dahl	Johnson, C.	Miller, D.	Salchert	

The bill was passed and its title agreed to.

H. F. No. 1282, A bill for an act relating to probate; establishing conservatorships; prescribing and regulating powers, duties and procedures in conservatorships and guardianships; amending Minnesota Statutes 1971, Sections 525.54; 525.541; 525.542; 525.543; 525.55; 525.551; 525.56; 525.57; 525.58; 525.581; 525.582; 525.59; 525.591; 525.60; 525.61; 525.611; 525.612; and amending Minnesota Statutes 1971, Chapter 525, by adding sections.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	Miller, M.	Samuelson
Adams, S.	Dieterich	Johnson, J.	Moe	Sarna
Andersen, R.	Dirlam	Johnson, R.	Mueller	Savelkoul
Anderson, D.	Eckstein	Jopp	Munger	Schreiber
Anderson, G.	Eken	Jude	Myrah	Schulz
Anderson, I.	Enebo	Kahn	Nelson	Searle
Becklin	Erdahl	Kelly	Newcome	Sherwood
Belisle	Erickson	Kempe	Niehaus	Sieben, H.
Bell	Esau	Klaus	Norton	Sieben, M.
Bennett	Faricy	Knickerbocker	Ohnstad	Skaar
Berg	Ferderer	Kvam	Ojala	Smith
Berglin	Fjoslien	Laidig	Parish	Spanish
Biersdorf	Flakne	Larson	Patton	Stangeland
Boland	Forsythe	LaVoy	Pavlak, R.	Stanton
Braun	Fudro	Lemke	Pavlak, R. L.	Swanson
Carlson, A.	Graba	Lindstrom, E.	Pehler	Tomlinson
Carlson, B.	Graw	Lindstrom, J.	Peterson	Ulland
Carlson, D.	Growe	Lombardi	Pieper	Vanasek
Carlson, L.	Hagedorn	Long	Pleasant	Vento
Casserly	Hanson	McArthur	Prahl	Voss
Cleary	Haugerud	McCarron	Quirin	Weaver
Clifford	Heinitz	McCauley	Resner	Wenzel
Connors	Hook	McEachern	Rice	Wigley
Culhane	Jacobs	McFarlin	Ryan	Wohlwend
Cummiskey	Jaros	Menke	St. Onge	Wolcott
Dahl	Johnson, C.	Miller, D.	Salchert	Mr. Speaker

The bill was passed and its title agreed to.

H. F. No. 1333, A bill for an act relating to the affairs of decedents; providing for the validity and effect of certain nontestamentary and testamentary transfers, contracts and deposits which relate to death and appear to have testamentary effect, and powers of attorney over accounts.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Cleary	Fudro	Klaus	Moe
Adams, S.	Clifford	Graba	Knickerbocker	Mueller
Andersen, R.	Connors	Graw	Kvam	Munger
Anderson, D.	Culhane	Growe	Laidig	Myrah
Anderson, G.	Cummiskey	Hagedorn	Larson	Nelson
Anderson, I.	Dahl	Hanson	LaVoy	Newcome
Becklin	DeGroat	Haugerud	Lemke	Niehaus
Belisle	Dieterich	Heinitz	Lindstrom, E.	Norton
Bell	Dirlam	Hook	Lindstrom, J.	Ohnstad
Bennett	Eckstein	Jacobs	Lombardi	Ojala
Berg	Eken	Jaros	Long	Parish
Berglin	Enebo	Johnson, C.	Mann	Patton
Biersdorf	Erdahl	Johnson, D.	McArthur	Pavlak, R.
Boland	Erickson	Johnson, J.	McCarron	Pavlak, R. L.
Braun	Esau	Johnson, R.	McCauley	Pehler
Carlson, A.	Faricy	Jopp	McEachern	Peterson
Carlson, B.	Ferderer	Jude	McFarlin	Pieper
Carlson, D.	Fjoslien	Kahn	Menke	Pleasant
Carlson, L.	Flakne	Kelly	Miller, D.	Prahl
Casserly	Forsythe	Kempe	Miller, M.	Quirin

Resner	Savelkoul	Skaar	Ulland	Wohlwend
Rice	Schreiber	Smith	Vanasek	Wolcott
Ryan	Schulz	Spanish	Vento	Mr. Speaker
St. Onge	Searle	Stangeland	Voss	
Salchert	Sherwood	Stanton	Weaver	
Samuelson	Sieben, H.	Swanson	Wenzel	
Sarna	Sieben, M.	Tomlinson	Wigley	

The bill was passed and its title agreed to.

H. F. No. 1515, A bill for an act relating to decedents' estates; revising a spouse's power to elect against a will; amending Minnesota Statutes 1971, Section 525.215.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	Miller, M.	Sarna
Adams, S.	Dieterich	Johnson, J.	Moe	Savelkoul
Andersen, R.	Dirlam	Johnson, R.	Mueller	Schreiber
Anderson, D.	Eckstein	Jopp	Munger	Schulz
Anderson, G.	Eken	Jude	Myrah	Searle
Anderson, I.	Enebo	Kahn	Nelson	Sherwood
Becklin	Erdahl	Kelly	Newcome	Sieben, H.
Belisle	Erickson	Kempe	Niehaus	Sieben, M.
Bell	Esau	Klaus	Norton	Skaar
Bennett	Faricy	Knickerbocker	Ohnstad	Smith
Berg	Ferderer	Kvam	Ojala	Spanish
Berglin	Fjoslien	Laidig	Parish	Stangeland
Biersdorf	Flakne	Larson	Patton	Stanton
Boland	Forsythe	LaVoy	Pavlak, R.	Swanson
Braun	Fudro	Lemke	Pavlak, R. L.	Tomlinson
Carlson, A.	Graba	Lindstrom, E.	Pehler	Ulland
Carlson, B.	Graw	Lindstrom, J.	Peterson	Vanasek
Carlson, D.	Grove	Lombardi	Pieper	Vento
Carlson, L.	Hagedorn	Mann	Pleasant	Voss
Casserly	Hanson	McArthur	Prahl	Weaver
Cleary	Haugerud	McCarron	Quirin	Wenzel
Clifford	Heinitz	McCauley	Resner	Wigley
Connors	Hook	McEachern	Rice	Wohlwend
Culhane	Jacobs	McFarlin	Ryan	Wolcott
Cummiskey	Jaros	Menke	St. Onge	Mr. Speaker
Dahl	Johnson, C.	Miller, D.	Samuelson	

The bill was passed and its title agreed to.

H. F. No. 1253, A bill for an act relating to the sales and use tax; exemptions; providing that auctioneers or sellers for bids shall not be exempt from the tax; amending Minnesota Statutes 1971, Section 297A.25, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 50, and nays 72, as follows:

Those who voted in the affirmative were:

Adams, J.	Connors	Johnson, D.	Norton	Sarna
Andersen, R.	Cummiskey	Jude	Ojala	Sieben, H.
Bell	Dieterich	Kahn	Parish	Sieben, M.
Bennett	Enebo	Kempe	Pavlak, R.	Smith
Berg	Faricy	LaVoy	Pehler	Stanton
Berglin	Fudro	Lindstrom, E.	Quirin	Swanson
Braun	Fugina	McCarron	Resner	Tomlinson
Carlson, B.	Grove	Moe	Rice	Vento
Carlson, L.	Jacobs	Munger	Ryan	Voss
Casserly	Jaros	Nelson	Salchert	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Eckstein	Johnson, R.	Menke	Savelkoul
Anderson, G.	Eken	Jopp	Miller, D.	Schulz
Anderson, I.	Erdahl	Kelly	Miller, M.	Searle
Becklin	Erickson	Klaus	Mueller	Skaar
Belisle	Esau	Knickerbocker	Myrah	Stangeland
Biersdorf	Fjoslien	Laidig	Newcome	Ulland
Boland	Flakne	Larson	Niehaus	Vanasek
Carlson, A.	Forsythe	Lemke	Ohnstad	Weaver
Carlson, D.	Graba	Lombardi	Patton	Wenzel
Cleary	Graw	Long	Pavlak, R. L.	Wigley
Clifford	Hagedorn	Mann	Peterson	Wohlwend
Culhane	Hanson	McArthur	Pieper	Wolcott
Dahl	Hook	McCauley	Prahl	
DeGroat	Johnson, C.	McEachern	St. Onge	
Dirlam	Johnson, J.	McFarlin	Samuelson	

The bill was not passed.

NOTICE OF INTENTION TO MOVE FOR RECONSIDERATION

Pursuant to Rule 47, Anderson, I., gave notice of his intention to move for reconsideration of the vote whereby H. F. No. 1253 was not passed on the Calendar today.

POINT OF ORDER

Mr. Quirin raised a point of order pursuant to Rule 5 that H. F. No. 1779, now on General Orders, be re-referred to the Committee on Appropriations. The Speaker ruled the point of order well taken and H. F. No. 1779 was re-referred to the Committee on Appropriations.

Nelson was excused at 5:00 p.m.

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Mr. Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 12, a roll call was taken on the following amendment to S. F. 211 offered by Fugina:

The printed bill, on page 4 strike lines 4, 5, 6 and 7. Reletter subsequent paragraphs accordingly.

On page 5 strike lines 2, 3, 4, 5, 6, and 7.

On page 7, line 1, strike the words "created by law or". Line 2, strike "provided he has the qualifications required by law". Strike lines 7, 8, 9 and 10. Reletter the remaining paragraphs accordingly.

On page 8, strike lines 1, 2, 3, 4, 5 and 6. Reletter the remaining paragraphs accordingly. Strike lines 11, 12, 13 and 14.

Page 10, strike line 11. Line 12, strike "register of deeds are abolished,". Line 13, strike "as if the county board had exercised". Line 14, strike "this option pursuant to section 9 of this act,". Line 15, strike "county sheriff,".

Page 14, line 12, after the word "institutions" insert the words "*except the county jail*,". Strike lines 22, 23, 24, 25 and 26. Reletter the subsequent paragraphs accordingly.

Page 15, strike lines 9, 10, 11, 12, 13 and 14. Reletter the subsequent paragraphs accordingly. Strike lines 18, 19, 20, 21. Line 22, strike "of the county and" and capitalize the following word "Make".

Page 16, line 18, after the word "county" strike the remainder of the line. Strike all of line 19. Line 20, strike "offices of auditor and treasurer".

Strike all of Section 10.

Strike all of Section 11.

Renumber the remaining sections accordingly.

Page 23, line 26, strike the numeral "10" and insert in lieu thereof "9".

Page 24, line 1, strike the numeral "10" and insert in lieu thereof "9". Line 14, strike the numeral "10" and insert in lieu thereof "9". Line 24, strike the numeral "10" and insert in lieu thereof "9".

Page 28, line 5, strike the numeral "11" and insert in lieu thereof "10".

There were yeas 42, and nays 73.

Those who voted in the affirmative were:

Adams, J.	Ferderer	LaVoy	Patton	Searle
Anderson, I.	Fudro	Lemke	Pieper	Sieben, H.
Berglin	Fugina	Lombardi	Prahl	Sieben, M.
Braun	Hanson	McCarron	Rice	Spanish
Carlson, D.	Jacobs	McEachern	Ryan	Vanasek
Connors	Jaros	Menke	Salchert	Voss
Dahl	Johnson, D.	Miller, D.	Samuelson	
Eckstein	Kahn	Munger	Sarna	
Enebo	Kempe	Ojala	Schulz	

Those who voted in the negative were:

Andersen, R.	Bennett	Carlson, L.	Dieterich	Fjoslien
Anderson, D.	Biersdorf	Casserly	Dirlam	Flakne
Anderson, G.	Boland	Clifford	Eken	Forsythe
Becklin	Brinkman	Cummiskey	Erickson	Graba
Belisle	Carlson, A.	DeGroat	Esau	Graw

Hagedorn	Knickerbocker	Miller, M.	Quirin	Ulland
Haugerud	Laidig	Mueller	Resner	Vento
Heinitz	Larson	Myrah	Savelkoul	Weaver
Hook	Lindstrom, E.	Newcome	Schreiber	Wenzel
Johnson, C.	Lindstrom, J.	Niehaus	Sherwood	Wigley
Johnson, J.	Long	Ohnstad	Skaar	Wohlwend
Johnson, R.	Mann	Pavlak, R. L.	Smith	Wolcott
Jopp	McArthur	Pehler	Stangeland	Mr. Speaker
Jude	McCauley	Peterson	Stanton	
Klaus	McFarlin	Pleasant	Tomlinson	

The amendment was not adopted.

Pursuant to Rule 12, a roll call was taken on the following amendment to S. F. No. 211 offered by Johnson, D.:

The printed bill, page 4, strike lines 4, 5, 6 and 7. Reletter the subsequent paragraphs accordingly.

Page 7, strike lines 7, 8, 9 and 10. Reletter the subsequent paragraphs accordingly.

Page 10, line 14, strike the numeral "9" and insert in lieu thereof "10".

Page 10, line 15, after the word "of" strike "county sheriff".

Page 14, line 11, strike the word "all".

Page 14, line 12, after the word "institutions" insert "*except the county jail*".

Page 14, strike lines 22, 23, 24, 25 and 26. Reletter subsequent paragraphs accordingly.

Page 18, line 21, after the words "Section 382.01," restore the language "or the provisions of".

Page 18, line 22, restore the language "Minnesota Statutes, Chapters 384, 385, and 386,".

Page 19, line 11, strike the word "sheriff".

Page 19, line 17, strike the word "sheriff".

Page 28, line 5, strike the numeral "11" and insert in lieu thereof "12".

There were yeas 54, and nays 56.

Those who voted in the affirmative were:

Adams, J.	Enebo	Kempe	Parish	Schulz
Anderson, I.	Esau	LaVoy	Patton	Searle
Berglin	Faricy	Lemke	Pavlak, R.	Sieben, H.
Braun	Ferderer	Mann	Pehler	Sieben, M.
Carlson, D.	Fudro	McCarron	Pieper	Smith
Connors	Fugina	McEachern	Prahl	Spanish
Culhane	Growe	Menke	Rice	Stanton
Dahl	Hanson	Miller, D.	Ryan	Tomlinson
DeGroat	Jacobs	Munger	Salchert	Vanasek
Dirlam	Jaros	Niehaus	Samuelson	Wenzel
Eckstein	Johnson, D.	Ojala	Sarna	

Those who voted in the negative were:

Andersen, R.	Cummiskey	Johnson, J.	McArthur	Sherwood
Anderson, G.	Dieterich	Johnson, R.	McCauley	Skaar
Becklin	Eken	Jopp	Miller, M.	Stangeland
Bellisle	Erickson	Jude	Mueller	Vento
Bennett	Fjoslien	Klaus	Myrah	Wigley
Biersdorf	Flakne	Knickerbocker	Ohnstad	Wohlwend
Boland	Forsythe	Laidig	Pavliak, R. L.	Wolcott
Carlson, A.	Graba	Larson	Peterson	Mr. Speaker
Carlson, L.	Graw	Lindstrom, E.	Pleasant	
Casserty	Heinitz	Lindstrom, J.	Quirin	
Cleary	Hook	Lombardi	Resner	
Clifford	Johnson, C.	Long	Schreiber	

The amendment was not adopted.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. Nos. 1969 and 874 which it recommended to pass.

S. F. Nos. 211 and 1583 which it recommended to pass.

H. F. Nos. 1190 and 977 upon which it recommended progress.

S. F. No. 942, upon which it recommended progress until Wednesday, May 2, 1973.

H. F. No. 1711 upon which it recommended to pass with the following amendment offered by Carlson, B.:

The printed bill, as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Independent school district No. 94 by vote of a majority of its electors voting at a general election or at a special election which the district is hereby authorized to hold may assume the presently outstanding indebtedness of former independent school district No. 98, which is now wholly included within independent school district No. 94, and pay the presently outstanding indebtedness by the levy of ad valorem taxes on all taxable property within the boundaries of independent school district No. 94. Any such election shall be called, noticed and conducted in accordance with Minnesota Statutes 1971, Section 123.32.

Sec. 2. In the event that the proposition referred to in section 1 has been approved by the voters of independent school district No. 94 at an election held within the district before the effective date of this act, such action is legalized and validated, and all taxable property within independent school district No. 94 shall on the effective date of this act become taxable for the payment of the indebtedness of former independent school district No. 98.

Sec. 3. This act is effective upon its approval by the governing body of independent school district No. 94 and upon compliance with Minnesota Statutes, Section 645.021."

Further, amend the title in line 1 by deleting "bonded".

S. F. No. 733 upon which it recommended to pass with the following amendment offered by Schulz:

The printed bill, as follows:

Page 2, line 11, delete "C-5 B-10 A-15" and insert in lieu thereof "C-3 B-5".

Page 2, line 14, strike "(b)".

Page 2, lines 15, 16 and 17, delete all of the new language.

Page 4, after line 8, insert:

"Sec. 4. Minnesota Statutes 1971, Section 171.07, Subdivision 1, is amended to read:

171.07 [DEPARTMENT TO ISSUE LICENSE AND NON-QUALIFICATION CERTIFICATES.] Subdivision 1. The department shall, upon the payment of the required fee, issue to every applicant qualifying therefor a license designating the type or class of vehicles he is authorized to drive as applied for, which license shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address, a description of the licensee in such manner as the commissioner deems necessary, and a space upon which the licensee shall write his usual signature with pen and ink. No license shall be valid until it has been so signed by the licensee. Except in the case of an instruction permit, every license shall bear thereon a colored photograph of the licensee. Every license issued to an applicant under the age of (21) 18 shall be of a distinguishing color and plainly marked "provisional." The department shall use such process or processes in the issuance of licenses that prohibits as near as possible, the ability to alter or reproduce the licenses, or prohibit the ability to superimpose a photo on such licenses without ready detection.

This act shall apply to every application for a driver's license, or a duplicate or renewal driver's license, submitted on or after January 1, 1972, and to every license issued upon the basis of such an application."

Page 5, lines 18 and 19, delete all of the language and insert in lieu thereof:

"(8) Has been convicted by a court of competent jurisdiction for violation of section 171.22."

Page 6, after line 14, insert:

"Sec. 7. Minnesota Statutes 1971, Section 171.27, is amended to read:

171.27 [EXPIRATION OF LICENSES.] The expiration date for each driver's license, other than provisional licenses, is the birthday of the driver in the fourth year following the date of issuance of the license. The birthday of the driver shall be as indicated on his application for a driver's license. A license may

be renewed on or before expiration or within one year after expiration upon application, payment of the required fee, and passing the examination required of all drivers for renewal. Driving privileges shall be extended or renewed on or preceding the expiration date of an existing driver's license unless the commissioner believes that the licensee is no longer qualified as a driver.

The expiration date for each provisional license shall be the (21ST) 18th birthday of the licensee. Upon the provisional licensee attaining the age of (21) 18 and upon the application, payment of the required fee, and passing the examination required of all drivers for renewal, a driver's license shall be issued if the commissioner deems the record of the provisional licensee to be satisfactory.

Any valid driver's license issued to a person then or subsequently on active duty with the Armed Forces of the United States shall continue in full force and effect without requirement for renewal until 90 days after the date of his discharge from such service.

This act shall apply to every application for a driver's license or renewal driver's license, submitted on or after January 1, 1972, and to every license issued upon the basis of such application.

All provisional licenses issued prior to the effective date of this act will remain in effect until the licensee's 21st birthday."

Renumber the sections in sequence.

Further amend the title: In line 6, after the semicolon insert "171.07, Subdivision 1;". In Line 7, delete "and 171.18" and insert in lieu thereof "171.18; and 171.27".

S. F. No. 626 upon which it recommended to pass with the following amendment offered by Vanasek:

The printed bill, as follows:

Page 1, line 6, after the word "created" delete the language remaining in the line. Line 7, at the beginning of the line and before the word "increased" delete "and violence in our urban areas by".

On the motion of Mr. Anderson, I., the report of the Committee of the Whole was adopted.

ADJOURNMENT

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Friday, April 27, 1973.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

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