

STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1973

SIXTY-FIFTH DAY

SAINT PAUL, MINNESOTA, SATURDAY, MAY 19, 1973

The House convened at 9:00 a.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.	DeGroat	Johnson, D.	Miller, D.	Samuelson
Adams, S.	Dieterich	Johnson, J.	Miller, M.	Sarna
Andersen, R.	Dirlam	Johnson, R.	Moe	Savelkoul
Anderson, D.	Eckstein	Jopp	Mueller	Schreiber
Anderson, G.	Eken	Jude	Munger	Schulz
Anderson, I.	Enebo	Kahn	Myrah	Searle
Becklin	Erdahl	Kelly	Nelson	Sherwood
Belisle	Erickson	Kempe	Newcome	Sieben, H.
Bell	Esau	Klaus	Niehaus	Sieben, M.
Bennett	Faricy	Knickerbocker	Norton	Skaar
Berg	Ferderer	Kvam	Ohnstad	Smith
Berglin	Fjoslien	Laidig	Ojala	Spanish
Biersdorf	Flakne	Larson	Parish	Stangeland
Boland	Forsythe	LaVoy	Patton	Stanton
Braun	Fudro	Lemke	Pavlak, R.	Swanson
Brinkman	Fugina	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, A.	Graba	Lindstrom, J.	Pehler	Ulland
Carlson, B.	Graw	Lombardi	Peterson	Vanasek
Carlson, D.	Growe	Long	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	McMillan	St. Onge	Mr. Speaker
Dahl	Johnson, C.	Menke	Salchert	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. Menke, the further reading was dispensed with and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. No. 2444 and S. F. Nos. 1283, 552, 1418, 1840, 2021, 2246, 1558, and 2243 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Martin O. Sabo
Speaker of the House of Representatives

The Honorable Alec G. Olson
President of the Senate

Sirs:

I have the honor to inform you that the following enrolled Acts of the 1973 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1973</i>	<i>Date Filed 1973</i>
103		249	May 16	May 16
147		250	May 16	May 16
170		251	May 16	May 16
181		252	May 16	May 16
641		253	May 16	May 16
662		254	May 16	May 16
935		255	May 16	May 16
1027		256	May 16	May 16
1042		257	May 16	May 16
1167		258	May 16	May 16
1319		259	May 16	May 16
1343		260	May 16	May 16
1361		261	May 16	May 16
1441		262	May 16	May 16
1678		263	May 16	May 16
1791		264	May 16	May 16
1881		265	May 16	May 16
1940		266	May 16	May 16
1955		267	May 16	May 16
2035		268	May 16	May 16
2189		269	May 16	May 16

65th Day]

SATURDAY, MAY 19, 1973

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<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1973</i>	<i>Date Filed 1973</i>
	356	270	May 16	May 16
	672	271	May 16	May 16

Sincerely,

ARLEN ERDAHL
Secretary of StateSTATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155The Honorable Martin O. Sabo
Speaker of the House of RepresentativesThe Honorable Alec G. Olson
President of the Senate

Sirs:

I have the honor to inform you that the following enrolled Acts of the 1973 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1973</i>	<i>Date Filed 1973</i>
	748	272	May 16	May 16
	843	273	May 16	May 16
	917	274	May 16	May 16
	1166	275	May 16	May 16
	1198	276	May 16	May 16
	1214	277	May 16	May 16
	1257	278	May 16	May 16
	1259	279	May 16	May 16
	1319	280	May 16	May 16
	1467	281	May 16	May 16
	1472	282	May 16	May 16
	1510	283	May 16	May 16
	1522	284	May 16	May 16
	1537	285	May 16	May 16
	1579	286	May 16	May 16
	1580	287	May 16	May 16

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1973</i>	<i>Date Filed 1973</i>
	1671	288	May 16	May 16
	1711	289	May 16	May 16
	1727	290	May 16	May 16
	1841	291	May 16	May 16
	1873	292	May 16	May 16
	1932	293	May 16	May 16
	2365	294	May 16	May 16

Sincerely,

ARLEN ERDAHL
Secretary of State

REPORTS OF STANDING COMMITTEES

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

H. F. No. 2550, A bill for an act establishing an energy policy commission; developing a state energy plan; appropriating money.

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

The report was adopted.

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

S. F. No. 1840, A bill for an act relating to bicycles; providing for a statewide bicycle registration system; providing penalties for violation thereof; fixing and limiting the amount of fees to be collected in certain cases; appropriating money annually.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 2550 was read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 1840 was read for the second time.

INTRODUCTION OF BILLS

Pleasant, McArthur, McMillan, Pehler, and Lindstrom, E., introduced:

H. F. No. 2559, A bill for an act relating to corrections; inmates; visitation rights of children of inmates.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Lindstrom, E.; Johnson, J.; Laidig; and Swanson introduced:

H. F. No. 2560, A bill for an act relating to Hennepin county; recovery of by-products of solid waste; marketing and sale thereof; authority to contract.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

Lindstrom, E.; Johnson, J.; Laidig; and Swanson introduced:

H. F. No. 2561, A bill for an act relating to state parks; authorizing additional lands to be included within the boundaries of Fort Snelling state park.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

Pehler, Knickerbocker, McMillan, Belisle, and Faricy introduced:

H. F. No. 2562, A bill for an act relating to "truth-in-energy"; requiring disclosure of certain rates of energy consumption.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

Cleary introduced:

H. F. No. 2563, A bill for an act relating to elections; charging the secretary of state with general supervision of the election laws; appropriating money.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Cleary introduced:

H. F. No. 2564, A bill for an act relating to elections; permitting the contest of elections under certain circumstances; amending Minnesota Statutes 1971, Section 209.02, by adding a subdivision.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Eken; Lemke; Anderson, G.; Stangeland; and Hagedorn introduced:

H. F. No. 2565, A bill for an act relating to official records; alternate methods of creation, maintenance and storage of information contained therein.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sieben, H., introduced:

H. F. No. 2566, A bill for an act relating to real property; implied warranties in the sale of new dwellings.

The bill was read for the first time and referred to the Committee on Judiciary.

Eken; Lemke; Anderson, G.; Stangeland; and Hagedorn introduced:

H. F. No. 2567, A bill for an act relating to chattel mortgages; satisfactions; destruction of records.

The bill was read for the first time and referred to the Committee on Judiciary.

Lindstrom, J.; Weaver; Sieben, H.; Vanasek; and Berg introduced:

H. F. No. 2568, A bill for an act relating to courts; providing that salaries of clerks of district court be set by the court; amending Minnesota Statutes 1971, Section 485.018, Subdivisions 2 and 6; repealing Minnesota Statutes 1971, Section 485.018, Subdivisions 1, 3, 4, 7 and 8.

The bill was read for the first time and referred to the Committee on Judiciary.

LaVoy, Sarna, Belisle, Connors, and Pieper introduced:

H. F. No. 2569, A bill for an act relating to courts; providing for the reimbursement of attorneys fees in certain actions for wages; amending Minnesota Statutes 1971, Section 549.03.

The bill was read for the first time and referred to the Committee on Judiciary.

Eken; Lemke; Anderson, G.; Stangeland; and Hagedorn introduced:

H. F. No. 2570, A bill for an act relating to real estate; providing authority to registrar of titles to mail owner's duplicate certificate of title to owner; amending Minnesota Statutes 1971, Section 508.40.

The bill was read for the first time and referred to the Committee on Judiciary.

Sieben, M.; Dirlam; and Anderson, I., introduced:

H. F. No. 2571, A bill for an act relating to the legislature; providing for the mandatory preparation of a fiscal note or a bill summary for each bill introduced.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Kelly, Mann, Myrah, Eken, and Wigley introduced:

H. F. No. 2572, A bill for an act relating to taxation; gasoline; reducing the tax on grain alcohol gasoline; creating the Minnesota agricultural products industrial utilization board and the agricultural alcohol fuel tax fund; appropriating money; amending Minnesota Statutes 1971, Sections 296.01, by adding a subdivision; 296.02, by adding a subdivision; 296.18, Subdivision 8; and Chapter 24, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Pehler introduced:

H. F. No. 2573, A bill for an act imposing a gross earnings tax on certain utility companies in lieu of ad valorem taxes; providing for the payment of said taxes into an electric utilities revenue fund; penalties for failure to file reports or make payments; providing exemptions from taxation; providing for distribution of taxes; appropriating money.

The bill was read for the first time and referred to the Committee on Taxes.

Pehler introduced:

H. F. No. 2574, A bill for an act imposing a gross earnings tax on certain utility companies in lieu of ad valorem taxes; providing for the payment of said taxes into a gas utilities revenue fund; penalties for failure to file reports or make payments; providing exemptions from taxation; providing for distribution of taxes; appropriating money.

The bill was read for the first time and referred to the Committee on Taxes.

The following Conference Committee Reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2121

May 18, 1973

Honorable Martin O. Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2121, report that we have agreed upon the items in dispute and recommend as follows:

That H. F. No. 2121 be amended as follows:

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

"ARTICLE I

Section 1. Minnesota Statutes 1971, Section 124.03, Subdivision 3, is amended to read:

Subd. 3: (a) The county auditor shall compute the tax levy that would be produced by applying a rate of 25 mills to the valuation determined on the January 2, 1971 assessment and 8.3 mills on the January 2, 1972 assessment and subsequent assessments on all the agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, within the several school districts for which the tax levy is required to be certified to him. The amounts so computed by the county auditor shall be submitted to the commissioner of taxation by November 15 of each year for verification.

(b) If the commissioner of taxation agrees with the computation, he shall deliver to the state auditor his certificate to that effect. In the event that the commissioner deems the computation to be erroneous, he may make the necessary corrections and deliver to the state auditor his certificate reflecting the amounts he deems to be correct. The county auditor or any school district aggrieved thereby may appeal the commissioner's revised certification to the Minnesota tax court in accordance with chapter 271.

(c) On or before May 31, 1972, the state auditor shall issue his warrant upon the state treasurer in favor of the school district in an amount equal to one half the amount certified by the commissioner shown to be due to the district. On or before October 31, 1972, the state auditor shall issue his warrant upon the state treasurer in favor of the school district distributing the remainder of the amount certified by the commissioner shown to be due to the school district for the year 1972. The state auditor in the same manner shall make distribution (IN SUBSEQUENT YEARS) *for the year 1973* in the same manner with respect to amounts shown to be due in accordance with the commissioner's

certification. *For the year 1974 and subsequent years, the state auditor shall issue his warrant in an amount equal to one-half the amount certified on or before July 15, but no earlier than July 1. The remainder shall be distributed as provided herein.*

(d) In the event that a final judicial determination is not in agreement with the amount certified by the commissioner, the state auditor shall either increase or decrease the amount of the following payment required to be made to the school district in accordance with such judicial determination.

(e) There is hereby appropriated to the school districts entitled to such payments from the general fund, an amount sufficient to make the payments.

(f) The county auditor shall reduce the dollars levied for school maintenance by each district by the amount determined in (a) and (b). The amounts paid to the county treasurer pursuant to (c) shall be transmitted by the county treasurer to the school district at the same time the real estate settlement is made.

Sec. 2. The provision of this article shall be effective the day following its final passage.

ARTICLE II

Section 1. Minnesota Statutes 1971, Section 273.134, is amended to read:

273.134 [TACONITE AND IRON ORE AREAS; TAX RELIEF AREA; DEFINITIONS.] For purposes of this section and section 273.135, "municipality" means a city, village or town, and the applicable assessment date is the date as of which property is listed and assessed for the tax in question.

For the purposes of section 273.135 "tax relief area" means the geographic area contained, within the boundaries of a school district which contains a municipality which meets the following qualifications:

(1) it is a municipality in which the assessed valuation of unmined iron ore on May 1, 1941, was not less than 40 percent of the assessed valuation of all real property and in which, as of the applicable assessment date, the assessed valuation of unmined iron ore is not more than (55) 60 percent of the assessed valuation of all real property; or

(2) it is a municipality in which, as of the applicable assessment date, there is a taconite concentrating plant or where taconite is mined or quarried or where there is located an electric generating plant which qualifies as a taconite facility.

Sec. 2. Section 1 shall be effective with respect to taxes levied in 1972 and thereafter and payable in 1973 and thereafter.

Sec. 3. In the case of taxes payable in 1973, the county auditor shall allow the same credits to any additional area or areas designated as a "tax relief area" in accordance with section 1, as

has been allowed to other tax relief areas, and shall issue revised statements or refunds as may be necessary.

Sec. 4. Notwithstanding the provisions of Minnesota Statutes, Section 273.136, Subdivision 2, the county auditor having jurisdiction over any tax relief area shall, on or before June 15, 1973, revise his certification to the state auditor so as to include in his certification any additional municipal aids or reductions of taxes allowed in 1973 as a result of sections 1 and 2. The amount of such additional certification, to the extent that it exceeds amounts remaining in the taconite property tax relief account, shall be paid from the state general fund, and an equivalent amount shall be transferred in 1974 from the taconite property tax relief account to the state general fund prior to the determination of the amount available for distribution.

ARTICLE III

Section 1. Minnesota Statutes 1971, Section 273.41, is amended to read:

273.41 [AMOUNT OF TAX; DISTRIBUTION.] There is hereby imposed upon each such cooperative association on December 31 of each year a tax of \$10 for each 100 members, or fraction thereof, of such association. The tax, when paid, shall be in lieu of all personal property taxes, state, county, or local, upon distribution lines and the attachments and appurtenances thereto of such associations located in rural areas. The tax shall be payable on or before March 1 of the next succeeding year, to the commissioner of taxation. If the tax, or any portion thereof, is not paid within the time herein specified for the payment thereof, there shall be added thereto a specific penalty equal to five percent of the amount so remaining unpaid. Such penalty shall be collected as part of said tax, and the amount of said tax not timely paid, together with said penalty, shall bear interest at the rate of four percent per annum from the time such tax should have been paid until paid. The commissioner shall (RETAIN FIVE PERCENT OF THE PROCEEDS OF SUCH TAX, PENALTY AND INTEREST FOR EXPENSES OF ADMINISTRATION AND SHALL DISTRIBUTE THE BALANCE THEREOF, ON OR BEFORE JULY 1 OF EACH YEAR TO THE TREASURERS OF THE RESPECTIVE COUNTIES OF THE STATE IN PROPORTION TO THE NUMBER OF MEMBERS OF SUCH ASSOCIATIONS IN THE SEVERAL COUNTIES AS OF DECEMBER 31 OF THE PRECEDING YEAR, AS DETERMINED BY REPORTS OF SUCH ASSOCIATIONS MADE AND VERIFIED IN SUCH MANNER AND ON SUCH FORMS AS MAY BE PRESCRIBED BY THE COMMISSIONER OF TAXATION. THE MONEYS SO DISTRIBUTED TO THE RESPECTIVE COUNTIES SHALL BE CREDITED BY THE TREASURERS THEREOF TO THE GENERAL REVENUE FUND OF THE COUNTY) *deposit the amount so received in the general fund of the state treasury.*

(THERE IS HEREBY APPROPRIATED TO THE COUNTIES ENTITLED TO SUCH PAYMENT, FROM THE FUND

OR ACCOUNT IN THE STATE TREASURY TO WHICH THE MONEY WAS CREDITED, AN AMOUNT SUFFICIENT TO MAKE SUCH PAYMENT AS IS AUTHORIZED HEREIN.)

Sec. 2. *The provisions of this article shall be effective for all payments required to be made after December 31, 1973.*

ARTICLE IV

Section 1. Minnesota Statutes 1971, Section 275.50, Subdivision 2, is amended to read:

Subd. 2. "Governmental subdivision" means any county, city, village, borough, or town having the powers of a village pursuant to (SECTION) *sections 368.01 or 368.61, or by special law (, OR ANY BOARD OR COMMISSION THEREOF AUTHORIZED BY LAW OR CHARTER TO LEVY PROPERTY TAXES).* The term does not include school districts, *towns without village powers, or special taxing districts determined by the department of taxation.*

Sec. 2. Minnesota Statutes 1971, Section 275.50, Subdivision 4, is amended to read:

Subd. 4. "Special assessments" means assessments made against real property for purposes of financing, wholly or in part, only those types of improvements enumerated in (SECTION) *sections 429.021, subdivision 1 and 429.101, whether imposed pursuant to such sections or pursuant to home rule charter provisions.* General tax levies spread upon real estate not specifically benefited by the improvements, *and on the benefited real estate as part of the taxable valuation of the governmental subdivision,* are not considered special assessments.

Sec. 3. Minnesota Statutes 1971, Section 275.50, Subdivision 5, is amended to read:

Subd. 5. "Special levies" means those portions of ad valorem taxes levied by governmental subdivisions to:

(a) satisfy judgments rendered against the governmental subdivision by a court of competent jurisdiction in any action other than an action on an (EXPLICIT) *express contract or default on an express contract, or to pay the costs of settlements out of court against the governmental subdivision in any action other than an action on an express contract when substantiated by a stipulation for the dismissal of the action filed with the court of competent jurisdiction and signed by both the plaintiff and the legal representative of the governmental subdivision, but only to the extent of the increase in levy for such judgments and out of court settlements over levy year 1970, taxes payable in 1971;*

(b) pay the costs of complying with any written lawful order issued by the state of Minnesota, or the United States, or any agency or subdivision thereof, (OR ANY LAW ENACTED BY THE 1971 LEGISLATURE WHICH SPECIFICALLY REQUIRES AN ACTIVITY WHICH RESULTS IN INCREASED

EXPENDITURES OF EXPANDED COUNTY COURT SYSTEMS NOT IN FULL OPERATION DURING THE ENTIRE YEAR 1971) which is authorized by law, statute, special act or ordinance and is enforceable in a court of competent jurisdiction, or any stipulation agreement or permit for treatment works or disposal system for pollution abatement in lieu of a lawful order signed by the governmental subdivision and the state of Minnesota, or the United States, or any agency or subdivision thereof which is enforceable in a court of competent jurisdiction. The commissioner of taxation shall in consultation with other state departments and agencies, develop a suggested form for use by the state of Minnesota, its agencies and subdivisions in issuing orders pursuant to this subdivision;

(c) pay the costs of complying with any law enacted by the 1971 legislature or a prior or subsequent year's legislature which specifically and directly requires a new or altered activity after levy year 1970, taxes payable in 1971, but only to the extent of the increased cost for such activity after levy year 1970, taxes payable in 1971;

(d) pay the costs of an expanded county court system to the extent of the increase in costs over the amount levied in support of a county court or a probate court in levy year 1970, taxes payable in 1971;

((C)) (e) pay amounts required by any public pension plan to the extent that operation of the laws (ENACTED BEFORE JULY 1, 1971,) of the state of Minnesota or the United States governing such fund directly causes the level of governmental financial support to exceed the level of such support prior to July 1, 1971, provided that such increases are not the result of amendment by any means to the benefit plan after July 1, 1971 which required the approval of the governing body of the governmental subdivision;

((D)) (f) pay amounts required (BY) to be levied in support of a volunteer firemen's relief association if resulting from the operation of (SECTION) sections 69.772 and 69.773;

((E)) (g) pay the costs to a governmental subdivision for their share of any program otherwise authorized by law, including the administrative costs of social services and of county welfare systems, for which matching funds have been appropriated by the state of Minnesota or the United States, but only to the extent that the costs to the governmental subdivision for the program exceed those expended in calendar year 1970, subject to rules promulgated by the commissioner of taxation pursuant to the administrative procedures act;

((F)) (h) pay expenses reasonably and necessarily incurred in preventing, preparing for or repairing the effects of natural disaster. "Natural disaster" as used herein means the occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from natural causes, including and limited to fire, flood, earthquake, wind storm, wave action, oil spill, or other water contamination requiring action to avert

danger or damage, volcanic activity, drought or air contamination. The civil defense division of the state department of public safety shall formulate standards by which an occurrence of any of the aforementioned natural phenomena would be deemed a natural disaster by reason of the level of damage, injury or loss of life or property that has occurred or would occur if preventative action was not taken;

((G)) (i) *pay the costs not reimbursed by the state or federal government, of payments made to or on behalf of recipients of aid under sections 245.21 to 245.43 (Aid to the Disabled), sections 256.11 to 256.43 (Old Age Assistance), sections 256.49 to 256.71 (Aid to the Blind), sections 256.72 to 256.87 (Aid to Families with Dependent Children), chapter 256B (Medical Assistance), and chapters 261, 262 and 263 (Poor Relief);*

((H)) (j) *pay the costs of principal and interest on bonded indebtedness(.) , or, effective for taxes levied in 1973 and years thereafter, to reimburse for the amount of liquor store revenues used to pay the principal and interest due in the year preceding the year for which the levy limit is calculated on municipal liquor store bonds;*

(k) *pay the costs of principal and interest on certificates of indebtedness, except tax anticipation or aid anticipation certificates of indebtedness, issued for any corporate purpose except current expenses or funding an insufficiency in receipts from taxes or other sources or funding extraordinary expenditures resulting from a public emergency;*

(l) *fund the payments made to the Minnesota state armory building commission pursuant to section 193.145, subdivision 2, to retire the principal and interest on armory construction bonds;*

(m) *provide for the bonded indebtedness portion of payments made to another political subdivision of the state of Minnesota;*

(n) *pay the amounts required to compensate for a decrease in revenues from public service enterprises, municipal liquor stores, licenses, permits, fines and forfeits and no other, to the extent that the aggregate of revenues from these sources in the calendar year preceding the year of levy are less than the aggregate of revenues from these sources in calendar year 1971. "Revenues" from a public service enterprise or a municipal liquor store shall mean the net income or loss of such public service enterprise or municipal liquor store, determined by subtracting total expenses from total revenues, and before any contribution to or from the governmental subdivision. "Fines" for a municipal court means the net amount remaining after subtracting total municipal court expenses from total collections of municipal court fines. A governmental subdivision shall qualify for this special levy only if the decrease in aggregate revenues as computed herein and divided by the population of the governmental subdivision in the preceding levy year is equal to or greater than two percent of the per capita levy limitation for the preceding levy year;*

(o) pay the amounts required to compensate for a decrease in mobile homes property tax receipts to the extent that the governmental subdivision's portion of the total levy in the current levy year, pursuant to section 273.13, subdivision 3, as amended, is less than the distribution of the mobile homes tax to the governmental subdivision pursuant to section 273.13, subdivision 3, in calendar year 1971;

(p) pay the amounts required to compensate for a decrease in gross earnings tax aids pursuant to sections 276.15 to 276.18, or 368.39 to 368.42, or 373.20 to 373.24, to the extent that the distribution of these aids to the governmental subdivision in the calendar year immediately preceding the current levy year is less than the distribution of these aids to the governmental subdivision in calendar year 1971;

(q) pay the amounts required, in accordance with section 275.075, to correct for a county auditor's error of omission in levy year 1971 or a subsequent levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(r) pay amounts required to correct for an error of omission in the levy certified to the appropriate county auditor or auditors by the governing body of a city, village, borough or town with village powers in levy year 1971 or a subsequent levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(s) pay the increased cost of municipal services as the result of an annexation or consolidation ordered by the Minnesota municipal commission in levy year 1971 or a subsequent levy year, but only to the extent and for the levy years as provided by the commission in its order pursuant to section 414.01, subdivision 15;

(t) pay the increased costs of municipal services provided to new private industrial and nonresidential commercial development, to the extent that the extension of such services are not paid for through bonded indebtedness or special assessments, and not to exceed the amount determined as follows. The governmental subdivision may calculate the aggregate of:

(1) The increased expenditures necessary in preparation for the delivering of municipal services to new private industrial and nonresidential commercial development, but limited to one year's expenditures one time for each such development;

(2) The amount determined by dividing the overall levy limitation established pursuant to sections 275.50 to 275.56, and exclusive of special levies and special assessments, by the total taxable value of the governmental subdivision, and then multi-

plying this quotient times the total increase in assessed value of private industrial and nonresidential commercial development within the governmental subdivision. For the purpose of this clause, the increase in the assessed value of private industrial and nonresidential commercial development is calculated as the increase in assessed value over the assessed value of the real estate parcels subject to such private development as most recently determined before the building permit was issued. In the fourth levy year subsequent to the levy year in which the building permit was issued, the increase in assessed value of the real estate parcels subject to such private development shall no longer be included in determining the special levy.

The aggregate of the foregoing amounts, less any costs of extending municipal services to new private industrial and nonresidential commercial development which are paid by bonded indebtedness or special assessments, equals the maximum amount that may be levied as a "special levy" for the increased costs of municipal services provided to new private industrial and nonresidential commercial development.

Sec. 4. Minnesota Statutes 1971, Section 275.51, Subdivision 1, is amended to read:

275.51 [LEVY LIMITS.] Subdivision 1. Notwithstanding any provisions of law or municipal charter to the contrary which authorize ad valorem levies in excess of the limitations established by sections 275.50 to 275.56, but subject to section 275.56, the provisions of this section shall apply to the levies by governmental subdivisions in the years 1971, 1972 and subsequent years for all purposes other than those for which special levies and special assessments are made.

Sec 5. Minnesota Statutes 1971, Section 275.51, Subdivision 2, is amended to read:

Subd. 2. The property tax levy limitation for governmental subdivisions in 1971 is calculated as follows. There shall be calculated the aggregate of receipts by each governmental subdivision from:

(a) the total amount of property taxes levied before any reduction prescribed by sections 273.13 and 273.135 in respect to homestead property, by or for each governmental subdivision in 1970, or in the most recent preceding year when such taxes were levied for a period of 12 months if the governmental subdivision levied such taxes for a shorter period in 1970, for all purposes, except for special assessments and special levies;

(b) exempt property tax reimbursement payments, if any, estimated by the department of taxation to be due and payable for the year 1971 from the state pursuant to section 273.69, minus the allocation of these payments on a percentage distribution basis to the welfare aids and bonded indebtedness special levies in taxes payable year 1971;

(c) per capita aid payments estimated by the department of taxation to be due and payable for the year 1971 from the state

pursuant to sections 297A.51 to 297A.60, *minus the allocation of these payments on a percentage distribution basis to the welfare aids special levy in taxes payable year 1971.*

The aggregate of the foregoing receipts shall be divided by the 1970 population of the governmental subdivision established pursuant to section 275.53. The resulting quotient ((AGGREGATE 1971 RECEIPTS PER CAPITA) IS THE PER CAPITA LIMITATION AND MAY BE ADJUSTED) (1970 payable 1971 levy limit base per capita) shall be increased pursuant to section 275.52, subdivision 2, to derive the 1971 payable 1972 levy limit base per capita. The (ADJUSTED QUOTIENT) 1971 payable 1972 levy limit base per capita shall then be multiplied by the 1971 population of the governmental subdivision established pursuant to section 275.53. From the resulting figure (1971 payable 1972 levy limit base) shall be deducted the amount (estimated by the department of taxation) of state formula aids to be paid pursuant to (EXTRA SESSION LAWS 1971, CHAPTER 31, ARTICLE 21) section 477A.01, as amended and the taconite production tax municipal (AND COUNTY) aids to be paid pursuant to (EXTRA SESSION LAWS 1971, CHAPTER 31, ARTICLE 30) section 298.282, as amended, to the governmental subdivision during the calendar year 1972. The resulting figure is the amount of property taxes which the governmental subdivision may levy in 1971 for all purposes other than those for which special levies and special assessments are made.

Sec. 6. Minnesota Statutes 1971, Section 275.51, Subdivision 3, is amended to read:

Subd. 3. The property tax levy limitation for governmental subdivisions in 1972 and subsequent *levy* years is calculated as follows. (THERE SHALL BE CALCULATED THE AGGREGATE OF RECEIPTS BY EACH GOVERNMENTAL SUBDIVISION FROM:)

((A) THE TOTAL AMOUNT OF PROPERTY TAXES LEVIED PURSUANT TO SUBDIVISION 1 IN 1971 AND SUCCEEDING YEARS RESPECTIVELY;)

((B) STATE FORMULA AND TACONITE PRODUCTION TAX, MUNICIPAL AND COUNTY AID PAYMENTS ESTIMATED BY THE DEPARTMENT OF TAXATION TO BE DUE AND PAYABLE FOR THE YEAR 1972 AND SUCCEEDING YEARS, RESPECTIVELY, FROM THE STATE PURSUANT TO EXTRA SESSION LAWS 1971, CHAPTER 31, ARTICLES 21 AND 30.)

(THE AGGREGATE OF THE FOREGOING RECEIPTS SHALL BE DIVIDED BY THE 1971 OR SUBSEQUENT YEAR'S POPULATION OF THE GOVERNMENTAL SUBDIVISION ESTABLISHED AS ABOVE FOR THE PRECEDING YEAR. THE RESULTING QUOTIENT (AGGREGATE RECEIPTS PER CAPITA) IS THE PER CAPITA LIMITATION AND MAY BE ADJUSTED PURSUANT TO SECTION 275.52.) *The governmental subdivision's levy limit base per capita for the immediately preceding levy year shall be increased*

pursuant to section 275.52, subdivision 2. The (ADJUSTED QUOTIENT SHALL THEN BE MULTIPLIED BY THE 1972 OR SUBSEQUENT) resulting current levy year's levy limit base per capita shall then be multiplied by the current levy year's population of the governmental subdivision established pursuant to section 275.53. From the resulting figure (current levy year's levy limit base) shall be deducted the amount of state formula aids estimated by the department of taxation to be paid pursuant to (EXTRA SESSION LAWS 1971, CHAPTER 31, ARTICLE 21) section 477A.01, as amended, and the taconite production tax (,) municipal (AND COUNTY) aids paid pursuant to (EXTRA SESSION LAWS 1971, CHAPTER 31, ARTICLE 30) section 298.282, as amended, to the governmental subdivision during the (CALENDAR YEAR 1973, OR SUBSEQUENT YEAR, AS THE CASE MAY BE) tax collection year to which the current levy year's levy limit base applies. The resulting figure is the amount of property taxes which the governmental subdivision may levy in (1972 AND) the current levy year for all purposes other than those for which special levies and special assessments are made.

For the purpose of determining the amount of property taxes that a governmental subdivision may levy, in 1973 and thereafter, taxes payable in 1974 and thereafter, for all purposes except special levies and special assessments, the following amounts (increased by 12.36 percent and divided by the 1973 population of the governmental subdivision established pursuant to section 275.53) shall be added to the governmental subdivision's 1972 payable 1973 levy limit base per capita and adjusted pursuant to section 275.52, subdivision 2:

(1) The amount of a county auditor's error of omission in the ad valorem taxes extended in levy year 1970, taxes payable in 1971, but only to the extent that when included in the governmental subdivision's levy in 1970, taxes payable in 1971, such amount is not in excess of any applicable statutory, special law or charter limitation imposed on the governmental subdivision in levy year 1970.

(2) The amount of an error of omission in the levy certified to the appropriate county auditor or auditors by the governing body of a city, village, borough or town with village powers in levy year 1970, taxes payable in 1971, but only to the extent that when included in the governmental subdivision's levy in 1970, taxes payable in 1971, such amount is not in excess of any applicable statutory, special law or charter limitation imposed on the governmental subdivision in levy year 1970.

The foregoing addition shall not be construed to alter in any way the amount of state formula aids estimated by the department of taxation to be paid a governmental subdivision pursuant to section 477A.01 in calendar years 1972 and 1973.

For levy year 1973 and thereafter, taxes payable in 1974 and thereafter, the current levy year's levy limit base for the governmental subdivision shall be increased by:

(a) the amount of aids (estimated by the department of taxation) that the governmental subdivision was entitled to receive from the state, pursuant to sections 297.13 and 340.60, 70 percent of the amount of county government was entitled to receive pursuant to section 287.12 and 100 percent of the amount a city, village or town government was entitled to receive pursuant to section 287.12, in calendar year 1973, before any adjustments for payments made in preceding calendar years;

(b) the amount of aids (estimated by the department of taxation) that the governmental subdivision was entitled to receive from the state, pursuant to section 290.361, on November 30, 1972 and May 31, 1973, before any adjustments for prior payments.

The foregoing addition shall be made after the per capita adjustment pursuant to section 275.52, subdivision 2, and after the multiplication of the current levy year's levy limit base per capita by the current levy year's population of the governmental subdivision, but before the deduction of the aids estimated by the department of taxation to be paid to the governmental subdivision pursuant to sections 477A.01 and 298.282, as amended, during the tax collection year to which the current levy year's levy limit base applies.

Sec. 7. Minnesota Statutes 1971, Section 275.51, is amended by adding a subdivision to read:

Subd. 3a. Notwithstanding the provisions of subdivision 3, but subject to any other law or charter limitation, each governmental subdivision is entitled, in levy year 1973 and subsequent levy years, to a minimum property tax levy limitation of six percent of its state aids estimated by the department of taxation to be paid, pursuant to sections 477A.01 and 298.282, as amended, to the governmental subdivision during the tax collection year to which the property tax levy limitation applies.

A governmental subdivision which would maximize its property tax levy limitation under this subdivision shall qualify for this subdivision and subdivision 3 shall not apply to such governmental subdivision. In any levy year (qualifying levy year) that a governmental subdivision qualifies for this subdivision, its property tax levy limitation shall be determined as follows.

The state aids estimated by the department of taxation to be paid, pursuant to sections 477A.01 and 298.282, as amended, to the governmental subdivision in the taxes payable year to which such qualifying levy year applies shall be divided by the population of the governmental subdivision in such qualifying levy year as determined pursuant to section 275.53.

The resulting quotient shall be increased pursuant to section 275.52, subdivision 2, to derive the levy limit base per capita for the governmental subdivision for the qualifying levy year. The levy limit base per capita for the qualifying levy year shall be multiplied by the population of the governmental subdivision in the qualifying levy year as determined pursuant to section 275.53.

From the resulting figure (levy limit base for the qualifying levy year) shall be deducted the amount (estimated by the department of taxation) of state formula aids to be paid pursuant to section 477A.01, as amended, and the taconite production tax municipal aids to be paid pursuant to section 298.282, as amended, to the governmental subdivision during the tax collection year to which the qualifying levy year applies. The resulting figure is the amount of property taxes which the governmental subdivision may levy in the qualifying levy year for all purposes other than those for which special levies and special assessments are made.

In any levy year that a governmental subdivision would maximize its property tax levy limitation under subdivision 3 instead of this subdivision, the levy limit base per capita for the last qualifying levy year constituting the preceding year's levy limit base per capita for the provisions of subdivision 3, the governmental subdivision shall no longer qualify for this subdivision and shall presume to have its property tax levy limitation calculated pursuant to subdivision 3.

Sec. 8. Minnesota Statutes 1971, Section 275.51, Subdivision 4, is amended to read:

Subd. 4. If in 1971 the levy made by any governmental subdivision exceeds the limitation provided in this section, *except when such excess levy is due to the rounding of the mill rates of the governmental subdivision in accordance with section 275.28*, subsequent distributions of formula aids pursuant to (EXTRA SESSION LAWS 1971, CHAPTER 31) sections 298.282 and 477A.01, as amended, shall be reduced 10 cents for each full dollar that the levy exceeds the limitation imposed by this section. If in any year subsequent to 1971 the levy made by a governmental subdivision exceeds the limitation provided in sections 275.50 to 275.56, *except when such excess levy is due to the rounding of the mill rates of the governmental subdivision in accordance with section 275.28*, subsequent distributions required to be made by the state auditor from any formula aids pursuant to (EXTRA SESSION LAWS 1971, CHAPTER 31) sections 298.282 and 477A.01, as amended, shall be reduced (10 CENTS FOR EACH FULL DOLLAR THE LEVY EXCEEDS THE LIMITATION UP TO FIVE PERCENT, AND) 33 cents for each full dollar the levy exceeds the limitation (BY MORE THAN FIVE PERCENT.); *provided that a governmental subdivision may determine to levy in excess of the limitation provided in sections 275.50 to 275.56 by not to exceed five percent by passing a resolution setting forth the amount by which the levy limit is proposed to be exceeded. Thereafter the resolution shall be published for two successive weeks in the official newspaper of the governmental subdivision or if there be no official newspaper, in a newspaper of general circulation therein, together with a notice fixing a date for a public hearing on the proposed increase which hearing shall be held not less than two weeks nor more than four weeks after the first publication of the resolution. Following the public hearing, the governing body may determine to take no further action, or in the alternative,*

adopt a resolution authorizing the levy as originally proposed, or adopt a resolution approving a levy in such lesser amount as it so determines. The resolution authorizing a levy in excess of the limitation imposed by sections 275.50 to 275.56 shall be published in the official newspaper of the governmental subdivision or if there be no official newspaper, in a newspaper of general circulation therein. If within 30 days thereafter, a petition signed by voters equal in number to five percent of the votes cast in the governmental subdivision in the last general election or 2,000 voters, whichever is less, requesting a referendum on the proposed resolution is filed with the clerk or recorder of the governmental subdivision if the governmental subdivision is a city, village, borough, or town, or with the county auditor if the governmental subdivision is a county, the resolution shall not be effective until it has been submitted to the voters at a general or special election and a majority of votes cast on the question of approving the resolution are in the affirmative. The commissioner of taxation is directed to prepare a suggested form of question to be presented at any such referendum. A levy approved at any such referendum held at a special or general election held prior to October 1 in any levy year increases the allowable levy in that same levy year and provides a permanent adjustment to the levy limit base per capita of the governmental subdivision for future levy years, and there shall be no reduction in distributions of formula aids to the governmental subdivision as a result of such levy. If no referendum is requested, the excess levy authorized by the resolution, if the resolution is adopted prior to October 1 in any year, may be levied in that same levy year and subsequent distributions required to be made by the state auditor from any formula aids pursuant to Extra Session Laws 1971, Chapter 31, shall be reduced 15 cents for each full dollar the levy exceeds the limitation. A levy made in 1971 prior to the effective date of Extra Session Laws 1971, Chapter 31, shall be reviewed and may be modified by the appropriate authority of the governmental subdivision for the purpose of reducing such levy to conform to the limitations imposed by this section. Any reduction in such levy made prior to December 15, 1971, shall be given the same effect as though such reduction had been made prior to the expiration of the time allowed by law for making the levy. The provisions of this subdivision shall apply to the levy of a metropolitan county before the reduction required pursuant to section 163.051, subdivision 5.

Sec. 9. Minnesota Statutes 1971, Section 275.52, Subdivision 2, is amended to read:

Subd. 2. The (PER CAPITA LIMITATION) *levy limit base per capita*, as adjusted for previous increases pursuant to this section, may be increased each year by the governing body of the governmental subdivision affected thereby in the amount not to exceed six percent of the previous year's (PER CAPITA LIMITATION) *levy limit base per capita*.

Sec. 10. Minnesota Statutes 1971, Section 275.52, Subdivision 3, is amended to read:

Subd. 3. If the population of any governmental subdivision decreases from one year to the next, the *current levy year's* population shall, for purposes of sections 275.50 to 275.56, be increased by an amount equal to one half of the decrease in population from the prior *levy* year, such increase to be effective for the said one levy year only. (THIS SUBDIVISION SHALL NOT APPLY TO DECREASES IN POPULATION RESULTING FROM A CHANGE OR CHANGE IN THE BOUNDARIES OF A GOVERNMENTAL SUBDIVISION.)

Sec. 11. Minnesota Statutes 1971, Section 275.53, Subdivision 1, is amended to read:

275.53 [GOVERNING CENSUS.] Subdivision 1. For the purpose of determining the amount of tax that a governmental subdivision may levy in accordance with a per capita limitation established by this chapter, the population of the governmental subdivision shall be that established by the last state or federal census, or by a special census taken within the entire governmental subdivision pursuant to sections 275.50 to 275.56 or to any other law, by a census taken pursuant to subdivision 2, or by a population estimate made (BY THE STATE HEALTH DEPARTMENT,) by the metropolitan council (BY A REGIONAL DEVELOPMENT COMMISSION), by an order of the Minnesota municipal commission pursuant to section 414.01, subdivision 14, or by an estimate made pursuant to subdivision 3, whichever is the most recent *as to the stated date of count or estimate*.

Sec. 12. Minnesota Statutes 1971, Section 275.53, Subdivision 3, is amended to read:

Subd. 3. (a) In lieu of passing a resolution pursuant to subdivision 2, the governing body of a (MUNICIPALITY OR TOWN) *governmental subdivision* may pass by June 1 of any year a resolution containing an estimate of the current population of the subdivision. The resolution shall describe with specificity the criteria upon which the estimate is based, and shall state that the estimate is made for purposes of increasing that subdivision's tax levy pursuant to sections 275.50 to 275.56.

(b) The resolution shall then be submitted to the (VITAL STATISTICS SECTION OF THE STATE DEPARTMENT OF HEALTH) *state planning agency*. The (SECTION) *agency* shall determine, and so inform the subdivision in writing within 30 days of receipt of the resolution, whether the criteria described therein do or do not provide a reasonable basis for the population estimate. No determination by the (SECTION) *agency* made pursuant to this subdivision shall constitute, nor shall it be represented as constituting, a determination of actual population.

(c) If the (SECTION) *agency* determines that the criteria do not provide a reasonable basis for the population estimate, the resolution shall be of no effect. If the (SECTION) *agency* determines that the criteria do provide a reasonable basis for the population estimate, the resolution shall be published at least

once in a legal newspaper of general circulation in said subdivision. Said estimate may be used for computing the amount of ad valorem taxes the subdivision may levy, unless within 30 days following the publication of the resolution, 10 percent or more of the registered voters of the subdivision, or if the subdivision does not require voter registration, then 10 percent or more of its voters, who voted at the subdivision's last election, sign a petition demanding a special census, and submit the petition to the governing body of the subdivision.

(d) Attached to the petition shall be an affidavit executed by the circulator or circulators thereof, stating that he or they personally circulated the petition, the number of signatures thereon, that all signatures were affixed in his or their presence and that he or they believe them to be genuine signatures of the persons whose names they purport to be. Each signature need not be notarized.

(e) Upon the receipt of a petition conforming to this subdivision, the governing body shall pass a resolution requesting the secretary of state to take a special census of the governmental subdivision. The census shall be taken and financed pursuant to the provisions of subdivision 2. Any population estimate made by the governing body of any governmental subdivision shall be superseded by any subsequent state or federal census taken pursuant to sections 275.50 to 275.56 or any other law, or by a population estimate made by (THE STATE HEALTH DEPARTMENT,) the metropolitan council (OR A REGIONAL DEVELOPMENT COMMISSION). The governing body of a governmental subdivision may not avail itself of the provisions of this subdivision during any year for which any state or federal census has been taken or for which (THE STATE HEALTH DEPARTMENT,) the metropolitan council (OR A REGIONAL DEVELOPMENT COMMISSION) has made a population estimate of the subdivision.

((F) IN THE EVENT OF ANY VARIANCE IN POPULATION CERTIFIED, THE GOVERNMENTAL SUBDIVISION BY RESOLUTION SHALL CHOOSE FROM AMONG THE POPULATION ESTIMATES THE FIGURE WHICH SHALL BE GOVERNING FOR PURPOSES OF SECTIONS 275.50 TO 275.56.)

Sec. 13. Minnesota Statutes 1971, Section 275.55, is amended to read:

275.55 [STATE REVIEW AND REGULATION OF LEVIES.] The (STATE AUDITOR AND THE) commissioner of taxation, or (THEIR) his designees, shall establish procedures by which levies of all governmental units shall be periodically reviewed. The commissioner shall be empowered to order withholding of state aids where such penalties are authorized by law, (TO ORDER THE REDUCTION OF CURRENT OR FUTURE LEVIES WHERE LEVY LIMITATIONS HAVE BEEN EXCEEDED,) to issue, in accordance with chapter 15, rulings interpreting sections 275.50 to 275.56, and to take such other

administrative actions as he deems necessary in order to carry out the provisions of sections 275.50 to 275.56. If the commissioner of taxation takes administrative action or any other action authorized by this section to enforce the provisions of sections 275.50 to 275.56, he shall give written notice of such action to the governmental subdivision affected. Such notice shall specify the actual or impending violations by the governmental subdivision of sections 275.50 to 275.56 or the rules and regulations of the department of taxation pertaining thereto, describe the corrective action required, including, in the case of an excess levy, reduction of the governmental subdivision's levy in the next succeeding levy year in an amount equal to the amount of the excess levy, set a reasonable period of time within which the governmental subdivision shall correct the specified actual or impending violations and caution the governmental subdivision that if the specified correction is not made within the time allowed, the state aids to the governmental subdivision pursuant to sections 477A.01 and 298.282, as amended, will be reduced as provided in section 275.51, subdivision 4. The time period first allowed for correction may be extended by the commissioner if he finds a reasonable basis for delay. County auditors, in addition to duties otherwise provided by law, shall cooperate with the commissioner (AND AUDITOR) in establishing such procedures and enforcing the provisions of sections 275.50 to 275.56.

Sec. 14. Minnesota Statutes 1971, Chapter 275, is amended by adding a section to read:

[275.551] [LEVY LIMITATIONS REVIEW BOARD.] A levy limitations review board is hereby created to resolve questions concerning administrative interpretation of sections 275.50 to 275.56 that require review and to hear appeals by governing bodies of governmental subdivisions who disagree with the administrative rulings issued by the commissioner of taxation pursuant to section 275.55.

The members of the review board shall be the commissioner of taxation, the chairman of the municipal commission and one public member appointed by the governor, by and with the approval of the senate, for a four year term which shall begin February 15 and continue until his successor is duly appointed and qualifies. The first public member, however, shall be appointed for a term ending February 15, 1975. A vacancy in the office of the public member of the board shall be filled by the governor, with the advice and consent of the senate, for the unexpired term. The governor may remove the public member at any time for good cause shown, after notice and hearing.

The public member shall be a citizen of the state who is knowledgeable in finance and local government. The public member shall not, at the time he is a member of the board, hold any other public office, or be employed by or represent a governmental subdivision, or have any personal financial interest in any contract with a governmental subdivision, or serve in any capacity where a conflict of interest could arise. The public member shall

receive as compensation for his services the amount of \$35 for each day or fraction thereof spent in attending meetings of the board or in performing other duties required by law, and shall be reimbursed for actual and necessary expenses incurred in the performance of his duties.

Sec. 15. Minnesota Statutes 1971, Chapter 275, is amended by adding a section to read:

[275.552] [CONTESTED CASES; HEARING, NOTICE, EVIDENCE, DECISIONS, ORDERS.] *The governing body of a governmental subdivision to whom a notice pursuant to section 275.55 is given may by a majority vote of the whole governing body decide to dispute the commissioner's administrative action. Notice of such decision must be given the commissioner within 30 days of the issuance of the commissioner's notice, or else the commissioner's decision is final and not subject to the review of the levy limitations review board. Upon receipt of a notice from a governmental subdivision within the time allowed, disputing the commissioner's administrative action, the commissioner shall conduct further investigation of the disputed issues of fact as he deems necessary. If the commissioner continues to adhere to his previous notice, the governing body of the governmental subdivision shall be entitled to a hearing before the levy limitations review board. The board shall set a time and place for the hearing and notice shall be given by mail to the governing body of the governmental subdivision. The board shall adopt rules governing the proceedings for hearings which shall afford all interested parties the opportunity to present evidence and arguments with respect to the contested issues of fact. The decision of the board shall be in writing, and shall state in detail the basis and reason for each conclusion upon each contested issue of fact. A copy of the decision and order together with the detailed reasons shall be delivered or mailed to the governmental subdivision or its attorney of record. The decision of the levy limitations review board under this section may be reviewed on certiorari by the district court of the county wherein the governmental subdivision, or any part thereof, is located.*

Sec. 16. Minnesota Statutes 1971, Chapter 275, is amended by adding a section to read:

[275.58] [ELECTIONS TO INCREASE LEVY.] *Subdivision 1. Notwithstanding the provisions of sections 275.50 to 275.56, but subject to other law or charter provisions establishing per capita, mill or other limitations on the amount of taxes that may be levied, the levy of a governmental subdivision, as defined by section 275.50, subdivision 1, may be increased above the limitation imposed by sections 275.50 to 275.56 in any per capita or dollar amount which is approved by the majority of voters of the governmental subdivision voting on the question at a general or special election. When the governing body of the governmental subdivision resolves to increase the levy of the governmental subdivision pursuant to this section, it shall provide for submission of the proposition of an increase in the levy limit base per capita or the proposition of an additional levy,*

as the case may be, at a general or special election. Notice of such election shall be given in the manner required by law. If the proposition is for an adjustment to the governmental subdivision's levy limit base per capita, increasing the levy limit base per capita over the per capita amount established pursuant to section 275.51, subdivision 3, such notice shall state the purpose of such per capita adjustment and the per capita amount of such adjustment. If the proposition is for an additional levy, such notice shall state the purpose and maximum yearly amount of such additional levy.

Subd. 2. A levy limit base per capita adjustment approved pursuant to subdivision 1 at a general or special election held prior to October 1 in any levy year increases the levy limit base per capita in that same levy year by the approved per capita amount and provides a permanent adjustment to the levy limit base per capita of the governmental subdivision for future levy years. A levy limit base per capita adjustment approved pursuant to subdivision 1 at a general or special election held after September 30 in any levy year shall not increase the levy limit base per capita in that same levy year but shall provide a permanent adjustment to the levy limit base per capita of the governmental subdivision for future levy years.

Subd. 3. An additional levy approved pursuant to subdivision 1 at a general or special election held prior to October 1 in any levy year may be levied in that same levy year and in any levy years thereafter. An additional levy approved pursuant to subdivision 1 at a general or special election held after September 30 in any levy year shall not be levied in that same levy year, but may be levied in the subsequent levy year and in levy years thereafter.

Subd. 4. An additional levy approved by the majority of the voters of the governmental subdivision pursuant to subdivision 1 is over and above the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 and shall not be subject to the penalty provisions of section 275.51, subdivision 4. A levy limit base per capita adjustment approved by the majority of the voters of the governmental subdivision pursuant to subdivision 1 is a permanent adjustment to the levy limit base per capita established pursuant to section 275.51, subdivision 3, and shall not be subject to the penalty provisions of section 275.51, subdivision 4.

Subd. 5. Notwithstanding any statute, special law, ordinance or charter provision to the contrary, it shall require approval of a majority of those voting on the question to pass a referendum pursuant to subdivision 1.

Subd. 6. Notwithstanding any statutes, special law, ordinance or charter provision to the contrary, the governing body of a governmental subdivision may call and hold special elections pursuant to this section.

Sec. 17. Minnesota Statutes 1971, Chapter 275, is amended by adding a section to read:

[275.59] [GOVERNMENTAL SUBDIVISIONS UNDER 500 POPULATION; EXEMPTION FROM LEVY LIMITS.] *Commencing with levy year 1973 and thereafter, taxes payable in 1974 and thereafter, the provisions of sections 275.50 to 275.56 shall not apply to any city, village, borough or town with village powers whose population according to the latest state or federal census is under 500.*

Sec. 18. Minnesota Statutes 1971, Section 414.01, is amended by adding a subdivision to read:

Subd. 15. When a commission order enlarges an existing municipality or creates a new municipality, the commission shall indicate in its order the estimated increased costs to such municipality as the result of such annexation or consolidation, and the time period that such municipality would be allowed a special levy for these increased costs pursuant to section 275.50, subdivision 5, clause (s). This subdivision shall apply to annexations or consolidations of municipalities in levy year 1971 or a subsequent levy year.

ARTICLE V

Section 1. Minnesota Statutes 1971, Section 287.12, is amended to read:

287.12 [TAXES, HOW APPORTIONED.] All taxes paid to the county treasurers under the provisions of sections 287.01 to 287.12 shall be apportioned, (ONE SIXTH) 95 percent to the general fund of the state, (ONE SIXTH) and five percent to the county revenue fund (, AND THE BALANCE TO BE DIVIDED EQUALLY BETWEEN THE SCHOOL DISTRICT AND THE CITY, VILLAGE, OR TOWN IN WHICH THE REAL ESTATE DESCRIBED IN THE MORTGAGE IS SITUATED. WHERE THE AMOUNT DETERMINED TO BE APPORTIONABLE IN ANY INSTANCE TO ANY GIVEN SCHOOL DISTRICT, CITY, VILLAGE OR TOWN IS LESS THAN \$1, SUCH AMOUNT SHALL BE RETAINED IN THE COUNTY REVENUE FUND).

Sec. 2. *The provisions of this article shall be effective for all payments required to be made after December 31, 1973.*

ARTICLE VI

Section 1. Minnesota Statutes 1971, Section 290.081, is amended to read:

290.081 [INCOME OF NONRESIDENTS, RECIPROCITY.] (a) The compensation received for the performance of personal or professional services within this state by an individual who resides and has his place of abode and place to which he customarily returns at least once a month in another state, shall be excluded from gross income to the extent such compensation is subject to an income tax imposed by the state of his residence; provided that such state allows a similar exclusion of compensa-

tion received by residents of Minnesota for services performed therein, or

(b) Whenever a nonresident taxpayer has become liable for income taxes to the state where he resides upon his net income for the taxable year derived from the performance of personal or professional services within this state and subject to taxation under chapter 290, there shall be allowed as a credit against the amount of income tax payable by him under this chapter, such proportion of the tax so paid by him to the state where he resides as his gross income subject to taxation under this chapter bears to his entire gross income upon which the tax so paid to such other state was imposed; provided, that such credit shall be allowed only if the laws of such state grant a substantially similar credit to residents of this state subject to income tax under such laws, or

(c) If any taxpayer who is a resident of this state, or a domestic corporation or corporation commercially domiciled therein, has become liable for taxes on or measured by net income to another state upon income derived from the performance of personal or professional services within such other state and subject to taxation under this chapter he or it shall be entitled to a credit against the amount of taxes payable under this chapter, of such proportion thereof, as such gross income subject to taxation in such state bears to his entire gross income subject to taxation under this chapter; provided (1) that such credit shall in no event exceed the amount of tax so paid to such other state on the gross income earned within such other state and subject to taxation under this chapter, and (2) that such credit shall not be allowed if such other state allows residents of this state a credit against the taxes imposed by such state for taxes payable under this chapter substantially similar to the credit provided for by paragraph (b) of this section, and (3) the allowance of such credit shall not operate to reduce the taxes payable under this chapter to an amount less than would have been payable if the gross income earned in such other state had been excluded in computing net income under this chapter.

(d) The commissioner shall by regulation determine with respect to gross income earned in any other state the applicable clause of this section. *When it is deemed to be in the best interests of the people of this state, the commissioner may determine that the provisions of clause (a) shall not apply.*

(e) "Tax So Paid" as used in this section means taxes on or measured by net income payable to another state on income earned within the taxable year for which the credit is claimed, provided that such tax is actually paid in that taxable year, or subsequent taxable years.

(f) *For the purposes of clause (a), whenever the Wisconsin tax on Minnesota residents which would have been paid Wisconsin without clause (a) exceeds the Minnesota tax on Wisconsin residents which would have been paid Minnesota without clause (a), or vice versa, then the state with the net revenue loss resulting from clause (a) shall receive from the other state the*

amount of such loss. This provision shall be effective for all years beginning after December 31, 1972. The data used for computing the loss to either state shall be determined on or before September 30 of the year following the close of the previous calendar year.

If an agreement cannot be reached as to the amount of the loss, the commissioner of taxation and the taxing official of the state of Wisconsin shall each appoint a member of a board of arbitration and these members shall appoint the third member of the board. The board shall select one of its members as chairman. Such board may administer oaths, take testimony, subpoena witnesses, and require their attendance, require the production of books, papers and documents, and hold hearings at such places as are deemed necessary. The board shall then make a determination as to the amount to be paid the other state which determination shall be final and conclusive.

ARTICLE VII

Section 1. Minnesota Statutes 1971, Section 290.17, is amended to read:

290.17 [GROSS INCOME, ALLOCATION TO STATE.]
Items of gross income shall be assigned to this state or other states or countries in accordance with the following principles:

(1) The entire income of all resident or domestic taxpayers from compensation for labor or personal services, or from a business consisting principally of the performance of personal or professional services, shall be assigned to this state, and the income of non-resident taxpayers from such sources shall be assigned to this state if, and to the extent that, the labor or services are performed within it; all other income from such sources shall be treated as income from sources without this state;

(2) Income from the operation of a farm shall be assigned to this state if the farm is located within this state and to other states only if the farm is not located in this state. Income and gains received from tangible property not employed in the business of the recipient of such income or gains, and from tangible property employed in the business of such recipient if such business consists principally of the holding of such property and the collection of the income and gains therefrom, shall be assigned to this state if such property has a situs within it, and to other states only if it has no situs in this state. Income or gains from intangible personal property not employed in the business of the recipient of such income or gains, and from intangible personal property employed in the business of such recipient if such business consists principally of the holding of such property and the collection of the income and gains therefrom, wherever held, whether in trust, or otherwise, shall be assigned to this state if the recipient thereof is domiciled within this state; income or gains from intangible personal property wherever held, whether in trust or otherwise shall be assigned to this state if the recipient of such income or gains is domiciled within this state, or if

the grantor of any trust is domiciled within this state and such income or gains would be taxable to such grantor under sections 290.28 or 290.29;

(3) Income derived from carrying on a trade or business, including in the case of a business owned by natural persons the income imputable to the owner for his services and the use of his property therein, shall be assigned to this state if the trade or business is conducted wholly within this state, and to other states if conducted wholly without this state. This provision shall not apply to business income subject to the provisions of clause (1);

(4) When a trade or business is carried on partly within and partly without this state, the entire income derived from such trade or business, including income from intangible property employed in such business and including, in the case of a business owned by natural persons, the income imputable to the owner for his services and the use of his property therein, shall be governed, except as otherwise provided in sections 290.35 and 290.36, by the provisions of section 290.19, notwithstanding any provisions of this section to the contrary. This shall not apply to business income subject to the provisions of clause (1). *For the purposes of this clause, a trade or business located in Minnesota is carried on partly within and partly without this state if tangible personal property is sold by such trade or business and delivered or shipped to a purchaser located outside the state of Minnesota.*

In determining whether or not intangible property is employed in a unitary business carried on partly within and partly without this state so that income derived therefrom is subject to apportionment under section 290.19 the following rules and guidelines shall apply.

(a) Intangible property is employed in a business if the business entity owning intangible property holds it as a means of furthering the business operation of which a part is located within the territorial confines of this state.

(b) Where a business operation conducted in Minnesota, is owned by a business entity which carries on business activity outside of the state different in kind from that conducted within this state, and such other business is conducted entirely outside the state, it will be presumed that the two business operations are unitary in nature, interrelated, connected and interdependent unless it can be shown to the contrary.

(5) All other items of gross income shall be assigned to the taxpayer's domicile.

Sec. 2. Minnesota Statutes 1971, Section 290.19, Subdivision 1, is amended to read:

290.19 [NET INCOME; ALLOCATION TO STATE, METHODS.] Subdivision 1. [COMPUTATION, BUSINESS CONDUCTED PARTLY WITHIN STATE; APPORTION-

MENT.] The taxable net income from a trade or business carried on partly within and partly without this state shall be computed by deducting from the gross income of such business, wherever derived, deductions of the kind permitted by section 290.09, so far as connected with or allocable against the production or receipt of such income. The remaining net income shall be apportioned to Minnesota as follows:

(1) If the business consists of the mining, producing, smelting, refining, or any combination of these activities of copper and nickel ores, or of the manufacture of personal property and the sale of said property within and without the state, the remainder shall be apportioned to Minnesota on the basis of the percentage obtained by taking the arithmetical average of the following three percentages:

(a) The percentage which the sales made within this state (AND THROUGH, FROM OR BY OFFICES, AGENCIES, BRANCHES OR STORES WITHIN THIS STATE) is of the total sales wherever made;

(b) The percentage which the total tangible property, real, personal, and mixed, owned or rented, and used by the taxpayer in this state during the tax period in connection with such trade or business is of the total tangible property, real, personal, or mixed, wherever located, owned or rented and, used by the taxpayer in connection with such trade or business during the tax period; and,

(c) The percentage which the taxpayer's total pay-rolls paid or incurred in this state or paid in respect to labor performed in this state in connection with such trade or business is of the taxpayer's total pay-rolls paid or incurred in connection with such entire trade or business;

(d) The percentage of such remainder to be assigned to this state shall not be in excess of the sum of the following percentages: 70 percent of the percentage determined under clause (1)

(a), 15 percent of the percentage determined under clause (1) (b), and 15 percent of the percentage determined under clause (1) (c);

(2) (a) In all other cases the remainder shall be apportioned to Minnesota on the basis of the percentage obtained by taking the arithmetical average of the following three percentages:

(1) The percentage which the sales, gross earnings, or receipts from business operations, in whole or in part, within this state bear to the total sales, gross earnings, or receipts from business operations wherever conducted;

(2) The percentage which the total tangible property, real, personal, and mixed, owned or rented, and used by the taxpayer in this state during the tax period in connection with such trade or business is of the total tangible property, real, personal, or mixed, wherever located, owned, or rented, and used by the tax-

payer in connection with such trade or business during the tax period; and

(3) The percentage which the taxpayer's total pay-rolls paid or incurred in this state or paid in respect to labor performed in this state in connection with such trade or business is of the taxpayer's total pay-rolls paid or incurred in connection with such entire trade or business;

(4) The percentage of such remainder to be assigned to this state shall not be in excess of the sum of the following percentages: 70 percent of the percentage determined under clause (2) (a) (1), 15 percent of the percentage determined under clause (2) (a) (2), and 15 percent of the percentage determined under clause (2) (a) (3);

(b) If the methods prescribed under clause (2) (a) will not properly reflect taxable net income assignable to the state, there may be used, if practicable and if such use will properly and fairly reflect such income, the percentage which the sales, gross earnings, or receipts from business operations, in whole or in part, within this state bear to the total sales, gross earnings, or receipts from business operations wherever conducted; or the separate or segregated accounting method;

(3) The sales, pay-rolls, earnings, and receipts referred to in this section shall be those for the taxable year in respect of which the tax is being computed. The property referred to in this section shall be the average of the property owned or used by the taxpayer during the taxable year in respect of which the tax is being computed (;

((4) FOR THE PURPOSES OF THIS SECTION, IN DETERMINING THE AMOUNT OF SALES MADE WITHIN MINNESOTA, THERE SHALL BE EXCLUDED THEREFROM SALES NEGOTIATED OR EFFECTED IN BEHALF OF THE TAXPAYER BY AGENTS OR AGENCIES CHIEFLY SITUATED AT, CONNECTED WITH, OR SENT OUT FROM PREMISES FOR THE TRANSACTION OF BUSINESS OWNED OR RENTED BY THE TAXPAYER OR BY HIS AGENTS OR AGENCIES OUTSIDE THE STATE AND SALES OTHERWISE DETERMINED BY THE COMMISSIONER TO BE ATTRIBUTABLE TO THE BUSINESS CONDUCTED ON SUCH PREMISES. IF THE COMMISSIONER FINDS THAT THE TAXPAYER MAINTAINS AN OFFICE, WAREHOUSE OR OTHER PLACES OF BUSINESS OUTSIDE THE STATE FOR THE PURPOSE OF REDUCING ITS TAX UNDER THIS SECTION IT SHALL IN DETERMINING THE AMOUNT OF TAXABLE NET INCOME INCLUDE THEREIN THE PROCEEDS OF SALES ATTRIBUTED BY THE TAXPAYER TO THE BUSINESS CONDUCTED AT SUCH PLACE OUTSIDE THE STATE).

Sec. 3. Minnesota Statutes 1971, Section 290.19, is amended by adding a subdivision to read:

Subd. 1a. [DETERMINATION OF SALES MADE WITHIN THIS STATE.] For purposes of this section the following rules shall apply in determining whether or not sales are made within this state.

Sales of tangible personal property are made within this state if the property is delivered or shipped to a purchaser within this state, and the taxpayer is taxable in this state, regardless of the f.o.b. point or other conditions of the sale.

Sales made by or through a corporation which is qualified as a domestic international sales corporation under section 992 of the Internal Revenue Code of 1954, as amended through December 31, 1972, shall not be considered to have been made within this state.

Sec. 4. This article is effective for taxable years beginning after December 31, 1973.

ARTICLE VIII

Section 1. Minnesota Statutes 1971, Section 290.361, Subdivision 4, is amended to read:

Subd. 4. [DISPOSITION OF TAX.] ((a)) The revenues derived from the excise tax on banks shall be paid into the state treasury and credited to the general fund, from which shall be paid all refunds of taxes erroneously collected from banks as certified by the commissioner. (FORTY-FIVE PERCENT OF THE BALANCE OF SUCH TAX SO COLLECTED SHALL BE TRANSMITTED, ON THE LAST DAYS OF MAY AND NOVEMBER OF EACH YEAR, TO THE RESPECTIVE COUNTIES IN WHICH ARE LOCATED THE BANKS PAYING THE TAX. THE COUNTY AUDITOR SHALL APPORTION AND DISTRIBUTE 45 PERCENT OF THE RESPECTIVE AMOUNTS PAID BY EACH BANK IN HIS COUNTY, LESS 45 PERCENT OF THE REFUNDS PAID TO THAT BANK, IN THE SAME MANNER AND ON THE SAME BASIS AS HE DISTRIBUTES TAXES ON PERSONAL PROPERTY IN THE TAXING DISTRICT IN WHICH THAT BANK IS LOCATED, PROVIDED THAT THE GOVERNING BODY OF ANY POLITICAL SUBDIVISION RECEIVING SUCH APPORTIONMENT MAY PLACE ALL SUCH AMOUNTS TO THE CREDIT OF ITS GENERAL FUND.)

There is hereby appropriated to the persons or banks entitled to such refunds, from the general fund, an amount sufficient to make the refunds.

((B) FOR PURPOSES OF THE APPORTIONMENT AND DISTRIBUTION REQUIRED TO BE MADE TO THE COUNTY AUDITOR UNDER CLAUSE (A) OF THIS SUBDIVISION, THE TAX SO COLLECTED SHALL BE DEEMED TO HAVE BEEN PAID TO THE COMMISSIONER ON THE LAST DATE PRESCRIBED BY LAW FOR THE FILING OF THE EXCISE TAX RETURN, OR DATE WHEN SUCH EX-

CISE TAX WAS RECEIVED BY THE COMMISSIONER, WHICHEVER DATE OCCURS LATER.)

((C) THERE IS HEREBY ANNUALLY APPROPRIATED FROM THE GENERAL FUND TO THE TAXING DISTRICTS ENTITLED TO SUCH PAYMENTS AS ARE AUTHORIZED UNDER THIS SECTION, SUFFICIENT MONIES TO MAKE SUCH PAYMENTS.)

Sec. 2. *After November 30, 1973 no adjustments shall be made to the November 30, 1973 distributions or prior distributions required to be made to the several county auditors pursuant to Minnesota Statutes, Section 290.361, Subdivision 4. Any amounts appropriated for this purpose shall lapse after November 30, 1973 and shall revert to the general fund.*

Sec. 3. *The provisions of this article shall be effective for all payments required to be made after November 30, 1973.*

ARTICLE IX

Section 1. Minnesota Statutes 1971, Section 290.982, is amended to read:

290.982 [CLAIMANT.] Claimant means a person who has filed a claim under sections 290.981 to 290.992, who was domiciled in this state during the entire calendar year preceding the year in which he files claim for relief, who resided in a rented or leased (PRIVATE COMMERCIAL) unit on which ad valorem taxes are accrued (OPERATED FOR PROFIT, OR IN A RENTED OR LEASED UNIT OWNED TEMPORARILY DUE TO FORECLOSURE BY THE FEDERAL HOUSING ADMINISTRATION); for not less than (THE LAST) six months of the calendar year covered by the claim. When a unit is occupied by two or more individuals and more than one such individual is able to qualify as a claimant, such individuals may determine between them as to who the claimant shall be, and all amounts paid for the unit during the selected claimant's occupancy shall be considered as paid by him. If they are unable to agree, the matter shall be referred to the commissioner of taxation and his decision shall be final.

Sec. 2. Minnesota Statutes 1971, Section 290.983, Subdivision 1, is amended to read:

290.983 [AMOUNT OF CREDIT; OFFSET AGAINST TAX.] Subdivision 1. The credit allowed by section 290.981 shall be (7 1/2) 10 percent of the total amount paid by the claimant during the taxable year as rent for the occupancy of real property used as the place of residence of his household. The credit shall not exceed (\$90) \$120 in any taxable year. For purposes of sections 290.981 to 290.992 "rent" does not include payments attributable to heat, light, or other utilities.

Sec. 3. Minnesota Statutes 1971, Section 290.99, is amended to read:

290.99 [NO RELIEF ALLOWED IN CERTAIN CASES.] No claim for relief under sections 290.981 to 290.992 shall be allowed to any person who is a recipient of public funds for the payment of rent during the period for which the claim is filed. (NO CLAIM FOR RELIEF UNDER SECTIONS 290.981 TO 290.992 SHALL BE ALLOWED TO ANY PERSON RESIDING IN A RENTAL UNIT THE RENTAL OF WHICH IS SUBJECT TO REGULATIONS OF A GOVERNMENTAL AGENCY, FEDERAL, STATE OR LOCAL.)

Sec. 4. *The provisions of this article shall be effective for all years beginning after December 31, 1972.*

ARTICLE X

Section 1. Minnesota Statutes 1971, Section 297.13, Subdivision 1, is amended to read:

297.13 [REVENUE, DISPOSAL.] Subdivision 1. [CIGARETTE TAX APPORTIONMENT FUND.] Notwithstanding any other provisions of law, for all periods beginning after the date of final enactment of this act, the provisions of this section shall be applicable. Five and one-half percent of the revenues received from taxes, penalties and interest under sections 297.01 to 297.13 shall be deposited by the commissioner of taxation in the general fund and credited to a special account to be known as the "natural resources account," which is hereby created. Expenditures shall be made from said account only as may be authorized by law to carry out the provisions of this act and in conformance with the provisions of chapter 16. Five and one-half percent shall be deposited in the general fund and credited to the "natural resources acceleration" account for the purposes provided in Laws 1969, Chapter 879, Section 4. (UNTIL JANUARY 1, 1972, AN ADDITIONAL 5.5 PERCENT OF THE REVENUES RECEIVED FROM TAXES, PENALTIES AND INTEREST UNDER SECTIONS 297.01 TO 297.13 SHALL BE DEPOSITED BY THE COMMISSIONER OF TAXATION IN THE GENERAL FUND AND SAID AMOUNT SHALL BE CONSIDERED FOR THE PURPOSES OF SECTION 297A.51 AS IF THE TAX WERE IMPOSED BY SECTIONS 297A.01 TO 297A.44.) The balance of the revenues derived from taxes, penalties, and interest under sections 297.01 to 297.13 and from license fees and miscellaneous sources of revenue shall be deposited by the commissioner in the general fund and credited (11.9 PERCENT TO A SPECIAL ACCOUNT TO BE KNOWN AS THE "CIGARETTE TAX APPORTIONMENT ACCOUNT," WHICH ACCOUNT IS HEREBY CREATED, BUT IN NO EVENT SHALL THE AMOUNT CREDITED TO THE ACCOUNT BE LESS THAN THAT CREDITED TO SUCH ACCOUNT IN THE FISCAL YEAR BEGINNING JULY 1, 1968 AND ENDING JUNE 30, 1969, AND THE BALANCE) to the general fund. (THE REVENUES IN THE APPORTIONMENT ACCOUNT SHALL BE APPORTIONED AS PROVIDED IN SUBDIVISION 2 TO THE SEVERAL COUNTIES, CITIES, VILLAGES AND BOROUGHES IN THIS STATE, AND THE

TERM "VILLAGE" AS USED HEREIN SHALL INCLUDE THOSE TOWNS WHICH HAVE VILLAGE POWERS AS DEFINED IN SECTION 368.01. IN COMPUTING THE POPULATION OF COUNTIES, CITIES, VILLAGES AND BOROUGHS THE STATE AUDITOR SHALL ADD INCREASES IN POPULATION DISCLOSED BY REASON OF ANY SPECIAL CENSUS CONDUCTED UNDER SUBDIVISION 7 TO THE POPULATION OF THE POLITICAL SUBDIVISION CONDUCTING THE CENSUS AND TO THE POPULATION OF THE COUNTY IN WHICH THE POLITICAL SUBDIVISION IS LOCATED. EACH COUNTY, CITY, VILLAGE, AND BOROUGH SHALL RECEIVE FROM THE APPORTIONMENT ACCOUNT AN AMOUNT BEARING THE SAME RELATION TO THE TOTAL AMOUNT TO BE APPORTIONED AS ITS POPULATION BEARS TO THE TOTAL POPULATION OF ALL THE COUNTIES, CITIES, VILLAGES AND BOROUGHS IN THIS STATE, EXCEPT, THAT FOR THE PURPOSES OF SECTIONS 297.01 TO 297.13, THE POPULATION OF A COUNTY SHALL BE THAT PART OF ITS POPULATION EXCLUSIVE OF THE POPULATION OF THE SEVERAL CITIES, VILLAGES AND BOROUGHS WITHIN THE COUNTY.)

Sec. 2. *Minnesota Statutes 1971, Sections 297.13, Subdivisions 2, 3, 4, 5, 6, 7 and 8; 297.15, and 297.16 are repealed.*

Sec. 3. *After August 15, 1973 no adjustments shall be made to the August 15, 1973 payments or prior payments made to the treasurers of the several counties, cities, villages and boroughs pursuant to Minnesota Statutes, Section 297.13, Subdivision 2. Any amounts appropriated for this purpose shall lapse after August 15, 1973 and shall revert to the general fund.*

Sec. 4. *The provisions of this article shall be effective for all payments required to be made after December 31, 1973.*

ARTICLE XI

Section 1. *Minnesota Statutes 1971, Section 340.60, Subdivision 1, is amended to read:*

340.60 [LIQUOR RECEIPTS.] Subdivision 1. [PAID INTO STATE TREASURY.] (EXCEPT AS PROVIDED IN THE FOLLOWING SUBDIVISIONS,) All taxes, penalties, license fees, and receipts of every kind, character, and description provided for and payable to the state under the terms and provisions of the intoxicating liquor act and sections 340.44 to 340.56, including all moneys collected by the liquor control commissioner under rules and regulations established by him such as certificate labels, truck labels, case labels, and any other form that he may establish, shall be paid into the state treasury the same as other departmental receipts, and are to be credited to the (REVENUE) general fund of the state.

Sec. 2. *Minnesota Statutes 1971, Section 340.60, Subdivisions 2, 3, 4, 5, 6 and 7 are repealed.*

Sec. 3. *After August 15, 1973 no adjustments shall be made to the August 15, 1973 payments or prior payments made to the treasurers of the several counties, cities, villages and boroughs pursuant to Minnesota Statutes, Section 340.60, Subdivision 3. Any amounts appropriated for this purpose shall lapse after August 15, 1973 and shall revert to the general fund.*

Sec. 4. *The provisions of this article shall be effective for all payments required to be made after August 15, 1973.*

ARTICLE XII

Section 1. *The significant increase in ad valorem taxes in recent years is a major concern of the legislature in view of the impact of such increases upon all economic groups within the state, but with particular emphasis upon certain home owners, renters and farmers. The legislature attributes this steadily increasing property tax burden to the rising costs of local government, increased school and welfare expenditures, and a continuing and strong inflationary effect on real property values.*

In Extra Session Laws 1971, Chapter 31, Article XIII, the legislature created a tax study commission to examine Minnesota's total tax structure as its equity and distribution methods relate to the general economic needs and development of the state, the special needs of employment and job opportunity and the revenue needs and sources of revenue available to the state and to its political subdivisions.

The tax study commission is herewith directed to focus particular attention on the process of assessing and classifying real and personal property for ad valorem tax purposes, in order that the legislature may be able to achieve a reasonable balance between the total revenue requirements of the state and its political subdivisions and that portion of such revenues that should be raised by property taxes.

No appropriation is made for the purposes of this article, as funds are being made available to the tax study commission in other sections of the law.

ARTICLE XIII

Section 1. *Minnesota Statutes 1971, Section 297A.14, is amended to read:*

297A.14 [USING, STORING OR CONSUMING TANGIBLE PERSONAL PROPERTY; ADMISSIONS; UTILITIES.] *For the privilege of using, storing or consuming in Minnesota tangible personal property, tickets or admissions to places of amusement and athletic events, electricity, gas, and local exchange telephone service purchased for use, storage or consumption in this state, there is hereby imposed on every person in this state a use tax at the rate of four percent of the sales price of sales at retail of any of the aforementioned items made to such person after October 31, 1971, unless the tax imposed by section 297A.02 was paid on said sales price.*

Motor vehicles subject to tax under this section shall be taxed at the fair market value at the time of transport into Minnesota if such motor vehicles were acquired more than three months prior to its transport into this state.

Notwithstanding any other provisions of section 297A.01 to 297A.44 to the contrary, the cost of paper and ink products exceeding \$100,000 in any calendar year, used or consumed in producing a publication as defined in section 297A.25, subdivision 1, clause (i) is subject to the tax imposed by this section.

Sec. 2. Minnesota Statutes 1971, Section 297A.25, Subdivision 1, is amended to read:

297A.25 [EXEMPTIONS.] Subdivision 1. The following are specifically exempted from the taxes imposed by sections 297A.01 to 297A.44:

(a) The gross receipts from the sale of food products including but not limited to cereal and cereal products, butter, cheese, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products;

(b) The gross receipts from the sale of prescribed drugs and medicine intended for use, internal or external, in the cure, mitigation, treatment or prevention of illness or disease in human beings and products consumed by humans for the preservation of health, including prescription glasses, therapeutic and prosthetic devices, but not including cosmetics or toilet articles notwithstanding the presence of medicinal ingredients therein;

(c) The gross receipts from the sale of and the storage, use or other consumption in Minnesota of tangible personal property, tickets, or admissions, electricity, gas or local exchange telephone service, which under the Constitution or laws of the United States or under the Constitution of Minnesota, the state of Minnesota is prohibited from taxing;

(d) The gross receipts from the sale of tangible personal property, the ultimate destination of which is outside the state of Minnesota and which is not thereafter returned to a point within Minnesota except in the course of interstate commerce;

(f) The gross receipts from the sale of and storage, use or consumption of petroleum products upon which a tax has been imposed under the provisions of chapter 296, whether or not any part of said tax may be subsequently refunded;

(g) The gross receipts from the sale of clothing and wearing apparel except the following:

(i) all articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semi-precious stones, and imitations thereof; articles made of, or ornamented,

mounted or fitted with precious metals or imitations thereof; watches; clocks; cases and movements for watches and clocks; gold, gold-plated, silver, or sterling flatware or hollow ware and silver-plated hollow ware; opera glasses; lorgnettes; marine glasses; field glasses and binoculars.

(ii) articles made of fur on the hide or pelt, and articles of which such fur is the component material or chief value, but only if such value is more than three times the value of the next most valuable component material.

(iii) perfume, essences, extracts, toilet waters, cosmetics, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, aromatic cachous and toilet powders. The tax imposed by this act shall not apply to lotion, oil, powder, or other article intended to be used or applied only in the case of babies.

(iv) trunks, valises, traveling bags, suitcases, satchels, overnight bags, hat boxes for use by travelers, beach bags, bathing suit bags, brief cases made of leather or imitation leather, salesmen's sample and display cases, purses, handbags, pocketbooks, wallets, billfolds, card, pass, and key cases and toilet cases.

(h) The gross receipts from the sale of and the storage, use, or consumption of all materials, including chemicals, fuels, petroleum products, lubricants, packaging materials, *including returnable containers used in packaging food and beverage products*, feeds, seeds, fertilizers, electricity, gas and steam, used or consumed in agricultural or industrial production of personal property intended to be sold ultimately at retail, whether or not the item so used becomes an ingredient or constituent part of the property produced. Such production shall include, but is not limited to, *research, development, design or production of any tangible personal property, manufacturing, processing (other than by restaurants and consumers) of agricultural products whether vegetable or animal, commercial fishing, refining, smelting, reducing, brewing, distilling, printing, mining, quarrying, lumbering, generating electricity and road building.* Such production shall not include painting, cleaning, repairing or similar processing of property except as part of the original manufacturing process. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures, used in such production and fuel, electricity, gas or steam used for space heating or lighting, are not included within this exemption; *however, accessory tools, equipment and other short lived items, which are separate detachable units used in producing a direct effect upon the product, where such items have an ordinary useful life of less than 12 months, are included within the exemption provided herein;*

(i) The gross receipts from the sale of and storage, use or other consumption in Minnesota of tangible personal property (except (PAPER OR INK PRODUCTS) *as provided in section 297A.14*) which is used or consumed in producing any publication regularly issued at average intervals not exceeding three months, *and any such publication.* For purposes of this subsection, "publication" as used herein shall include, without limiting

the foregoing, a legal newspaper as defined by Minnesota Statutes 1965, Section 331.02, and any supplements or enclosures with or part of said newspaper; and the gross receipts of any advertising contained therein or therewith shall be exempt. For this purpose, advertising in any such publication shall be deemed to be a service and not tangible personal property, and persons or their agents who publish or sell such newspapers shall be deemed to be engaging in a service with respect to gross receipts realized from such newsgathering or publishing activities by them, including the sale of advertising. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures used in such publication and fuel, electricity, gas or steam used for space heating or lighting, are not exempt;

(j) The gross receipts from all sales of tangible personal property to, and all storage, use or consumption of such property by, the United States and its agencies and instrumentalities or a state and its agencies, instrumentalities and political subdivisions;

(k) The gross receipts from the isolated or occasional sale of tangible personal property in Minnesota not made in the normal course of business of selling that kind of property, and the storage, use, or consumption of property acquired as a result of such a sale;

(l) The gross receipts from sales of rolling stock and the storage, use or other consumption of such property by railroads, freight line companies, sleeping car companies and express companies taxed on the gross earnings basis in lieu of ad valorem taxes. For purposes of this clause "rolling stock" is defined as the portable or moving apparatus and machinery of any such company which moves on the road, and includes, but is not limited to, engines, cars, tenders, coaches, sleeping cars and parts necessary for the repair and maintenance of such rolling stock.

(m) The gross receipts from sales of airflight equipment and the storage, use or other consumption of such property by airline companies taxed under the provisions of sections 270.071 to 270.079. For purposes of this clause, "airflight equipment" includes airplanes and parts necessary for the repair and maintenance of such airflight equipment, and flight simulators.

(n) The gross receipts from the sale of telephone central office telephone equipment used in furnishing intrastate and interstate telephone service to the public.

(o) The gross receipts from the sale of and the storage, use or other consumption by persons taxed under the in lieu provisions of chapter 298, of mill liners, grinding rods and grinding balls which are substantially consumed in the production of taco-nite, the material of which primarily is added to and becomes a part of the material being processed.

(p) The gross receipts from the sale of tangible personal property to, and the storage, use or other consumption of such property by, any corporation, society, association, foundation,

or institution organized and operated exclusively for charitable, religious or educational purposes;

(q) The gross receipts from the sale of caskets and burial vaults;

(r) The gross receipts from the sale of cigarettes.

(s) The gross receipts from the sale of an automobile or other conveyance if the purchaser is assisted by a grant from the United States in accordance with 38 United States Code, Section 1901, as amended.

(t) The gross receipts from the sale to the licensed aircraft dealer of an aircraft for which a commercial use permit has been issued pursuant to section 360.654, if the aircraft is resold while the permit is in effect.

(u) The gross receipts from the sale of building materials to be used in the construction or remodeling of a residence when the construction or remodeling is financed in whole or in part by the United States in accordance with 38 United States Code, Sections 801 to 805, as amended. This exemption shall not be effective at time of sale of the materials to contractors, subcontractors, builders or owners, but shall be applicable only upon a claim for refund to the commissioner of taxation filed by recipients of the benefits provided in Title 38 United States Code, Chapter 21, as amended. The commissioner shall provide by regulation for the refund of taxes paid on sales exempt in accordance with this paragraph.

(v) *The gross receipts from the sale of textbooks which are prescribed for use in conjunction with a course of study in a public or private school, college, university and business or trade school to students who are regularly enrolled at such institutions. For purposes of this clause a "public school" is defined as one that furnishes course of study, enrollment and staff that meets standards of the state board of education and a private school is one which under the standards of the state board of education, provides an education substantially equivalent to that furnished at a public school. Business and trade schools shall mean such schools licensed pursuant to Minnesota Statutes, Section 141.25.*

(w) *The gross receipts from the sale of and the storage of material designed to advertise and promote the sale of merchandise or services, which material is purchased and stored for the purpose of subsequently shipping or otherwise transferring outside the state by the purchaser for use thereafter solely outside the state of Minnesota.*

Sec. 3. *Minnesota Statutes 1971, Section 297A.252, is repealed.*

Sec. 4. *The provisions of this article shall be effective after December 31, 1973.*

ARTICLE XIV

Section 1. Minnesota Statutes 1971, Section 273.13, Subdivision 6, is amended to read:

Subd. 6. [CLASS 3B.] Agricultural land, except as provided by class 1 hereof, and which is used for the purposes of a homestead, shall constitute class 3b and shall be valued and assessed at 20 percent of the market value thereof. The property tax to be paid on class 3b property as otherwise determined by law not exceeding (80) 120 acres, regardless of whether or not the market value is in excess of \$12,000, for all purposes except the payment of principal and interest on *non-school district* bonded indebtedness, shall be reduced by (35) 45 percent of the tax; provided that the amount of said reduction shall not exceed (\$250) \$325. Valuation subject to relief shall be limited to (80) 120 acres of land, most contiguous surrounding, or bordering the house occupied by the owner as his dwelling place, and, such other structures as may be included thereon utilized by the owner in an agricultural pursuit. If the market value is in excess of the sum of \$12,000, the amount in excess of that sum shall be valued and assessed as provided for by class 3. The first \$12,000 market value of each tract of real estate which is rural in character and devoted or adaptable to rural but not necessarily agricultural use, used for the purpose of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law.

Agricultural land as used herein, and in section 124.03, shall mean contiguous acreage of ten acres or more, primarily used during the preceding year for agricultural purposes. Agricultural use may include pasture, timber, waste, unusable wild land and land included in federal farm programs.

Real estate of less than ten acres used principally for raising poultry, livestock, fruit, vegetables or other agricultural products, shall be considered as agricultural land, if it is not used primarily for residential purposes.

Sec. 2. Minnesota Statutes 1971, Section 273.13, Subdivision 7, is amended to read:

Subd. 7. [CLASS 3C, 3CC.] All other real estate and class 2a property, except as provided by classes 1 and 3cc, which is used for the purposes of a homestead, shall constitute class 3c, and shall be valued and assessed at 25 percent of the market value thereof. The property tax to be paid on class 3c property as otherwise determined by law, regardless of whether or not the market value is in excess of \$12,000, for all purposes except the payment of principal or interest on *non-school district* bonded indebtedness, shall be reduced by (35) 45 percent of the amount of such tax; provided that the amount of said reduction shall not exceed (\$250) \$325. If the market value is in excess of the sum of \$12,000, the amount in excess of that sum shall be valued and assessed at 40 percent of market value. The first \$12,000 market value of each tract of such real estate used for the purposes of a homestead shall be exempt from taxation for

state purposes; except as specifically provided otherwise by law. All real estate which is used for the purposes of a homestead by any blind person, as defined by section 256.12, *if such blind person is the owner thereof or if such blind person and his or her spouse are the sole owners thereof*; or by any person (hereinafter referred to as veteran) who served in the active military or naval service of the United States and who is entitled to compensation under the laws and regulations of the United States for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude motion without the aid of braces, crutches, canes, or a wheel chair, and who with assistance by the administration of veterans affairs has acquired a special housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability, shall constitute class 3cc and shall be valued and assessed at five percent of the market value thereof. The property tax to be paid on class 3cc property as otherwise determined by law, regardless of whether or not the market value is in excess of \$12,000, for all purposes except the payment of principal or interest on *non-school district* bonded indebtedness, shall be reduced by (35) 45 percent of the amount of such tax; provided that the amount of said reduction shall not exceed (\$250) \$325. If the market value is in excess of the sum of \$24,000, the amount in excess of that sum shall be valued and assessed at 33 1/3 percent in the case of agricultural land used for a homestead and 40 percent in the case of all other real estate used for a homestead.

Sec. 3. *This article is effective for taxes assessed in 1973 and payable in 1974 and thereafter.*

ARTICLE XV

Section 1. Minnesota Statutes 1971, Chapter 273, is amended by adding a section to read:

[273.011] [DEFINITIONS.] *Subdivision 1. [WORDS, TERMS, PHRASES.] Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of sections 1 to 3 shall have the meanings given to them.*

Subd. 2. [QUALIFIED HOME OWNER.] The term "qualified home owner" means:

- (a) (i) *A person 65 years of age or older; or*
- (ii) *The surviving spouse of a decedent, if such decedent was 65 years of age or older at his death, and such spouse has not remarried; and*
- (b) *Who owns property as his homestead, and title to the property so used is held:*
 - (i) *In his name as owner of the fee; or*

(ii) *Only in his name and that of his spouse as joint tenants or tenants in common; or*

(iii) *Only in his name, or his name and that of his spouse as owner of an estate for life or an estate for years.*

Subd. 3. [QUALIFIED PROPERTY.] *The term "qualified property" means property which meets all of the following conditions:*

(i) *Is a single family dwelling, or is part of a multifamily dwelling, or is a portion of a multipurpose structure, or is a mobile home as defined in section 168.011 which is used for the purposes described in section 273.13, subdivision 7, together with one acre of land most contiguous to the structure or mobile home, provided title to such land is held by the person who owns the title to the property described herein; and*

(ii) *Is the homestead of a "qualified home owner."*

Subd. 4. [BASE TAX.] *The term "base tax" means the ad valorem tax legally due with respect to "qualified property" in the year preceding the year in which the "qualified home owner" thereof attains such status prior to June 1, unless such "qualified home owner" qualified for such status at an earlier date by reason of subdivision 2, clause (a) (ii) of this section; provided that where such status is attained on or after June 1, except as provided in the preceding sentence, the "base tax," notwithstanding the provisions of subdivision 5, shall be the "ad valorem tax" legally due in such year.*

Subd. 5. [CURRENT TAX.] *The term "current tax" means the ad valorem tax legally due and payable on "qualified property" in the year following the year of assessment.*

Subd. 6. [AD VALOREM TAX.] *The term "ad valorem tax" means the tax on "qualified property" exclusive of all special taxes payable thereon.*

Subd. 7. *The masculine gender shall include the feminine and the single shall include the plural.*

Subd. 8. *Where "qualified property" is part of a multidwelling or multipurpose structure, the valuation of the "qualified property" area shall be determined by apportionment.*

Sec. 2. *Minnesota Statutes, Chapter 273, is amended by adding a section to read:*

[273.012] [QUALIFIED PROPERTY TAX CREDIT.]
Subdivision 1. When used in this section, words and phrases defined in section 1 shall have the meanings given to them un-

less the language or context clearly indicates that a different meaning is intended.

Subd. 2. Where the "current tax" on "qualified property" is in excess of the "base tax" on such property, there shall be allowed to the "qualified home owner" thereof a credit an equal amount to the excess of current tax over base tax as hereinafter provided under Minnesota Statutes, Chapter 290. In the event that a "qualified home owner" entitled to the credit provided herein dies prior to the receipt thereof, his surviving spouse shall be entitled to such credit. If there be no spouse surviving him, the right to such credit shall lapse.

Sec. 3. Minnesota Statutes, Chapter 290, is amended by adding a section to read:

[290.066] [SPECIAL PROPERTY TAX CREDIT.] *Subdivision 1. A person entitled to an amount equal to the qualified property tax credit allowed by section 2 shall file a claim with the department of taxation on or before June 30. The department of taxation shall make available suitable forms with instructions for the claimant, including a form which may be included with or as a part of the individual income tax blank. The claim shall be in such form as the commissioner may prescribe.*

Subd. 2. Such claim shall be subject to the provisions of sections 290.0604, 290.0605, 290.061, 290.0611, 290.0612, 290.0614, and 290.0615, where applicable.

Subd. 3. In the event that a "qualified home owner," in addition to the credit provided in this section, is entitled to a credit under article XVI, Section 1, he shall not include the amount of taxes refunded under this section in the amount of property tax on which the credit allowed by article XVI, section 1, is calculated.

Subd. 4. There is hereby appropriated from the general fund the necessary amounts to pay the claims allowed by this section.

Sec. 4. This article is effective for all "base taxes" due and payable after December 31, 1972, and is effective for all "current taxes" due and payable after December 31, 1973.

ARTICLE XVI

Section 1. Minnesota Statutes 1971, Chapter 290, is amended by adding a section to read:

[290.0618] [LIMITS.] *The amount of any claim pursuant to sections 290.0601 to 290.0616 and article XVI, section 1, shall be determined in accordance with the following schedule:*

*Property Tax**Total Household Income**At Least:*

0 1,500 2,000 2,500 3,000

But Less Than:

1,499 1,999 2,499 2,999 3,499

At
LeastBut
Less Than*Your Senior Citizens Tax Credit Is:*

0	25	\$ 22	\$ 21	\$ 19	\$ 16	\$ 12
25	50	45	42	38	32	25
50	75	68	64	56	49	38
75	100	90	85	75	65	50
100	125	112	106	94	81	62
125	150	135	128	112	98	75
150	175	158	149	131	114	88
175	200	180	170	150	130	100
200	225	202	191	169	146	112
225	250	225	212	188	162	125
250	275	248	234	206	179	138
275	300	270	255	225	195	150
300	325	292	276	244	211	162
325	350	315	298	262	228	175
350	375	338	319	281	244	188
375	400	360	340	300	260	200
400	425	382	361	319	276	212
425	450	405	382	338	292	225
450	475	428	404	356	309	238
475	500	450	425	375	325	250
500	525	472	446	394	341	262
525	550	495	468	412	358	275
550	575	518	489	431	374	288
575	600	540	510	450	390	300
600	625	562	531	469	406	312
625	650	585	552	488	422	325
650	675	608	574	506	439	338
675	700	630	595	525	455	350

700	725	652	616	544	471	362
725	750	675	638	562	488	375
750	775	698	659	581	504	388
775	800	720	680	600	520	400

*Property Tax**Total Household Income
At Least:*

3,500	4,000	4,500	5,000	5,500
-------	-------	-------	-------	-------

But Less Than:

3,999	4,499	4,999	5,499	5,999
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<i>At Least</i>	<i>But Less Than</i>
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Your Senior Citizens Tax Credit Is:

		\$	9	\$	5	\$	4	\$	2	\$	1
0	25										
25	50		18		10		8		5		2
50	75		26		15		11		8		4
75	100		35		20		15		10		5
100	125		44		25		19		12		6
125	150		52		30		22		15		8
150	175		61		35		26		18		9
175	200		70		40		30		20		10
200	225		79		45		34		22		11
225	250		88		50		38		25		12
250	275		96		55		41		28		14
275	300		105		60		45		30		15
300	325		114		65		49		32		16
325	350		122		70		52		35		18
350	375		131		75		56		38		19
375	400		140		80		60		40		20
400	425		149		85		64		42		21
425	450		158		90		68		45		22
450	475		166		95		71		48		24
475	500		175		100		75		50		25
500	525		184		105		79		52		26
525	550		192		110		82		55		28
550	575		201		115		86		58		29
575	600		210		120		90		60		30

600	625	219	125	94	62	31
625	650	228	130	98	65	32
650	675	236	123	101	68	34
675	700	245	140	105	70	35
700	725	254	145	109	72	36
725	750	262	150	112	75	38
750	775	271	155	116	78	39
775	800	280	160	120	80	40

In no event shall the claim allowed pursuant to the above schedule exceed the amount of property tax accrued.

Sec. 2. Minnesota Statutes 1971, Section 290.0604, is amended to read:

290.0604 [FILING TIME LIMIT, LATE FILING.] (NO CLAIM IN RESPECT OF PROPERTY TAXES ACCRUED IN 1969 OR IN RESPECT OF 1969 RENT CONSTITUTING PROPERTY TAXES ACCRUED SHALL BE PAID OR ALLOWED UNLESS SUCH CLAIM IS ACTUALLY FILED WITH AND IN THE POSSESSION OF THE DEPARTMENT OF TAXATION ON OR BEFORE JUNE 30, 1970. THEREAFTER, SUBJECT TO THE SAME CONDITIONS AND LIMITATIONS CLAIMS MUST BE FILED ON OR BEFORE JUNE 30 OF EACH SUCCEEDING YEAR FOR WHICH THE PROPERTY TAXES ACCRUED OR RENT CONSTITUTING PROPERTY TAXES HAVE ACCRUED.) *Any claim for property taxes accrued shall be filed with the department of taxation on or before June 30 of the year in which such property taxes are due and payable. Any claim for rent constituting property taxes accrued shall be filed on or before June 30 of the year following the year in which such rent was paid. The commissioner may extend the time for filing these claims, as provided in section 290.0615.*

A claim filed after the original or extended due date shall be allowed, however the amount of credit shall be reduced by five percent of the amount otherwise allowable, plus an additional five percent for each month of delinquency, not exceeding a total reduction of 25 percent. In any event no claim shall be allowed if the claim is not filed on or before two years after the original or extended due date for the filing of the claim.

Sec. 3. *This article is effective for all claims filed on or after January 1, 1974 based on property taxes due and payable in 1974 and thereafter for each succeeding year, and for rent constituting property taxes accrued for 1973 and thereafter for each succeeding year.*

Sec. 4. Minnesota Statutes 1971, Sections 290.0607 and 290.0617 are repealed.

ARTICLE XVII

Section 1. Minnesota Statutes 1971, Section 477A.01, Subdivision 1, is amended to read:

477A.01 [LOCAL GOVERNMENT AID.] Subdivision 1. Except in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, the state shall distribute (\$25) \$35 for each person residing in the territory comprising each county for the calendar year (1972) 1974 and (\$27) \$36 for the calendar year (1973) 1975 to the several taxing authorities, except school districts, with authority to impose taxes on property located in the county's territory.

Sec. 2. Minnesota Statutes 1971, Section 477A.01, Subdivision 2, is amended to read:

Subd. 2. The county government shall receive 85 percent of the same percentage of the distributions pursuant to subdivision 1, that it was entitled to receive in 1971 of the total distributions to the several taxing authorities in the county's territory pursuant to Minnesota Statutes 1969, Sections 273.69 and 297A.51 to 297A.60, except that distributions to school districts under those laws shall be disregarded in making the calculation.

Sec. 3. Minnesota Statutes 1971, Section 477A.01, Subdivision 3, is amended to read:

Subd. 3. Each taxing authority in each county, other than the county, the school districts and the cities, villages and towns, shall receive in (1972) 1974 and (1973) 1975 a distribution equal to the distribution it was entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Section 273.69.

Sec. 4. Minnesota Statutes 1971, Section 477A.01, Subdivision 4, is amended to read:

Subd. 4. The balance of the distributions in 1974 pursuant to subdivision 1, shall be divided among the several cities, villages and towns in the county's territory in the proportion that the dollar amount of the *levy limitation and special levies* of each city, village and town for taxes payable in (1971) 1973 bears to the total dollar amount of the (LEVIES) *levy limitations and special levies* of all the cities, villages and towns for taxes payable in 1973.

The balance of the distribution in 1975 pursuant to subdivision 1, shall be divided among the several cities, villages and towns in the county's territory in the proportion that the dollar amount of the levy limitation and special levies of each city, village and town for taxes payable in 1974 bears to the total dollar amount of the levy limitations and special levies of all cities, villages and towns for taxes payable in 1974.

For the purposes of this subdivision, the levy limitation of a city, village or town with village powers for taxes payable in 1973 or 1974 shall be the limitation established for such governmental unit pursuant to Minnesota Statutes, Sections 275.50 to

275.56, as determined by the department of taxation. For the purposes of this subdivision, the special levies of a city, village or town with village powers for taxes payable in 1973 or 1974 shall be the amounts of the governmental unit's tax levy payable in 1973 or 1974 which the department of taxation determines to be qualified special levies pursuant to Minnesota Statutes, Section 275.50, Subdivision 5, before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (c). Furthermore, cities, villages and towns with village powers under 500 population, according to the latest state or federal census, and towns without village powers, shall receive distributions in 1974 and 1975, pursuant to this subdivision, based on their levies payable in 1973 and 1974, respectively.

Sec. 5. Minnesota Statutes 1971, Section 477A.01, Subdivision 5, is amended to read:

Subd. 5. (IF THE TOTAL AMOUNT DISTRIBUTED TO THE SEVERAL TAXING AUTHORITIES WITHIN A COUNTY PURSUANT TO SUBDIVISION 1 IS LESS THAN THE TOTAL AMOUNT THE SEVERAL TAXING AUTHORITIES WITHIN THE COUNTY, EXCEPT SCHOOL DISTRICTS, WERE ENTITLED TO RECEIVE IN 1971 PURSUANT TO MINNESOTA STATUTES 1969, SECTIONS 273.69 AND 297A.51 TO 297A.60, THE STATE SHALL SUPPLY AND DISTRIBUTE THE DIFFERENCE FROM THE GENERAL FUND WHICH SHALL BE DISTRIBUTED AS PART OF THE DISTRIBUTION PURSUANT TO SUBDIVISION 1.)

(a) The department of taxation shall calculate the aggregate of the following aids (before adjustments for prior year aid payments) for each city, village, town, and county government within each county subject to the provisions of subdivision 1 or within the territory specified in subdivision 7:

(1) 1973 local government aids pursuant to Minnesota Statutes 1971, Section 477A.01;

(2) 1973 cigarette tax distribution aids pursuant to Minnesota Statutes 1971, Section 297.13;

(3) 1973 liquor tax distribution aids pursuant to Minnesota Statutes 1971, Section 340.60;

(4) The November 30, 1972 and May 31, 1973 distributions of bank excise tax aids pursuant to Minnesota Statutes 1971, Section 290.361;

(5) Fifty percent of the 1973 inheritance tax distribution to counties pursuant to Minnesota Statutes 1971, Section 291.33;

(6) Seventy percent of the amount county governments were entitled to receive and 100 percent of the amount city, village, and town governments were entitled to receive in 1973 pursuant to Minnesota Statutes 1971, Section 287.12;

(7) 1973 gross earnings aid to cities, villages, towns and counties pursuant to Minnesota Statutes 1971, Sections 276.15 to 276.18; 368.39 to 368.42; and 373.20 to 373.24.

(b) *If the total amount distributed to the several taxing authorities within a county pursuant to subdivision 1 or to the territory specified in subdivision 7 is less than the aggregate of aids to the several taxing authorities within such county or territory, except school districts, as calculated by the department of taxation pursuant to clause (a), the state shall supply and distribute the difference from the general fund which shall be distributed as part of the distribution to the several taxing authorities within the territory specified in subdivision 7.*

Sec. 6. Minnesota Statutes 1971, Section 477A.01, Subdivision 6, is amended to read:

Subd. 6. (IF THE AMOUNT DISTRIBUTED TO A CITY, VILLAGE OR TOWN PURSUANT TO SUBDIVISION 4, IS LESS THAN IT WAS ENTITLED TO RECEIVE IN 1971 PURSUANT TO MINNESOTA STATUTES 1969, SECTIONS 273.69 AND 297A.51 TO 297A.60, THE AMOUNT DISTRIBUTED TO IT SHALL BE RAISED TO THE AMOUNT DISTRIBUTED IN 1971 AND THE DISTRIBUTIONS TO EACH OF THE OTHER CITIES, VILLAGES AND TOWNS AND THE COUNTY, SHALL BE PROPORTIONATELY REDUCED AS NECESSARY TO SUPPLY THE DIFFERENCE.) (a) *The department of taxation shall calculate the aggregate of the following aids (before adjustments for prior year aid payments) for each city, village, town and county government within each county subject to the provisions of subdivision 1:*

(1) *1973 local government aids pursuant to Minnesota Statutes 1971, Section 477A.01;*

(2) *1973 cigarette tax distribution aids pursuant to Minnesota Statutes 1971, Section 297.13;*

(3) *1973 liquor tax distribution aids pursuant to Minnesota Statutes 1971, Section 340.60;*

(4) *The November 30, 1972 and May 31, 1973 distribution of bank excise tax aids pursuant to Minnesota Statutes 1971, Section 290.361;*

(5) *1973 gross earnings aids to cities, villages, towns and counties pursuant to Minnesota Statutes 1971, Sections 276.15 to 276.18; 368.39 to 368.42; 373.20 to 373.24;*

(6) *Fifty percent of the 1973 inheritance tax distribution to counties pursuant to Minnesota Statutes 1971, Section 291.33;*

(7) *Seventy percent of the amount county governments were entitled to receive and 100 percent of the amount city, village, and town governments were entitled to receive in 1973 pursuant to Minnesota Statutes 1971, Section 287.12.*

(b) *If the amount distributed to a city, village, borough, town or county government pursuant to subdivision 2 or subdivision 4 is less than the aggregate of aids for such county government, city, village, borough, or town as calculated by the department of taxation pursuant to clause (a), the amount dis-*

tributed to it shall be raised to the amount for such county, city, village, borough or township as calculated by the department of taxation pursuant to clause (a), and the distributions to each of the other cities, villages, boroughs and towns and the county government shall be proportionately reduced as necessary to supply the difference.

Sec. 7. Minnesota Statutes 1971, Section 477A.01, Subdivision 7, is amended to read:

Subd. 7. In the territory comprising the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, the state shall distribute (\$27) \$36 for each person residing in the territory for the calendar year (1972) 1974 and (\$29) \$37 for the calendar year (1973) 1975 to the several taxing authorities, except school districts, with authority to impose taxes on property located in the territory.

Sec. 8. Minnesota Statutes 1971, Section 477A.01, Subdivision 8, is amended to read:

Subd. 8. The seven county governments shall receive in total, in (1972) 1974, (18.5) 16 percent of (\$26) \$36 times the population of the seven counties, and, in (1973) 1975, (17.5) 16 percent of (\$28) \$37 times the population of the seven counties. That distribution in 1974 shall be divided among the seven county governments in the proportion that the levy of each payable in (1971) 1973 bears to the total levy of the seven. That distribution in 1975 shall be divided among the seven county governments in the proportion that the levy of each payable in 1974 bears to the total levy of the seven. For the purposes of this subdivision the levy of a county payable in 1973 and 1974 shall exclude that portion of the levy which was subject to the penalty provisions of Minnesota Statutes, Section 275.51, Subdivision 4, as amended, and shall be before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (c). If any county government would receive less pursuant to this subdivision than it was entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Sections 273.69 and 297A.51 to 297A.60 it shall receive an amount equal to the amount to which it was entitled in 1971 and the distribution to other counties shall be proportionately reduced.

Sec. 9. Minnesota Statutes 1971, Section 477A.01, Subdivision 9, is amended to read:

Subd. 9. Each taxing authority in the counties named in subdivision 7, other than the counties, the school districts and the cities, villages, boroughs and towns, shall receive in (1972) 1974 and (1973) 1975, a distribution equal to the distribution to which it was entitled in 1971 pursuant to Minnesota Statutes 1969, Section 273.69.

Sec. 10. Minnesota Statutes 1971, Section 477A.01, Subdivision 10, is amended to read:

Subd. 10. In (1972) 1974 (\$26) \$36 shall be multiplied times the population of the seven counties named in subdivision 7. The

distributions pursuant to subdivisions 8 and 9 shall be subtracted from the product of that calculation.

Sec. 11. Minnesota Statutes 1971, Section 477A.01, Subdivision 11, is amended to read:

Subd. 11. The (CITY OF MINNEAPOLIS AND THE CITY OF ST. PAUL SHALL RECEIVE A DISTRIBUTION OF THE) balance remaining after the calculation provided by subdivision 10 *shall be divided among the cities, villages, boroughs and towns* in the proportion that the dollar amount of the levy limitation and special levies of each for taxes payable in (1971) 1973 bears to the dollar amount of the (LEVIES) *levy limitations and special levies* of all cities, villages, boroughs and towns in the seven named counties. *For the purposes of this subdivision limitation of a city, village, borough or town with village powers for taxes payable in 1973 shall be the limitation established for such governmental unit pursuant to Minnesota Statutes, Sections 275.50 to 275.56, as determined by the department of taxation. For the purposes of this subdivision, the special levies of a city, village, borough or town with village powers for taxes payable in 1973 shall be the amounts of the governmental unit's tax levy payable in 1973 which the department of taxation determines to be qualified special levies pursuant to Minnesota Statutes, Section 275.50, Subdivision 5, before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (c). Furthermore, cities, villages, boroughs and towns with village powers under 500 population, according to the latest state or federal census, and towns without village powers, shall receive distributions in 1974, pursuant to this subdivision, based on their levies payable in 1973.*

Sec. 12. Minnesota Statutes 1971, Section 477A.01, Subdivision 13, is amended to read:

Subd. 13. In (1973) 1975 (\$28) \$37 shall be multiplied times the population of the seven counties named in subdivision 7. The distributions pursuant to subdivisions 8 and 9 shall be subtracted from the product of that calculation.

Sec. 13. Minnesota Statutes 1971, Section 477A.01, Subdivision 14, is amended to read:

Subd. 14. The (CITY OF MINNEAPOLIS AND THE CITY OF ST. PAUL SHALL RECEIVE A DISTRIBUTION OF THE) balance remaining after the calculation provided by subdivision 13 *shall be divided among the cities, villages, boroughs and towns* in the proportion that the dollar amount of the levy limitation and special levies of each for taxes payable in (1971) 1974 bears to the dollar amount of the (LEVIES) *levy limitations and special levies* of all cities, villages, boroughs and towns in the seven named counties. *For purposes of this subdivision the levy limitation of a city, village, borough or town with village powers for taxes payable in 1974 shall be the limitation established for such governmental unit pursuant to Minnesota Statutes, Sections 275.50 to 275.56, as determined by the department of taxation. For the purposes of this subdivision, the special levies of a city,*

village, borough or town with village powers for taxes payable in 1974 shall be the amounts of the governmental unit's tax levy payable in 1974 which the department of taxation determines to be qualified special levies pursuant to Minnesota Statutes, Section 275.50, Subdivision 5, before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (c). Furthermore, cities, villages, boroughs, and towns with village powers under 500 population, according to the latest state or federal census, and towns without village powers, shall receive distributions in 1975, pursuant to this subdivision, based on their levies payable in 1974.

Sec. 14. Minnesota Statutes 1971, Section 477A.01, Subdivision 16, is amended to read:

Subd. 16. (IF THE AMOUNT DISTRIBUTED TO A CITY, VILLAGE, BOROUGH OR TOWN IN 1972 OR 1973 IN THE SEVEN NAMED COUNTIES PURSUANT TO THIS SECTION, IS LESS THAN IT WAS ENTITLED TO RECEIVE IN 1971 PURSUANT TO MINNESOTA STATUTES 1969, SECTIONS 273.69 AND 297A.51 TO 297A.60, THE AMOUNT SHALL BE RAISED TO THE AMOUNT DISTRIBUTED IN 1971 AND THE DISTRIBUTIONS TO EACH OF THE OTHER CITIES, VILLAGES, BOROUGHS AND TOWNS SHALL BE PROPORTIONATELY REDUCED AS NECESSARY TO SUPPLY THE DIFFERENCE.)

(a) The department of taxation shall calculate the aggregate of the following aids (before adjustments for prior year aid payments) for each city, village, borough, town, and county government within the territory specified in subdivision 7:

(1) 1973 local government aids pursuant to Minnesota Statutes 1971, Section 477A.01;

(2) 1973 cigarette tax distribution aids pursuant to Minnesota Statutes 1971, Section 297.13;

(3) 1973 liquor tax distribution aids pursuant to Minnesota Statutes 1971, Section 340.60;

(4) The November 30, 1972 and May 31, 1973 distribution of bank excise tax aids pursuant to Minnesota Statutes 1971, Section 290.361;

(5) Fifty percent of the 1973 inheritance tax distribution to counties pursuant to Minnesota Statutes 1971, Section 291.33;

(6) Seventy percent of the amount county governments were entitled to receive and 100 percent of the amount city, village, borough and town governments were entitled to receive in 1973 pursuant to Minnesota Statutes 1971, Section 287.12;

(7) 1973 gross earnings aids to cities, villages, towns and counties pursuant to Minnesota Statutes 1971, Sections 276.15 to 276.18; 368.39 to 368.42; 373.20 to 373.24.

(b) If the amount distributed to a city, village, borough, town, or county in 1974 or 1975 in the seven named counties pur-

suant to this section is less than the aggregate of aids for such county, city, village, borough, or town as calculated by the department of taxation pursuant to clause (a), the amount distributed to it shall be raised to the amount for such county, city, village, borough or town as calculated by the department of taxation pursuant to clause (a), and the distributions to each of the other counties, cities, villages, boroughs and towns shall be proportionately reduced as necessary to supply the difference.

Sec. 15. Minnesota Statutes 1971, Section 477A.01, Subdivision 17, is amended to read:

Subd. 17. The commissioner of taxation shall make all necessary calculations based on the 1970 federal census and make payments directly to the affected taxing authorities in four equal parts on March 15, July 15, September 15, and November 15 in (1972) 1974 and (1973) 1975.

Sec. 16. *An amount sufficient to make payments provided by this article is appropriated for 1974 and 1975 to the commissioner of taxation from the general fund for distributions provided by this article. Notwithstanding Minnesota Statutes, Section 16.17, or any other law to the contrary, the appropriations made by this section shall not lapse but shall continue until January 1, 1976.*

Sec. 17. *Minnesota Statutes 1971, Section 477A.01, Subdivisions 12 and 15, are repealed, for payments required to be made to political subdivisions after December 31, 1973.*

ARTICLE XVIII

Section 1. Minnesota Statutes 1971, Section 290.0601, Subdivision 6, is amended to read:

Subd. 6. [CLAIMANT.] Claimant means a person who has filed a claim under sections 290.0601 to (290.0617) 290.0616 and article XVI, has attained either the age of 65 or was a recipient of "supplementary security income for the aged, blind, and disabled" provided under the social security amendments of 1972 (P.L. 92-603) during the calendar year for which the claim is filed, and was domiciled in this state during the entire calendar year for which the claim for relief under sections 290.0601 to (290.0617) 290.0616 and article XVI, section 1, was filed. In the case of claim for rent constituting property taxes accrued the claimant shall have rented property during any part of the calendar year for which he files claim for relief under sections 290.0601 to (290.0617) 290.0616 and article XVI, section 1. When two individuals are able to meet the qualifications for a claimant and are husband and wife, they may determine between them as to which of the two the claimant shall be. If they are unable to agree the matter shall be referred to the commissioner of taxation and his decision shall be final. When a homestead is occupied by two or more individuals and more than one such individual is able to qualify as a claimant, and some or all such qualified individuals are not related as determined under subdivi-

sion 3, each such individual may be a claimant, provided he meets the requirements therefor. Each such claimant shall use only the rent constituting property taxes or property taxes accrued paid by him.

Sec. 2. Minnesota Statutes 1971, Section 290.0601, Subdivision 9, is amended to read:

Subd. 9. [PROPERTY TAXES ACCRUED.] Property taxes accrued means the net property tax after deducting the credit allowed by Minnesota Statutes 1967, Section 273.13, Subdivisions 6 and 7, (exclusive of special assessments, delinquent interest and charges for service) levied on a claimant's homestead in 1967 or any calendar year thereafter pursuant to Minnesota Statutes 1965, Chapters 272 and 273. When a homestead is owned by two or more persons or entities as joint tenants or tenants in common and one or more persons or entities is not a member of claimant's household, "property taxes accrued" is that part of property taxes levied on such homestead as reflects the ownership percentage of the claimant and his household. For purposes of this paragraph property taxes are "levied" when the tax roll is delivered to the local treasurer for collection. The local treasurer will include with the tax bill a statement that if the owner of the property is 65 years of age or over, *or was a recipient of "supplementary security income for the aged, blind, and disabled" under the social security amendments of 1972 (P.L. 92-603)*, he may be eligible for the credit allowed by sections 290.0601 to (290.0617) *290.0616 and article XVI, section 1*. When a claimant and his household own their homestead part of the preceding calendar year and rent the same or a different homestead for part of the same year "property taxes accrued" means only taxes levied on the homestead when both owned and occupied as such by claimant and his household at the time of the levy, multiplied by the percentage of 12 months that such property was owned and occupied by such household as its homestead during the preceding year. When a household owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall relate only to that property occupied by the household as a homestead on the levy date. Whenever a homestead is an integral part of a farm, the claimant may use the total property taxes accrued for the larger unit, but not exceeding 80 acres of land, as described in section 273.13, subdivision 6, except as the limitations of section 290.0608 apply. For the purpose of sections 290.0601 to (290.0617) *290.0616 and article XVI, section 1*, the "unit" refers to that parcel of property covered by a single tax statement of which the homestead is a part.

Sec. 3. Minnesota Statutes 1971, Section 290.061, is amended to read:

290.061 [PROOF OF CLAIM.] Every claimant under sections 290.0601 to (290.0617) *290.0616 and article XVI, section 1*, shall supply to the department of taxation, in support of his claim, reasonable proof of age, *proof of "supplementary security income for the aged, blind, and disabled" received, rent paid,*

name and address of owner or managing agent of property rented, property taxes accrued, changes of homestead, household membership, household income, size and nature of property claimed as the homestead and a statement that the property taxes accrued, used for purposes of sections 290.0601 to (290.0617) 290.0616 and article XVI, section 1, have been or will be paid by him and that there are no delinquent property taxes on the homestead.

Sec. 4. *This article is effective January 1, 1974, and shall apply to property taxes and rent constituting property taxes accrued in 1973 and subsequent years.*

ARTICLE XIX

Section 1. Minnesota Statutes 1971, Section 291.33, Subdivision 2, is amended to read:

Subd. 2. (TWENTY) *Ten* percent of the amount as determined under the provisions of subdivision 1 shall be paid to each of such counties.

Said payments shall be transmitted to the county auditor of each county, to be placed to the credit of the county revenue fund. It shall be the duty of the state treasurer to pay warrants therefor out of any funds in the state treasury not otherwise appropriated. The moneys necessary to pay such warrants are hereby appropriated out of any moneys in the state treasury not otherwise appropriated.

Sec. 2. *After November 1, 1973, no adjustments shall be made to the distributions resulting from the commissioner's November 1, 1973 determination or to the distributions required to have been made in prior years pursuant to Minnesota Statutes, Section 291.33. Any amounts appropriated for this purpose shall lapse after November 1, 1973 and shall revert to the general fund.*

Sec. 3. *The provisions of this article shall be effective for all payments required to be made in 1974 and years thereafter.*

ARTICLE XX

Section 1. Minnesota Statutes 1971, Chapter 272, is amended by adding a section to read:

[272.039] [LEGISLATIVE FINDINGS AND CONCLUSIONS RELATED TO THE TAXATION OF MINERALS OWNED SEPARATELY FROM THE SURFACE.] *The legislature finds, for the reasons stated below, that a class of real property has been created which, although not exempt from taxation, is not assessed for tax purposes and does not, therefore, contribute anything toward the cost of supporting the governments which protect and preserve the continued existence of the property. These reasons are as follows: (1) In the case of Washburn v. Gregory, 1914, 125 Minn. 491, 147 N.W. 706, the Minnesota Supreme Court determined that where mineral interests are owned separately from the surface interests in real estate,*

the mineral interest is a separate interest in land, separately taxable, and does not forfeit if the overlying surface interest forfeits for nonpayment of taxes due on the surface interest; (2) Since this 1914 decision, mineral interests owned separately from the surface have been valued and assessed for tax purposes, as a practical matter, only if the value of the minerals has been determined through drilling and drill core analysis; and (3) The absence of any taxation of mineral interests owned separately from the surface, except where drilling analysis is available, has encouraged the separation of ownership of surface and mineral estates and resulted in the creation of hundreds of thousands of acres of untaxed mineral estate lands which thus are immune from tax forfeiture. The legislature also finds that the province of Ontario in Canada, which has land ownership patterns and mineral characteristics similar to that of Minnesota, has imposed a tax of \$.50 an acre on minerals owned separately from the surface since 1968, and \$.10 an acre before that. The legislature further finds that the identification of separately owned mineral interests by taxing authorities requires title searches which are extremely burdensome and, where no public tract index is available, prohibitively expensive. This result is caused in part by the decision in *Wichelman v. Messner*, 1957, 250 Minn. 88, 83 N.W. (2d) 800, where the so called "40 year law" was held inapplicable to mineral interests owned separately from surface interests. On the basis of the above findings, and for the purpose of requiring mineral interests owned separately from surface interests to contribute to the cost of government at a time when other interests in real property are heavily burdened with real property taxes, the legislature concludes that the taxation of severed mineral interests as provided in section 3 of this article is necessary and in the public interest, and provides fair taxation of a class of real property which has escaped taxation for many years. The legislature further concludes that such a tax is not prohibited by Minnesota Constitution, Article 18. The legislature concludes finally that the amendments and repeals made by this act to Minnesota Statutes, Sections 93.52 to 93.58, are necessary to provide adequate identification of mineral interests owned separately from the surface and to prevent the continued escape from taxation of obscure and fractionalized severed mineral interests.

Sec. 2. Minnesota Statutes 1971, Section 272.04, Subdivision 1, is amended to read:

272.04 [MINERAL, GAS, COAL, AND OIL OWNED APART FROM LAND; SPACE ABOVE AND BELOW SURFACE.] Subdivision 1. When any mineral, gas, coal, oil, or other similar interests in real estate are owned separately and apart from and independently of the rights and interests owned in the surface of such real estate, such mineral, gas, coal, oil, or other similar interests may be assessed and taxed separately from such surface rights and interests in such real estate, including but not limited to the taxation provided in section 3 of this act, and may be sold for taxes in the same manner and with the same effect as other interests in real estate are sold for taxes.

Sec. 3. Minnesota Statutes 1971, Section 273.13, is amended by adding a subdivision to read:

Subd. 2a. [CLASS 1b.] "Mineral interest", for the purpose of this subdivision, means an interest in any minerals, including but not limited to gas, coal, oil, or other similar interest in real estate, which is owned separately and apart from the fee title to the surface of such real property. Mineral interests which are filed for record in the offices of either the register of deeds or registrar of titles pursuant to Minnesota Statutes, Sections 93.52 to 93.58, constitute class 1b, and shall be taxed as provided in this subdivision unless specifically excluded by this subdivision. A tax of \$.25 per acre or portion of an acre of mineral interest is hereby imposed and is due and payable annually. If an interest filed pursuant to sections 93.52 to 93.58 is a fractional undivided interest in an area, the tax due on the interest per acre or portion of an acre is equal to the product obtained by multiplying the fractional interest times \$.25, computed to the nearest cent. However, the minimum annual tax on any mineral interest is \$2. No such tax on mineral interests is due and payable on the following: (a) Mineral interests valued and taxed under other laws relating to the taxation of minerals, gas, coal, oil, or other similar interests; (b) Mineral interests which are exempt from taxation pursuant to constitutional or related statutory provisions. Tax money received under this subdivision shall be apportioned to the taxing districts included in the area taxed in the same proportion as the surface interest mill rate of a taxing district bears to the total mill rate applicable to surface interests in the area taxed. The tax imposed by this subdivision is not included within any limitations as to rate or amount of taxes which may be imposed in an area to which the tax imposed by this subdivision applies. The tax imposed by this subdivision shall not cause the amount of other taxes levied or to be levied in the area, which are subject to any such limitation, to be reduced in any amount whatsoever. The tax imposed by this section is effective for taxing years beginning January 1, 1975. Twenty percent of the revenues received from the tax imposed by this section shall be distributed under the provisions of section 4.

Sec. 4. Subdivision 1. For purposes of this section the following terms shall have the meanings ascribed to them herein.

Subd. 2. "Indian" means a person of one-quarter or more Indian blood.

Subd. 3. "Census" means the most recent census taken by the Minnesota department of manpower services.

Subd. 4. "Reservation residents" means Indians living on reservations at the time of the census.

Subd. 5. "Nonreservation residents" means Indians living off reservations in Minnesota at the time of the census, and who are enrolled members of a Minnesota-based tribe or band.

Subd. 6. "Person" means an individual Indian, or a partnership comprising Indians only, or a corporation whose stock is owned wholly by Indians.

Subd. 7. "Tribal council" means the reservation business committee or equivalent duly constituted tribal authority.

Subd. 8. The remaining 20 percent of the tax revenue received by the county auditor under section 3 shall be remitted by the county auditor to the state treasurer and shall be deposited in the general fund in special accounts identified as "reservation residents loan accounts" and a "nonreservation residents loan account." The amount to be credited to each reservation residents loan account shall be that percentage of the amount received from all the counties pursuant to subdivision 8 as the number of Indians living on such reservation bears to all the Indians in Minnesota, according to the census. The amount remaining shall be credited to the nonreservation residents loan account. The amounts credited to each of these special accounts shall be used solely for making loans to Indians, in the manner provided by subdivisions 9 and 10.

Subd. 9. A reservation resident, desiring to make a loan for the purpose of starting a business enterprise or expanding a going business, shall make application to the state department of economic development. The department shall prescribe the necessary forms, and advise the prospective borrower as to the condition under which his application may be expected to receive favorable consideration. Thereafter the application shall be forwarded to the tribal council, which is empowered either to approve or reject the application. If the application is approved, the tribal council shall forward the application, together with all relevant documents pertinent thereto, to the state auditor, who shall draw his warrant in favor of the tribal council with appropriate notations identifying the borrower. The tribal council shall thereafter reimburse suppliers and vendors for purchases of equipment, real estate and inventory made by the borrower pursuant to the conditions or guidelines established by the state department of economic development. The tribal council shall maintain records of transactions for each borrower in a manner consistent with good accounting practice. Simple interest at two percent of the amount of the debt owed shall be charged. When any portion of a debt is repaid, the tribal council shall remit the amount so received plus interest paid thereon to the state treasurer. The amount so received shall be credited to such reservation residents loan account. The tribal council shall secure a bond from a surety company, in favor of the state treasurer, in an amount equal to the maximum amount to the credit of such reservation residents loan account during the fiscal year. Ten percent of the total amount made available to any tribal council during the fiscal year shall be paid to such council prior to December 31 for the purpose of financing administrative costs.

Subd. 10. A nonreservation resident desiring to make a loan for the purpose of starting a business enterprise or expanding a going business shall make application to the state department

of economic development, on forms prescribed by the department. The department is empowered to either accept or reject the application, based upon guidelines and conditions essentially similar to those used for the purpose of recommending approval or rejection of reservation residents by the tribal council under subdivision 9 of this section. If the application is approved by the state department of economic development, the department shall forward the application, together with all the relevant documents pertinent thereto, to the state auditor, who shall draw his warrant in favor of the commissioner of economic development, with appropriate notations identifying the borrower. The department of economic development shall thereafter reimburse suppliers and vendors for purchases of equipment, real estate and inventory made by the borrower pursuant to the conditions or guidelines established by the department. The department of economic development shall maintain records of transactions for each borrower in a manner consistent with good accounting practice. Simple interest at two percent shall be charged. When any portion of a debt is repaid, the department of economic development shall remit the amount so received plus interest paid thereon to the state treasurer. The amount so received shall be credited to the nonreservation residents loan account.

Subd. 11. Loans made under subdivisions 9 and 10 shall be limited to a period of 20 years, if made for the purpose of financing nonreal estate purchases. Loans made for the purpose of financing real estate purchases, where such real property is to be used for nonresidential purposes only, shall be limited to a period of 40 years, and shall be a lien on the real property so acquired.

Subd. 12. Any person misrepresenting facts regarding the Indian ancestry of a prospective borrower for the purpose of securing a loan under subdivisions 9 and 10, whether such borrower be an individual, partnership or corporation, shall be guilty of a gross misdemeanor.

Subd. 13. The county auditor shall remit the tax revenue received yearly to the state treasurer as required by subdivision 8 no later than December 15.

Subd. 14. There is appropriated annually an amount equal to the tax revenue allotted under subdivisions 9 and 10.

Sec. 5. Minnesota Statutes 1971, Section 93.52, Subdivision 2, is amended to read:

Subd. 2. Except as provided in subdivision 3, from and after January 1, 1970, every owner of a fee simple interest in minerals, hereafter referred to as a mineral interest, in lands in this state, which interest is owned separately from the fee title to the surface of the property upon or beneath which the mineral interest exists, shall file for record in the register of deeds office or, if registered properly, in the registrar of titles office in the county where the mineral interest is located a verified statement citing sections 93.52 to 93.58 and setting forth his address, his interest in the minerals, and (EITHER) both (1) the legal description

of the property upon or beneath which the interest exists, (OR) and (2) the book and page number or the document number, in the records of the register of deeds or registrar of titles, of the instrument by which the mineral interest is created or acquired. (EVERY FIVE YEARS THEREAFTER THE OWNER, OR HIS SUCCESSOR IN INTEREST, SHALL RENEW THE FILING OF A VERIFIED STATEMENT WHICH SHALL CONTAIN THE INFORMATION AS ABOVE REQUIRED.) No statement may be filed for record which contains mineral interests from more than one government section unless the instrument by which the mineral interest is created or acquired includes mineral interests from more than one government section. The register of deeds and registrar of titles shall file with the county auditor a copy of each document so recorded within 60 days after recording in the office of register of deeds or registrar of titles.

Sec. 6. Minnesota Statutes 1971, Section 93.55, is amended to read:

93.55 [FAILURE TO FILE OR RE-FILE.] If the owner of a mineral interest fails to file the verified statement required by section 93.52, before January 1, 1975, as to any interests owned on or before (SEPTEMBER 30, 1974) *December 31, 1973*, or within (90 DAYS) *one year* after acquiring such interests as to interests acquired after (SEPTEMBER 30, 1974) *December 31, 1973*, and not previously filed under section 93.52, (OR IF THE OWNER FAILS TO RE-FILE SUCH VERIFIED STATEMENT WITHIN FIVE YEARS AFTER THE LAST FILING,) the mineral (MAY BE LEASED BY THE COMMISSIONER OF NATURAL RESOURCES AS AGENT FOR THE OWNER, HIS SUCCESSOR, AND ASSIGNS, IN THE MANNER PROVIDED HEREAFTER) *interest shall forfeit to the state. (THE OWNER'S FAILURE TO FILE THE VERIFIED STATEMENT IS DEEMED CONSENT BY THE OWNER TO SUCH LEASING.)* Thereafter the mineral interest may be leased in the same manner as provided in Minnesota Statutes, Section 93.335, for the lease of minerals and mineral rights becoming the absolute property of the state under the tax laws, except that no permit or lease issued pursuant to this section shall afford the permittee or lessee any of the rights of condemnation provided in section 93.05, as to overlying surface interests. After the mineral interest has forfeited to the state pursuant to this section, a person claiming an ownership interest before the forfeiture may recover the fair market value of the interest, only in the following manner. An action must be commenced within six years after the forfeiture under this section to determine the ownership and the fair market value of the mineral interests in the property both at the time of forfeiture and at the time of bringing the action. The action shall be brought in the manner provided in Minnesota Statutes, Chapter 559, for an action to determine adverse claims, to the extent applicable. The person bringing the action shall serve notice of the action on the commissioner of natural resources in the same manner as is provided for service of notice of the action on a defendant. The commis-

sioner may appear and contest the allegations of ownership and value in the same manner as a defendant in such actions. Persons determined by the court to be owners of the interests at the time of forfeiture to the state under this section may present to the state auditor a verified claim for refund of the fair market value of the interest. A copy of the court's decree shall be attached to the claim. Thereupon the state auditor shall refund to the claimant the fair market value at the time of forfeiture or at the time of bringing the action, whichever is lesser, less any taxes, penalties, costs, and interest which could have been collected during the period following the forfeiture under this section, had the interest in minerals been valued and assessed for tax purposes at the time of forfeiture under this section. There is appropriated from the general fund to the persons entitled to a refund an amount sufficient to pay the refund. The forfeiture provisions of this section do not apply to mineral interests valued and taxed under other laws relating to the taxation of minerals, gas, coal, oil, or other similar interests, so long as a tax is imposed and no forfeiture under the tax laws is complete. However, if the mineral interest is valued under other tax laws, but no tax is imposed, the mineral interest forfeits under this section if not filed as required by this section.

Sec. 7. Minnesota Statutes 1971, Section 93.58, is amended to read:

93.58 [PUBLICATION OF ACT.] Sections 93.52 to 93.58, as amended or repealed by this article, together with the other sections of this 1973 article, shall be published once during the first week of each month in a legal newspaper in each county in the months of October, November, and December of the year (1969) 1973 by the commissioner of natural resources at county expense. Sections 93.52 to 93.58 also shall be published by the commissioner of natural resources at least once in (1969) 1973 in two publications related to mining activities which have nationwide circulation. Failure to publish as herein provided shall not affect the validity of sections 93.52 to 93.58 or the other sections of this article.

Sec. 8. [SEVERABILITY.] If any provision of sections 1 through 7 of this article or the application thereof to any person, agency, department or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of sections 1 through 7 are severable.

Sec. 9. [REPEALER.] Minnesota Statutes 1971, Sections 93.53, 93.54, 93.56, and 93.57 are repealed.

Sec. 10. [EFFECTIVE DATE.] Except for section 7, which is effective upon final enactment, this article is effective as of January 1, 1974. As soon as possible after final enactment but before the effective date of this article the register of deeds and registrar of titles in each county shall file with the county auditor a copy of each document recorded pursuant to Minnesota

Statutes, Sections 93.52 to 93.58, before the effective date of this article.

ARTICLE XXI

Section 1. [GENERAL ASSISTANCE ACT; DECLARATION OF POLICY; CITATION.] *Subdivision 1. The objectives of sections 1 to 30 are to provide a sound administrative structure for public assistance programs; to maximize the use of federal funds for public assistance purposes; to provide property tax relief; and to provide an integrated public assistance program for all persons in the state without adequate income or resources to maintain a subsistence reasonably compatible with decency and health.*

It is hereby declared to be the policy of this state that persons unable to provide for themselves and not otherwise provided for by law, who meet the eligibility requirements of this article and do not refuse suitable employment, shall be entitled to receive such grants of general assistance and such services as may be necessary to maintain a subsistence reasonably compatible with decency and health. The furnishing of such assistance and services is a matter of public concern and a necessity in promoting the public health and welfare.

A principal objective in providing general assistance and services shall be to aid those persons who can be helped to become self-supporting or to attain self-care. To achieve this aim, the commissioner shall establish minimum standards of assistance for general assistance. The standard for cash payments to recipients shall be, as to shelter, 100 percent, and as to other budgetary items, 50 percent, of those established for the federally aided assistance programs; provided, however, that no general assistance payment shall exceed an amount, which when computed for the time period for which it is made, exceeds the equivalent on a weekly basis of 40 times the hourly federal minimum wage prevailing when the payment is made; and provided further that persons receiving general relief on the effective date of this article shall continue to be eligible therefor. In order to maximize the use of federal funds, the commissioner shall promulgate regulations, to the extent permitted by federal law for eligibility for the emergency assistance program, under the terms of this article for general assistance. The commissioner shall provide by regulation for the eligibility for general assistance of persons with seasonal income, and may attribute seasonal income to other periods not in excess of one year from receipt by an applicant or recipient. The strengthening and preservation of the family unit shall be a principal consideration in the administration of this article and all general assistance policies shall be formulated and administered so as to further this objective.

Subd. 2. Sections 1 to 30 may be cited as the general assistance article.

Sec. 2. [DEFINITIONS.] Subdivision 1. The terms defined in this section shall have the meanings given them unless otherwise provided or indicated by the context.

Subd. 2. "Commissioner" means the commissioner of public welfare or his designee.

Subd. 3. "Department" means the department of public welfare.

Subd. 4. "General assistance" means cash payments to persons unable to provide themselves with a reasonable subsistence compatible with decency and health and who are not otherwise provided for under the laws of this state or the United States. It shall include cash payments for goods, shelter, fuel, food, clothing, light, necessary household supplies, and personal need items. General assistance shall not include payments for foster care, child welfare services, medical, dental, hospitalization, nursing care, drugs, or medical supplies. It is the intent of this article that these items be provided by local agencies in accordance with programs in effect at the time of the passage of this article. Vendor payments may be made only as provided for in sections 9 and 11.

Subd. 5. "Family" means two or more individuals who are related by blood, marriage or adoption, who are living in a place or residence maintained by one or more of them as his or their own home, and at least one of whom is a child who is not married to another of such individuals and is in the care of or dependent upon another of such individuals.

Subd. 6. "Child" means an individual who is under the age of 18.

Subd. 7. "Childless couple" means two individuals who are related by marriage and who are living in a place of residence maintained by them as their own home.

Subd. 8. "Income" means earned and unearned income reduced by amounts paid or withheld for federal and state personal income taxes and federal social security taxes.

Subd. 9. "Earned income" means remuneration for services performed as an employee, and net earnings from self-employment.

Subd. 10. "Unearned income" means all other income including any payments received as an annuity, retirement or disability benefit, including veteran's or workmen's compensation; old age, survivors and disability insurance; railroad retirement benefits; unemployment benefits; and benefits under any federally aided categorical assistance program, supplementary security income, or family assistance program; rents, dividends, interest and royalties; and support and alimony payments except that such payments may not be considered as available to meet the needs of any person other than the person for whose benefit they are received, unless that person is under a legal duty to support another family member.

Subd. 11. "State aid" means state aid to local agencies for general assistance expenditures as provided for in this article.

Subd. 12. "Local agency" means the county welfare boards in the several counties of the state except that it may also include any multicounty welfare boards or departments where those have been established in accordance with law.

Sec. 3. [RESPONSIBILITY TO PROVIDE GENERAL ASSISTANCE.] Subdivision 1. Every local agency shall provide general assistance to persons residing within its jurisdiction who meet the need requirements of this article. General assistance shall be administered according to law and rules and regulations promulgated by the commissioner pursuant to the provisions of this article.

Subd. 2. State aid shall be paid to local agencies for 50 percent of all general assistance grants up to the standards of section 1, subdivision 1, according to procedures established by the commissioner. Any local agency may, from its own resources, make payments of general assistance at a standard higher than that established by the commissioner, without reference to the standards of section 1, subdivision 1.

Sec. 4. [DUTIES OF THE COMMISSIONER.] In addition to any other duties imposed by law, the commissioner shall:

(1) Supervise the administration of general assistance by local agencies as provided in this article;

(2) Promulgate uniform rules and regulations consistent with law for carrying out and enforcing the provisions of this article to the end that general assistance may be administered as uniformly as possible throughout the state; rules and regulations shall be furnished immediately to all local agencies and other interested persons; in promulgating rules and regulations, the provisions of Minnesota Statutes, Chapter 15, shall apply;

(3) Allocate moneys appropriated for general assistance to local agencies as provided in this article;

(4) Accept and supervise the disbursement of any funds that may be provided by the federal government or from other sources for use in this state for general assistance;

(5) Cooperate with other agencies including any agency of the United States or of another state in all matters concerning the powers and duties of the commissioner under this article;

(6) Cooperate to the fullest extent with other public agencies empowered by law to provide vocational training, rehabilitation, or similar services;

(7) Gather and study current information and report at least annually to the governor and legislature on the nature and need for general assistance, the amounts expended under the supervision of each local agency, and the activities of each local agency and publish such reports for the information of the public;

(8) Report at least annually to the governor and legislature the cost of living in the various counties and metropolitan areas as related to the standards of assistance and the amounts expended for assistance, and make this information available to the public.

Sec. 5. [ELIGIBILITY FOR GENERAL ASSISTANCE.]

Subdivision 1. Each person or family whose income and resources are less than the standard of assistance established by the commissioner shall be eligible for and entitled to general assistance; provided that no individual shall be eligible for general assistance if he is eligible for any of the following federally aided assistance programs: emergency assistance, aid to families with dependent children, supplemental security income for the aged, blind, or disabled; or any successor to the above.

Subd. 2. [USE OF FEDERAL FUNDS.] Notwithstanding any law to the contrary, if any person otherwise eligible for general assistance would, but for state statutory restriction or limitation, be eligible for a federally aided assistance program providing benefits equal to or greater than those of general assistance, he shall be eligible for that federally aided program and ineligible for general assistance; provided, however, that (a) nothing in this section shall be construed to extend eligibility for federally aided programs to persons not otherwise eligible for general assistance; (b) this section shall not be effective to the extent that federal law or regulation require new eligibility for federal programs to persons not otherwise eligible for general assistance; and (c) nothing in this section shall deny general assistance to a person otherwise eligible who is determined ineligible for a substitute federally aided program.

Sec. 6. [AMOUNT OF ASSISTANCE.] *Subdivision 1. General assistance shall be granted in such an amount that when added to the nonexempt income actually available to the individual or family, the total amount equals the applicable standard of assistance established by the commissioner for general assistance.*

Subd. 2. Notwithstanding the provisions of subdivision 1 of this section, a grant of general assistance may be made to an eligible individual or family for one or more items encompassed within the definition of general assistance where the applicant or recipient requests temporary assistance not exceeding 30 days and an emergency situation appears to exist if the individual is ineligible for the federally aided program of emergency assistance.

Sec. 7. [TIME OF PAYMENT OF ASSISTANCE.] *An applicant for general assistance shall be deemed presumptively eligible if his sworn application on its face demonstrates that he is within the eligibility criteria established by this article and any applicable rules and regulations of the commissioner. General assistance shall be immediately granted to such presumptively eligible applicant without the necessity of first securing action by the board of the local agency.*

If upon verification and due investigation it appears that the applicant swore falsely and such false information materially affected his eligibility for general assistance or the amount of his general assistance grant, the local agency shall refer the matter to the county attorney. The county attorney may commence a criminal prosecution or a civil action for the recovery of any general assistance wrongfully received, or both.

Sec. 8. [EXCLUSION FROM RESOURCES.] Subdivision 1. *In determining eligibility of a family or individual there shall be excluded the following resources:*

(1) Property which does not exceed that permitted under the federally aided assistance program known as aid to families with dependent children; provided, however, that the commissioner may provide by rule and regulation more restrictive eligibility standards and levels of payment for general assistance if it is determined that funds available are not adequate to meet projected need; and

(2) Other property, including real or personal property used as a home, which has been determined, in accordance with and subject to limitations contained in rules and regulations promulgated by the commissioner, to be essential to the family or individual as a means of self-support or self-care or which is producing income that is being used for the support of the individual or family. The commissioner shall further provide by rule and regulation for those situations in which property may be retained by the family or individual where there is a reasonable probability that in the foreseeable future the property will be used for the self-support of the individual or family.

Subd. 2. Notwithstanding any other provision of this article, the commissioner shall provide by rule and regulation for the exclusion of property from the determination of eligibility for general assistance when it appears likely that the need for general assistance will not exceed 30 days and an undue hardship would be imposed on an individual or family by the forced disposal of such property.

Sec. 9. [FORM OF PAYMENT; VENDOR PAYMENTS.] Subdivision 1. *All grants of general assistance shall be paid in cash and with such frequency as the commissioner shall determine. The commissioner may provide by rule and regulation for the making of general assistance payments in different time periods for various reasonable classifications of recipients.*

Subd. 2. Notwithstanding the provisions of subdivision 1, the commissioner shall provide by rule and regulation for situations in which vendor payments may be made by local agencies because of the inability of the recipient to manage his general assistance grant for his own or family's benefit.

Sec. 10. [HEARINGS PRIOR TO REDUCTION; TERMINATION; SUSPENSION OF GENERAL ASSISTANCE GRANTS.] *No grant of general assistance except one made pursuant to section 6, subdivision 2 or section 8, subdivision 2,*

shall be reduced, terminated or suspended unless the recipient receives notice and is afforded an opportunity to be heard prior to any action by the local agency.

Nothing herein shall deprive a recipient of his right to full administrative and judicial review of an order or determination of a local agency as provided for in section 12 subsequent to any action taken by a local agency after a prior hearing.

Sec. 11. [WORK INCENTIVE AND REGISTRATION.]

Subdivision 1. Every person who is a recipient of general assistance and not employed shall be required, unless exempt by subdivision 6, to register with the state employment service of the department of manpower services and the local agency and accept any suitable employment that is offered him.

Subd. 2. The local agency shall provide a general assistance work program for persons who qualify for assistance but who are unable to gain employment through the state employment service of the department of manpower services. Local agencies shall adopt a list of work priorities to be met through the employment of eligible recipients when such recipients are unable to gain employment through the state employment service or through their own initiative. The local agency may assign the recipient such work as he is able to perform but which is not that ordinarily performed and which would supplement but not replace projects which are ordinarily performed by regular employees of the county.

Subd. 3. General assistance work program recipients shall be paid at the same wage rates as county employees doing similar work, and the number of hours of work assigned to a recipient shall be determined by the needs of himself and his family, including expenses incidental to his employment.

Subd. 4. A local agency may contract with the federal government, or with any department, agency, subdivision or instrumentality of the state, for the services of general assistance work program recipients on such terms and conditions as may be agreed upon, with or without consideration paid to the local agency.

Subd. 5. General assistance work program recipients are employees of the local agencies within the meaning of workmen's compensation laws, but not retirement or civil service laws.

Subd. 6. No person shall be required to register with the commissioner or state employment service if he is:

- (1) A person with illness, incapacity, or advanced age;*
- (2) A child attending a school or college full time;*
- (3) A person whose presence in the home in a substantially continuous basis is required because of the illness or incapacity of another member of the household;*
- (4) A person who has been referred to or applied for a work training, work experience, vocational rehabilitation or other such*

similar program; provided that the period of time such person is exempted from the registration requirements of subdivision 1, while awaiting acceptance into such program, does not exceed 30 days; or

(5) An adult member of a household with children in which another adult is employed full time or has registered with the state employment service or been accepted in a work training program.

Subd. 7. Any person who objects to being required to register with the commissioner or state employment service, shall be entitled to a prior hearing in accord with the provisions of section 10 on the issue of whether such person comes within the exemptions contained in subdivision 6, clause (1), (2), (3), or (4).

Subd. 8. (1) Any person who refuses to accept suitable employment when offered him shall lose his eligibility for general assistance and, if a member of a family receiving general assistance, that portion of the grant attributable to said person shall not be paid.

The commissioner may further provide by rule and regulation that vendor payments may be made with respect to any family in which a person who is obligated to accept suitable employment has refused to do so.

(2) The provisions of section 10 providing for notice and opportunity to be heard prior to a decision to reduce, suspend or terminate benefits shall be applicable to determinations made under clause (1) of this subdivision.

Subd. 9. The commissioner shall establish procedures to insure that any recipient of general assistance desiring to improve his ability to support himself and his family shall be promptly referred to the department of manpower services or any other agency, public or private, operating a work training, work experience, vocational rehabilitation or other similar program.

Sec. 12. [ADMINISTRATIVE AND JUDICIAL REVIEW.]
Subdivision 1. Any applicant or recipient aggrieved by any order or determination of a local agency may appeal from such order or determination to the commissioner of public welfare. The aggrieved applicant or recipient shall file with the local agency a notice of appeal within 30 days of the receipt by him of the order or determination of the local agency, provided that the order or determination is in writing and contains a statement advising the applicant or recipient of his right to appeal and the procedures for perfecting same.

If the order or determination of the local agency is not in writing or does not contain the appeal procedure statement referred to above, the 30-day period shall not be tolled until the applicant or recipient is properly notified in accordance with the provisions of this subdivision.

Notwithstanding the absence of proper notice or order or determination, the applicant or recipient may appeal to the com-

missioner by filing with the local agency any writing which states with reasonable clarity his dissatisfaction with or desire to obtain review of the determination or order of the local agency.

Subd. 2. Upon receipt the local agency shall immediately forward the notice of appeal to the commissioner. Within 30 days of the receipt of the notice of appeal, the commissioner shall provide the applicant or recipient with the opportunity for a hearing before the commissioner or his legal representative. The local agency shall be a party to the proceeding before the commissioner.

Subd. 3. The commissioner may, upon his own motion, review any decision made by a local agency and may make such additional investigation as he deems necessary.

Subd. 4. Within 30 days from the date of the hearing before the commissioner or his legal representative, a decision in writing making findings of fact and conclusions of law shall be rendered.

Subd. 5. Any applicant or recipient aggrieved by the determination by the commissioner may, within 30 days after notice of such decision is mailed, appeal from the decision or determination of the commissioner to the district court of the county in which the application was filed by serving a written notice of such appeal upon the commissioner and all other parties to the administrative hearing and by filing the original of such notice together with proof of service with the clerk of the district court of the county. No filing fee or other fees normally exacted by the clerk of district court upon the filing of a case shall be required.

A summary of the issues involved, a copy of all supporting papers, a transcript of any testimony, and a copy of the decision of the commissioner shall be filed with the court. The court shall summarily, upon ten days' written notice, try and determine the appeal upon the record of the commissioner as certified by the commissioner and in the determination thereof shall be governed by the standard of review applicable to contested proceedings under Minnesota Statutes, Chapter 15. No new or additional evidence shall be taken on such appeal or introduced by any party to such hearing or appeal in a district court unless such new or additional evidence in the sound discretion of the court is necessary to a more equitable disposition of the appeal. If the court shall find that the order of the commissioner is not sustained by substantial evidence or is not in accord with applicable legal principles, the court shall make an order declaring the order of the commissioner null and void, giving the reasons therefor, and shall order the commissioner to take further action in the matter not inconsistent with the determination of the court. During the pendency of any appeal, if the commissioner has awarded general assistance, it shall be paid pending the determination of the appeal.

Subd. 6. Any party aggrieved by the determination of the district court may appeal to the supreme court in like manner.

as appeals are taken in civil actions, except that no filing fee shall be required by the clerk of the district court or supreme court.

The determination of the district court shall remain in effect during the pendency of any appeal to the supreme court.

Sec. 13. [MANDAMUS TO COMPEL PAYMENT OF GENERAL ASSISTANCE.] Subdivision 1. Notwithstanding the provisions of section 12 providing for administrative and judicial review of local agency determinations, a person denied general assistance by the local agency may apply to the district court of the county in which his application was filed and the district court shall order the payment of general assistance if the person establishes:

(1) The substantial likelihood that he is eligible for and entitled to general assistance, and

(2) The person or family will suffer irreparable injury if general assistance is not granted without delay.

Subd. 2. The denial by a district court of a writ of mandamus shall not affect the right or scope of administrative or judicial review as set forth in section 16 of this article.

Sec. 14. [VIOLATIONS.] Whoever obtains or attempts to obtain, or aids or abets any person to obtain by means of a willfully false statement or representation, or by impersonation, or other fraudulent device:

(1) Assistance to which he is not entitled; or

(2) Assistance greater than that to which he is reasonably entitled;
shall be considered to have violated Minnesota Statutes, Section 256.98, and shall be subject to the criminal and civil penalties provided therein.

Sec. 15. [RELATIVE'S RESPONSIBILITY.] The financial responsibility of a relative for an applicant or recipient of general assistance shall not extend beyond the relationship of a spouse, or a parent of an applicant or recipient who is a child.

Sec. 16. [GENERAL ASSISTANCE TO BE ALLOWED AS CLAIM IN PROBATE COURT.] On the death of any person who received any general assistance under this article, or on the death of the survivor of a married couple, either or both of whom received general assistance, the total amount paid as general assistance to either or both, without interest, shall be allowed as a claim against the estate of such person or persons by the court having jurisdiction to probate the estate.

Sec. 17. [DATA PROCESSING PROCEDURES.] The local agency shall, to the extent permitted by federal law or regulation, in addition to any other necessary records and procedures, provide for the inclusion of all general assistance records in any data processing system established for the medical assistance

program, in accordance with procedures established by the commissioner.

Sec. 18. [RESIDENCE; COUNTY OF FINANCIAL RESPONSIBILITY.] *Subdivision 1. In determining the county of financial responsibility, in all matters concerning legal settlement of the poor, the definitions and rules of this section shall apply.*

Subd. 2. "County of financial responsibility" means (a) the county in which an individual resides; or (b) if an individual is a patient in a hospital, nursing home, or boarding care home, as defined in Minnesota Statutes, Section 144.50, at the time of making application, and immediately prior thereto resided in another county, then that other county; or (c) the above provisions notwithstanding, if an individual is a recipient of medical assistance, the county from which he is receiving medical assistance.

Subd. 3. [PROCEDURE WHEN COUNTY OF FINANCIAL RESPONSIBILITY IS IN QUESTION.] If upon the investigation the local agency decides that the application was not filed in the county of financial responsibility as defined by this section, but that the applicant is otherwise eligible for assistance, it shall, while providing assistance to the applicant, transmit a copy of the application, together with the record of any investigation made by it and a copy of its decision, to the state agency, and to the agency of the county which it has decided is the county of financial responsibility. The state agency shall thereupon promptly decide any question of financial responsibility and make an order referring the application to the local agency of the proper county for further action, including reimbursement by such county of any assistance which another county has provided to the applicant in accordance with this subdivision. The state agency may make such investigation as it deems proper before making its decision. It shall prescribe rules and regulations for carrying into effect this subdivision. The order of the state agency shall be binding upon the local agency involved and the applicant or recipient, shall be complied with by that agency unless reversed on appeal as provided in this article, and shall be so complied with pending any such appeal.

Sec. 19. [ABOLITION OF TOWNSHIP SYSTEM OF POOR RELIEF.] *Subdivision 1. The town system for caring for the poor in each of the counties in which it is in effect is hereby abolished. The county welfare board of each county shall administer general assistance under the provisions of this article.*

Subd. 2. All county welfare boards affected by this article are hereby authorized to take over for the county as of the effective date of this section, the ownership of all case records relating to the administration of poor relief.

Sec. 20. [TRANSFER OF TOWN EMPLOYEES.] *Subdivision 1. The term "merit system" as used herein shall mean the rules for a merit system of personnel administration for em-*

ployees of county welfare boards adopted by the commissioner of public welfare in accordance with the provisions of Minnesota Statutes, Section 393.07, including the merit system established for Hennepin county pursuant to Laws 1965, Chapter 855, as amended, the federal social security article as amended, and merit system standards and regulations issued by the federal social security board and the United States children's bureau.

Subd. 2. All employees of any municipality or town who are engaged full time in poor relief work therein on the effective date of this section shall be retained as employees of the county and placed under the jurisdiction of its welfare board.

All transferred employees shall be blanketed into the merit system with comparable status, classification, longevity, and seniority, and subject to the administrative requirements of the county welfare board. Employees with permanent status under any civil service provision on the effective date of this article shall be granted permanent status under the merit system at comparable classifications and in accordance with work assignments made under the authority of the county welfare board as provided by the merit system rules.

The determination of proper job allocation shall be the responsibility of the personnel officer or director as provided under merit system rules applicable to the county involved with the right of appeal of allocation to the merit system council or personnel board by any employee affected by this transfer.

All transferred employees shall receive salaries for the classification to which they are allocated in accordance with the schedule in effect for county welfare board employees and at a salary step which they normally would have received had they been employed by the county welfare board for the same period of service they had previously served under the civil service provisions of any municipality or town; provided, however, that no salary shall be reduced as a result of the transfer.

All accumulated sick leave of transferred employees in the amount of 60 days or less shall be transferred to the records of the county welfare board and such accumulated sick leave shall be the legal liability of the county welfare board. All accumulated sick leave in excess of 60 days shall be paid in cash to transferred employees by the municipality or town by which they were employed prior to their transfer, at the time of transfer. In lieu of the cash payment, the municipality or town shall, at the option of the employee concerned, allow a leave of absence with pay, prior to transfer, for all or part of the accumulated sick leave.

Subd. 3. Employees of municipalities and towns engaged in the work of administering poor relief who are not covered by civil service provisions shall be blanketed into the merit system subject to a qualifying examination. Employees with one year or more service shall be subject to a qualifying examination and those with less than one year's service shall be subject to an open competitive examination.

Subd. 4. All vacation leave of employees referred to in subdivision 2 of this section, accumulated prior to their transfer to county employment shall be paid in cash to them by the municipality or town by which they were employed prior to their transfer, and at the time of their transfer. In lieu of the cash payment, the municipality or town shall, at the option of the employee concerned, allow a leave of absence with pay, prior to such transfer, for all or part of the accumulated vacation time.

Sec. 21. [CONTINUATION OF RETIREMENT SYSTEM FOR FORMER MINNEAPOLIS EMPLOYEES.] *Subdivision*

1. Each employee of the city of Minneapolis who is transferred to and employed by the county under the provisions of section 20 and who is a contributing member of a retirement system organized under the provisions of Minnesota Statutes, Chapter 422, shall continue to be a member of that system and entitled to all of the benefits conferred thereby and subject to all the restrictions of chapter 422, unless he applies to cancel his membership within six months after the effective date of this article.

Subd. 2. The cost to the public of that portion of the retirement allowances or other benefits accrued while any such employee was in the service of the city of Minneapolis shall remain an obligation of the city and a tax shall be levied and collected by it to discharge its obligation as provided by Minnesota Statutes, Chapter 422.

Subd. 3. The cost to the public of the retirement allowances or other benefits accruing to employees so transferred to and employed by the county shall be the obligation of and paid by the county at such time as the retirement board shall fix and determine in accordance with chapter 422. The county shall pay to the municipal retirement fund an amount certified to the county auditor of the county by the retirement board as the cost of the retirement allowances and other benefits accruing and owing to such county employees. The cost to the public of the retirement allowances as herein provided shall be paid from the county revenue fund by the county auditor upon receipt of certification from the retirement board as herein provided, and the county board is authorized to levy and collect such taxes as may be necessary to pay such costs.

Sec. 22. *Minnesota Statutes 1971, Section 245.77, is amended to read:*

245.77 [LEGAL SETTLEMENT OF PERSONS RECEIVING ASSISTANCE; ACCEPTANCE OF FEDERAL FUNDS.] *In the event federal funds become available to the state for purposes of reimbursing the several local agencies of the state for costs incurred in providing financial relief to poor persons under the liability imposed by section 261.03, or for reimbursing the state and counties for categorical aid assistance furnished to persons who are eligible for such assistance only because of the United States Supreme Court decision invalidating state residence requirements the commissioner of public welfare is hereby designated the state agent for receipt of such funds. Upon receipt of any federal funds the commissioner shall in a uniform and*

equitable manner use such funds to reimburse counties (, TOWNS, CITIES AND VILLAGES) for expenditures made in providing financial relief to poor persons. The commissioner is further authorized to promulgate rules and regulations, consistent with the rules and regulations promulgated by the Secretary of Health, Education and Welfare, governing the reimbursement provided for by this provision.

Sec. 23. Minnesota Statutes 1971, Section 261.04, Subdivision 1, is amended to read:

261.04 [LIABILITY OF ESTATE.] Subdivision 1. [SUPPORT, MAINTENANCE, CARE OR BURIAL.] When any person is furnished or provided with support, maintenance, care, including care at the University of Minnesota hospitals, or burial as a poor person (BY ANY COUNTY, CITY, TOWN, VILLAGE, OR BOROUGH) the (MUNICIPALITY) *county* so furnishing such aid shall have a claim therefor against the person or his estate for the reasonable value thereof, which claim may be presented and prosecuted by such (MUNICIPALITY) *county* at its option upon discovery of any property belonging to the poor person or to his estate.

Sec. 24. Minnesota Statutes 1971, Section 261.063, is amended to read:

261.063 [TAX LEVY FOR SOCIAL SECURITY MEASURES; DUTIES OF COUNTY BOARD.] The board of county commissioners of each county shall annually levy taxes and fix a rate sufficient to produce the full amount required for *general assistance*, old age assistance, aid to dependent children, and any other social security measures wherein there is now or may hereafter be county participation, sufficient to produce the full amount necessary for each such item, including administrative expenses, for the ensuing year, within the time fixed by law in addition to all other tax levies and tax rates, however fixed or determined, and any commissioner who shall fail to comply herewith shall be guilty of a gross misdemeanor and shall be immediately removed from office by the governor.

Sec. 25. Minnesota Statutes 1971, Section 275.09, Subdivision 3, is amended to read:

Subd. 3. [TOWN PURPOSES.] There shall be levied annually on each dollar of taxable property, except such as is by law otherwise taxable, as assessed and entered on the tax lists for town purposes, such amount as is voted at any legal town meeting, the rate of which tax shall not exceed, exclusive of such sums as are voted at the annual town meeting for road and bridge purposes (AND FOR THE SUPPORT OF THE POOR,) ten mills in any town having a population of more than 7,000, excluding the population of any cities or villages therein, five mills in any town having a taxable valuation of \$100,000 or more, and the amount of which shall not exceed \$350 in any town having a taxable valuation of less than \$100,000, and the rate of which shall not exceed one percent in any town. The rate of tax for road and bridge purposes in any town shall not exceed the

rate provided by section 164.04, and the tax for poor purposes shall not exceed five mills. In any town in which the amount levied within the above limitations is not sufficient to enable the town to carry on its necessary governmental functions, the electors, during the business hours, after disposing of the annual report, may make an additional levy of not to exceed five mills to enable the town to carry on such necessary governmental functions.

Sec. 26. Minnesota Statutes 1971, Section 376.424, is amended to read:

376.424 [CHARGES; PAYMENT.] The county sanatorium commission shall fix the amount to be charged for the care, treatment and maintenance of any such nontuberculous patient, which charge shall equal all costs of such hospitalization of such patient. Any person who is afflicted with a malady, deformity or ailment, other than tuberculosis, which can probably be remedied by hospital care, service and treatment, and who is unable to pay the charges, may be admitted to the sanatorium for care, treatment and maintenance upon application of the county (, TOWN, VILLAGE, BOROUGH, OR CITY) responsible for the care of such person under the provisions of the statutes governing the relief of the poor, and such charges shall be paid by the county (, TOWN, VILLAGE, BOROUGH, OR CITY) making such application.

Sec. 27. Minnesota Statutes 1971, Section 393.01, Subdivision - 3, is amended to read:

Subd. 3. [COUNTY BOARD TO BE WELFARE BOARD IN CERTAIN COUNTIES.] (IN ANY COUNTY CONTAINING A CITY OF THE FIRST CLASS OPERATING UNDER A HOME RULE CHARTER, WHEREIN THERE IS ESTABLISHED IN SUCH CITY A BOARD OF PUBLIC WELFARE FOR ADMINISTRATION OF POOR RELIEF IN SUCH CITY ONLY.) *In the county of Hennepin* the board of county commissioners shall be the county welfare board. In such (COUNTIES) *county* the members shall be reimbursed by the county for expenses actually incurred in the performance of their official duties under the provisions of this chapter. In such (COUNTIES) *county* the county auditor shall be ex officio secretary of the board, but shall have no voice in its proceedings. (IN SUCH COUNTIES THE SYSTEM OF CARING FOR THE POOR IN EFFECT AT THE TIME OF THE PASSAGE OF THIS CHAPTER SHALL BE CONTINUED, SUBJECT TO ALL PROVISIONS OF LAW RELATING THERETO, EXCEPT THAT, IF SUCH COUNTY IS OPERATING UNDER THE TOWNSHIP SYSTEM OF CARING FOR THE POOR, SUCH TOWNS, VILLAGES, AND CITIES OF THE SECOND, THIRD AND FOURTH CLASSES THEREIN MAY, BY RESOLUTION OF ITS GOVERNING BODY, AGREE WITH THE COUNTY WELFARE BOARD THAT THE LATTER SHALL SUPERVISE AND ADMINISTER THE POOR RELIEF FUND IN SUCH TOWN, VILLAGE, OR CITY, OR CONTRACT WITH ANY ONE OR MORE OF THE PUBLIC SUB-

DIVISIONS OF THE COUNTY FOR THE PURPOSE OF JOINTLY SUPERVISING AND ADMINISTERING THE POOR RELIEF FUNDS IN SUCH TOWNS, VILLAGES OR CITIES. IN ANY SUCH COUNTY THE POWERS AND DUTIES OF SUCH BOARD OF PUBLIC WELFARE SHALL NOT BE AFFECTED BY THE PROVISIONS OF THIS CHAPTER. SUCH BOARD OF PUBLIC WELFARE, IN ADMINISTERING POOR RELIEF FUNDS GRANTED BY ANY STATE AGENCY AUTHORIZED SO TO DO BY LAW, SHALL COMPLY WITH ALL STANDARDS OF ADMINISTRATION AND PROCEDURE PRESCRIBED BY SUCH AGENCY.)

Sec. 28. Minnesota Statutes 1971, Section 393.07, Subdivision 2, is amended to read:

Subd. 2. [ADMINISTRATION OF PUBLIC WELFARE.] The county welfare board, (EXCEPT AS PROVIDED IN SECTION 393.01, SUBDIVISION 3, AND) subject to the supervision of the commissioner of public welfare, shall administer all forms of public welfare, both for children and adults, responsibility for which now or hereafter may be imposed on the commissioner of public welfare by law, including *general assistance*, aid to dependent children, old age assistance, aid to the blind, child welfare services, mental health services, and other public assistance or public welfare services. The duties of the county welfare board shall be performed in accordance with the standards, rules and regulations which may be promulgated by the commissioner of public welfare to achieve the purposes intended by law and in order to comply with the requirements of the federal social security act in respect to public assistance and child welfare services, so that the state may qualify for grants-in-aid available under that act. The county welfare board shall supervise wards of the commissioner and, when so designated, act as agent of the commissioner of public welfare in the placement of his wards in adoptive homes or in other foster care facilities.

Sec. 29. Minnesota Statutes 1971, Section 393.08, Subdivision 1, is amended to read:

393.08 [ESTIMATES FURNISHED TO COUNTY BOARD.] Subdivision 1. On or before the first day of July each year the county welfare board, except any such board referred to in section 393.01, (SUBDIVISIONS) *subdivision* 3 (AND 4), shall submit to the county board of commissioners an estimate of the amount needed by it to perform its duties, including expenses of administration, and the county board of commissioners shall consider the estimates so submitted and, if approved, shall levy a tax as provided by law for the purposes. In the event the estimate is not approved, the county board of commissioners shall confer with the county welfare board and adjust a budget in accordance with the facts and levy a tax for the amount required.

In counties referred to in section 393.01, subdivision 3, the estimate required shall not include (POOR RELIEF IN SUCH

COUNTIES OR) institutional requirements in any city of the first class located therein. The tax levy by the county board of commissioners in such counties shall be such as is required for *public assistance and categories of aid under the federal social security act*, and shall be separate and distinct from other levies made by it. The governing body of any such city of the first class may annually levy a tax for (POOR RELIEF) *institutional requirements* as authorized by such home rule charter, on the real and personal property within the corporate limits of such city. Such tax levy and the proceeds thereof shall be subject to the same control and supervision as is imposed on any existing public welfare tax levy.

(ON THE 25TH DAY OF JULY OF EACH YEAR THE COUNTY WELFARE BOARD REFERRED TO IN SECTION 393.01, SUBDIVISION 4, SHALL PRESENT ITS ESTIMATE OF THE AMOUNT NEEDED BY IT TO PERFORM ITS DUTIES, INCLUDING EXPENSE OF ADMINISTRATION, TO THE BOARD OF COUNTY COMMISSIONERS OF ANY SUCH COUNTY AND THE COUNCIL OF THE CITY OF THE FIRST CLASS LOCATED IN SUCH COUNTY. SAID BOARD AND SAID COUNCIL MAY APPOINT A WELFARE BUDGET ADVISORY COMMITTEE TO STUDY SAID BUDGET PROVIDED THAT SAID WELFARE BUDGET ADVISORY COMMITTEE MUST REPORT ITS RECOMMENDATION TO SAID BOARD AND SAID COUNCIL NOT LATER THAN SEPTEMBER 1 OF EACH YEAR. THE BOARD OF COUNTY COMMISSIONERS OF SUCH COUNTY AND THE CITY COUNCIL OF SUCH CITY SHALL JOINTLY ADOPT A BUDGET FOR SUCH COUNTY WELFARE BOARD AND SUCH ACTION OF SUCH BOARD OF COUNTY COMMISSIONERS AND SUCH CITY COUNCIL IN SO ADOPTING SUCH BUDGET SHALL BE TAKEN NOT LATER THAN SEPTEMBER 20TH OF EACH YEAR. THE COST OF ALL SUCH RELIEF, INCLUDING THE MAINTENANCE OF ANY ALMSHOUSE, SANATORIUM, OR HOSPITAL MAINTAINED BY SUCH COUNTY AND CITY SHALL BE PAID 72 1/2 PERCENT BY SUCH COUNTY AND 27 1/2 PERCENT BY SUCH CITY.)

In counties referred to in section 393.01, subdivision 7, the estimate required to fund the public welfare programs of the single welfare department, including expense of administration, shall be submitted to the boards of county commissioners who are parties to the agreement. Each board of county commissioners shall consider the estimate so submitted and shall confer with the board of county commissioners from the other counties who are a party to the agreement in determining the amount of funds to be assessed against each county for purposes of funding the welfare program.

Sec. 30. *To the extent of appropriations available therefor, the department of public welfare shall reimburse counties up to 50 percent of all salary expenses, approved by the commissioner,*

incurred and paid by the counties, for which no payment or reimbursement is made by the United States or any subdivision thereof, in administering, and salary administrative costs in providing services in connection with, all public assistance programs. No aid under this section shall be paid for salary costs of (a) single-county welfare directors; or (b) fiscal support personnel to the extent involved in the processing of public assistance claims and payments, or their supporting clerical staff; or (c) persons who are not regularly assigned employees of local agencies. Claims for reimbursement for expenditures made by the county shall be presented to the department by the respective counties at least four times per year in such manner as the commissioner shall prescribe. For the purposes of this section, the term "salary" shall include regular compensation not in excess of that paid similarly situated state employees, the employer's cost of health benefits and contributions to the appropriate retirement system, but shall not include travel or other reimbursable expenses. The commissioner shall, pursuant to the administrative procedures act, prior to making any payments, promulgate rules to implement this section.

Sec. 31. There is appropriated to the department of public welfare from the general fund the sum of \$12,000,000 for the biennium ending June 30, 1975, to enable the department to pay claims made pursuant to section 30. If this appropriation is insufficient to pay all approved claims pursuant to section 30, the commissioner shall make a pro rata reduction in payments.

Sec. 32. There is hereby appropriated to the commissioner of public welfare, for the biennium ending June 30, 1975, the sum of \$10,700,000 for the purpose of state aid for general assistance.

Sec. 33. *Minnesota Statutes 1971, Sections 245.46, 261.01, 261.02, 261.03, 261.05, 261.06, 261.061, 261.064, 261.065, 261.066, 261.067, 261.07, 261.08, 261.10, 261.11, 261.123, 261.124, 261.125, 261.126, 261.14, 261.141, 261.142, 261.143, and 261.26 and 393.08, Subdivision 2, are repealed.*

Sec. 34. This article is effective January 1, 1974.

ARTICLE XXII

Section 1. Minnesota Statutes 1971, Section 290.06, Subdivision 1, is amended to read:

290.06 [RATES OF TAX; CREDITS AGAINST TAX.]
Subdivision 1. [COMPUTATION, CORPORATIONS.] The privilege and income taxes imposed by this chapter upon corporations shall be computed by applying to their taxable net income in excess of the applicable credits allowed under section 290.21 the rate of 12 percent. The amount of tax payable by a corporation required to file a return shall not be less than (\$10) \$100.

Sec. 2. *The provisions of this article shall be effective for taxable years beginning after December 31, 1972.*

ARTICLE XXIII

Section 1. Minnesota Statutes 1971, Section 273.11, is amended to read:

273.11 [VALUATION OF PROPERTY.] *Subdivision 1. Except as provided in subdivision 2 herein, all property shall be valued at its market value. In estimating and determining such value, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price for which such property would sell at auction or at a forced sale, or in the aggregate with all the property in the town or district; but he shall value each article or description of property by itself, and at such sum or price as he believes the same to be fairly worth in money. In assessing any tract or lot of real property, the value of the land, exclusive of structures and improvements, shall be determined, and also the value of all structures and improvements thereon, and the aggregate value of the property, including all structures and improvements, excluding the value of crops growing upon cultivated land. In valuing real property upon which there is a mine or quarry, it shall be valued at such price as such property, including the mine or quarry, would sell for a fair, voluntary sale, for cash. In valuing real property which is vacant, the fact that such property is platted shall not be taken into account. An individual lot of such platted property shall not be assessed in excess of the assessment of the land as if it were unplatted until the lot is improved with a permanent improvement all or a portion of which is located upon the lot, or for a period of three years after final approval of said plat whichever is shorter. When a lot is sold or construction begun, the assessed value of that lot or any single contiguous lot fronting on the same street shall be eligible for reassessment. All property, or the use thereof, which is taxable under sections 272.01, subdivision 2, or 273.19, shall be valued at the market value of such property and not at the value of a leasehold estate in such property, or at some lesser value than its market value.*

Subd. 2. In the case of property described in section 273.13, subdivisions 6, 7, 7B, 10, 12, 17, 17b, and 19, plus all agricultural property and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes where such property is held by the same owner, by the surviving spouse of a deceased owner, or by a surviving joint tenant, for a period of one year prior to any assessment date, the assessor after determining the value of any such property shall compare the value with that determined in the preceding assessment. If the increase exceeds five percent of the preceding valuation, the amount of the increase entered in the current assessment shall not exceed five percent; the excess (not exceeding five percent of the latest assessors market valuation or the full amount of the excess if the property is no longer held by the same owner, by the surviving spouse of a deceased owner, or by a surviving joint tenant) may be entered in the following years assessment, notwithstanding the provisions of section 273.17.

Sec. 2. *In the event that, for the assessment year 1973, the assessor has increased the value of such property by an amount in excess of the five percent limitation provided for in section 1 of this article, he shall mail revised statement notices advising the property owner of the reduction required by this article. The revised notice shall state that the reduction is made pursuant to a statute enacted by the 1973 legislature.*

Sec. 3. *The provisions of this article shall not be applicable to property that may have become subject to taxation since the last assessment.*

Sec. 4. *Notwithstanding any other provision of law to the contrary, the limitation contained in section 1 and section 2 shall also apply to the authority of the local board of review as provided in section 274.01, the county board of equalization as provided in section 274.13, the state board of equalization and the commissioner of taxation as provided in section 270.11, 270.12 and 270.16, and any increase effected by these boards, the cumulative effect of which may increase property above the five percent permissible increase shall be invalid.*

Sec. 5. *The provisions of this article shall apply to the 1973 assessment and subsequent assessments.*

ARTICLE XXIV

Section 1. Minnesota Statutes 1971, Section 272.02, Subdivision 1, is amended to read:

272.02 [EXEMPT PROPERTY.] Subdivision 1. Except as provided in other subdivisions of this section, all property described in this section to the extent herein limited shall be exempt from taxation:

- (1) All public burying grounds;
- (2) All public schoolhouses;
- (3) All public hospitals;
- (4) All academies, colleges, and universities, and all seminaries of learning;
- (5) All churches, church property, and houses of worship;
- (6) Institutions of purely public charity;
- (7) All public property exclusively used for any public purpose;
- (8) All natural cheese held in storage for aging by the original Minnesota manufacturer;

(9) (a) Class 2 property of every household of the value of \$100, maintained in the principal place of residence of the owner thereof. The county auditor shall deduct such exemption from the total valuation of such property as equalized by the tax commissioner assessed to such household, and extend the levy

of taxes upon the remainder only. The term "household" as used in this section is defined to be a domestic establishment maintained either (1) by two or more persons living together within the same house or place of abode, subsisting in common and constituting a domestic or family relationship, or (2) by one person.

(b) During the period of his active service and for six months after his discharge therefrom, no member of the armed forces of the United States shall lose status of a householder under paragraph (a) which he had immediately prior to becoming a member of the armed forces.

In case there is an assessment against more than one member of a household the \$100 exemption shall be divided among the members assessed in the proportion that the assessed value of the Class 2 property of each bears to the total assessed value of the Class 2 property of all the members assessed. The Class 2 property of each household claimed to be exempt shall be limited to property in one taxing district, except in those cases where a single domestic establishment is maintained in two or more adjoining districts.

Bonds and certificates of indebtedness hereafter issued by the state of Minnesota, or by any county, city, or village of the state, or any town, or any common or independent school district of the state, or any governmental board of the state, or any county, city, or village thereof, shall hereafter be exempt from taxation; provided, that nothing herein contained shall be construed as exempting such bonds from the payment of a tax thereon, as provided for by section 291.01, when any of such bonds constitute, in whole or in part, any inheritance or bequest, taken or received by any person or corporation.

(10) Farm machinery manufactured prior to 1930, which is used only for display purposes as a collectors item;

(11) The taxpayer shall be exempted with respect to, all agricultural products, inventories, stocks of merchandise of all sorts, all materials, parts and supplies, furniture and equipment, manufacturers material, manufactured articles including the inventories of manufacturers, wholesalers, retailers and contractors; and the furnishings of a room or apartment in a hotel, rooming house, tourist court, motel or trailer camp, tools and machinery which by law are considered as personal property, *and the property described in section 272.03, subdivision 1 (c)*, except personal property which is part of an electric generating, transmission, or distribution system or a pipeline system transporting or distributing water, gas, or petroleum products.

(12) Containers of a kind customarily in the possession of the consumer during the consumption of commodities, the sale of which are subject to tax under the provisions of the excise tax imposed by Extra Session Laws 1967, Chapter 32;..

(13) All livestock, poultry, all horses, mules and other animals used exclusively for agricultural purposes;

(14) All agricultural tools, implements and machinery used by the owners in any agricultural pursuit.

(15) Real and personal property used primarily for the abatement and control of air, water, or land pollution to the extent that it is so used.

Any taxpayer requesting exemption of all or a portion of any equipment or device, or part thereof, operated primarily for the control or abatement of air or water pollution shall file an application with the commissioner of taxation. Any such equipment or device shall meet standards, regulations or criteria prescribed by the Minnesota Pollution Control Agency, and must be installed or operated in accordance with a permit or order issued by that agency. The Minnesota Pollution Control Agency shall upon request of the commissioner furnish information or advice to the commissioner. If the commissioner determines that property qualifies for exemption, he shall issue an order exempting such property from taxation. Any such equipment or device shall continue to be exempt from taxation as long as the permit issued by the Minnesota Pollution Control Agency remains in effect.

Sec. 2. Minnesota Statutes 1971, Section 272.03, Subdivision 1, is amended to read:

272.03 [DEFINITIONS.] Subdivision 1. (a) [REAL PROPERTY.] For the purposes of taxation, "real property" includes the land itself and all buildings, structures, and improvements or other fixtures on it, and all rights and privileges belonging or appertaining to it, and all mines, minerals, quarries, fossils, and trees on or under it.

(b) A building or structure shall include the building or structure itself, together with all improvements or fixtures annexed to the building or structure, which are integrated with and of permanent benefit to the building or structure, regardless of the present use of the building, and which cannot be removed without substantial damage to itself or to the building or structure.

(c) *The term real property shall not include tools, implements, machinery, and equipment attached to or installed in real property for use in the business or production activity conducted thereon, regardless of size, weight or method of attachment.*

Sec. 3. Minnesota Statutes 1971, Section 273.13, Subdivision 4, is amended to read:

Subd. 4. [CLASS 3.] Tools, implements and machinery of an electric generating, transmission or distribution system or a pipeline system transporting or distributing water, gas, or petroleum products, which are fixtures, all agricultural land, except as provided by classes 1, 3b, 3e and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, all buildings and structures assessed as personal property and situated upon land of the state of Minnesota or the United States government which is rural in character and de-

voted in character and devoted or adaptable to rural but not necessarily agricultural use shall constitute class 3 and shall be valued and assessed at 33 1/3 percent of the market value thereof.

Sec. 4. *This article shall be effective for taxes assessed in 1973 and payable in 1974.*

Sec. 5. [ATTACHED MACHINERY AID.] *Subdivision 1. Except as provided in subdivision 4, each county government, city, village, borough, township and school district which levied ad valorem taxes payable in 1973 shall receive reimbursement in 1974 and subsequent years for real property exempted from property taxation by section 1 of this article.*

Subd. 2. Each county government, city, village, borough and township shall receive reimbursement in 1974 and subsequent years in an amount equal to the product of its total mill rate in levy year 1972, taxes payable in 1973, times the total 1972 assessed value of real property exempted from taxation by section 1 of this article which was located within the territory of such governmental unit. For the purpose of this subdivision, the "total mill rate" of a county government, city, village, borough or township includes mill rates for taxes levied by such governmental unit which were not levied on the entire taxable value of such governmental unit.

Subd. 3. Each school district shall receive reimbursement in 1974 and subsequent years in an amount equal to the product of its 1972 assessed value of real property exempted from taxation by section 1 of this article times the sum of its mill rates for the following levies:

(1) A levy for capital outlay, pursuant to Minnesota Statutes, Section 124.04;

(2) A levy to pay the principal and interest on bonded indebtedness, including the levy to pay the principal and interest on bonds issued pursuant to Minnesota Statutes, Section 275.125, Subdivision 3 (6) (c);

(3) A levy to pay the principal and interest on debt service loans, pursuant to Minnesota Statutes, Section 124.42;

(4) A levy to pay the principal and interest on capital loans, pursuant to Minnesota Statutes, Section 124.43;

(5) A levy to pay amounts required in support of a teacher retirement fund, pursuant to Minnesota Statutes, Section 422.13;

(6) A levy for additional maintenance cost in excess of 30 mills times the adjusted assessed valuation of the school district, pursuant to Minnesota Statutes, Section 275.125, Subdivision 3 (4).

For the purpose of this subdivision, a school district mill rate for any of the forementioned levies which was not applied to the total taxable value of such school district shall be added to the forementioned sum of mill rates as if it had been applied to the entire taxable value of the school district.

Subd. 4. *The provisions of this section do not apply to special taxing districts (determined by the department of taxation) or to county governments, cities, villages, boroughs, townships or school districts with less than \$1,000 assessed value, according to the 1972 assessment, of real estate exempted by section 1 of this article.*

Subd. 5. *The commissioner of taxation shall calculate the aids pursuant to subdivisions 2 and 3, basing all necessary calculations on the abstracts of assessment of real property for assessment year 1972 (transmitted to the commissioner of taxation pursuant to Minnesota Statutes, Section 270.11) as equalized by the state board of equalization pursuant to Minnesota Statutes, Sections 270.11 and 270.12, and the 1973 abstracts of tax lists transmitted by the county auditors pursuant to Minnesota Statutes, Section 275.29. He shall make payments directly to the affected taxing authorities in two equal parts on July 15 and November 15 of each year, commencing in 1974.*

Subd. 6. *If a county government, city, village, borough or township is subject to the provisions of Minnesota Statutes, Sections 275.50 to 275.56, the amount of aid calculated for such taxing district pursuant to subdivision 2 for 1974 or a subsequent year shall be deducted from the taxing district's current levy year's levy limit base (determined pursuant to Minnesota Statutes, Section 275.51, Subdivision 3) in determining the taxing district's levy limitation for taxes payable in 1974 or such subsequent year as the case may be. The amount of aid calculated for a school district pursuant to subdivision 3 for 1974 or a subsequent year shall be deducted from the school district's maintenance levy limitation (established pursuant to Minnesota Statutes, Section 275.125, Subdivision 2), in determining the amount of taxes the school district may levy for general and special purposes for taxes payable in 1974 or such subsequent year as the case may be.*

Sec. 6. *There is hereby appropriated to the commissioner of taxation from the general fund an amount sufficient to make the payments provided by section 5 of this article.*

ARTICLE XXV

Section 1. Minnesota Statutes 1971, Section 290.361, Subdivision 2, is amended to read:

Subd. 2. [COMPUTATION OF TAXABLE NET INCOME.] The taxable net income shall be computed in the manner provided by this chapter except that in the case of national and state banks: (a) the rate shall be 13.64 percent until (JULY 1, 1973) January 1, 1974 and 12 percent thereafter; (b) the basic date for the purpose of computing gain or loss and depreciation shall be January 1, 1940, instead of January 1, 1933; (c) property consisting of investments in bonds, stocks, notes, debentures, mortgages, certificates, or any evidence of indebtedness, and any property acquired in liquidation thereof when such property is held for investment or for sale, shall not be deemed to be capital

assets; and (d) in computing net income there shall be allowable as a deduction from gross income, in addition to deductions otherwise provided for in this act, any dividend (not including any distribution in liquidation) paid, within the taxable year, to the United States or to any instrumentality thereof exempt from federal income taxes, on the preferred stock of the bank owned by the United States or such instrumentality.

Sec. 2. *The provisions of this article shall be effective on July 1, 1973.*

ARTICLE XXVI

Section 1. Minnesota Statutes 1971, Chapter 290, is amended by adding a section to read:

[290.0301] [EMPLOYERS EXCISE TAX.] *Subdivision*

1. *For purposes of this section, the provisions of Minnesota Statutes, Chapter 268, are incorporated by reference herein, insofar as such provisions are applicable to the excise tax imposed by this section.*

Subd. 2. Unless the language or context indicates that a different meaning is intended, the following words, terms and phrases, for purposes of sections 4 and 5 of this article, shall have the meanings given to them.

Subd. 3. [EMPLOYER.] The term "employer" means any employer except a person which is exempt under section 290.05, subdivision 1, (h), (i), (l) and (m) or those employers which are subject to the provisions of sections 294.21 to 294.28 or chapter 295, other than sections 295.32 to 295.43.

Subd. 4. [TAXABLE COMPENSATION.] "Taxable compensation" means the total wages, as defined in section 268.04, subdivision 25, but not limited as provided in clause (1) of said subdivision, paid by an employer, as defined in subdivision 3, to employees after June 30, 1973, excluding therefrom the first \$100,000 of compensation paid during an employer's fiscal or calendar taxable year. There shall be deducted in determining taxable compensation for any taxable year the sum of \$100,000 except that where the taxable year is a period of less than 12 months and in the case of taxable years ending on or before May 31, 1974 the deduction shall be proportionately reduced.

Subd. 5. [TAXABLE NET INCOME.] "Taxable net income" means the taxable net income as defined by sections 290.18 and 290.19 for the taxable year, without any allowances for (1) federal, state or foreign nation income taxes accrued or paid, (2) deductions for long term capital gains, (3) net operating loss deductions, and (4) non-business deductions.

Subd. 6. [IMPOSITION OF TAX.] (a) Except as provided in (b) an excise tax of two mills per dollar on the taxable compensation paid by an employer is hereby imposed on such employer.

(b) *In the event that an employer other than an employer exempt under the provisions of section 290.05, has taxable net income for the taxable year of \$0 or less, the excise tax imposed by (a) shall be one mill instead of two mills. It is specifically provided that an employer taxable under this article but not taxable under section 290.05 shall be required to pay two mills on each dollar of taxable compensation.*

Sec. 2. Minnesota Statutes 1971, Chapter 290, is amended by adding a section to read:

[290.9201] [PAYMENT OF TAX.] *Subdivision 1. The tax imposed by section 1 shall be remitted to the commissioner of taxation, (together with all returns and reports required hereunder) by any employer who has paid or is expected to pay taxable compensation, at the time and in the manner provided for payments of withholding tax by employers to the commissioner under section 290.92, subdivision 6.*

Subd. 2. The provisions of section 290.92 and all rules and regulations promulgated by the commissioner in respect thereto shall be applicable to the tax imposed by this article where applicable.

Sec. 3. Minnesota Statutes 1971, Chapter 290, is amended by adding a section to read:

[290.9202] [REFUND AND APPROPRIATION.] *Any overpayment of the tax required to be paid by section 1 by reason of reduction in the mill rate or for any other reason, shall be refunded by the commissioner. There is appropriated to the commissioner the amount necessary to make such refundment.*

ARTICLE XXVII

Section 1. *Minnesota Statutes 1971, Sections 276.15; 276.16; 276.17; 276.18; 295.38; 368.39; 368.40; 368.41; 368.42; 373.20; 373.21; 373.22; 373.23; and 373.24 are repealed for all payments required to be made thereunder subsequent to December 31, 1973."*

Further, strike the title and insert in lieu thereof:

"A bill for an act relating to government; raising revenue; providing for the administration of public welfare and other public activities; appropriating money; providing penalties; amending Minnesota Statutes 1971, Chapters 272; 273; 275; and 290; by adding sections; Sections 93.52, Subdivision 2; 93.55; 93.58; 124.03, Subdivision 3; 245.77; 261.04, Subdivision 1; 261.063; 272.02, Subdivision 1; 272.03, Subdivision 1; 272.04, Subdivision 1; 273.11; 273.13, Subdivisions 4, 6, and 7, and by adding a subdivision; 273.134; 273.41; 275.09, Subdivision 3; 275.50, Subdivisions 2, 4, and 5; 275.51, Subdivisions 1, 2, 3, 4, and by adding a subdivision; 275.52, Subdivisions 2 and 3; 275.53, Subdivisions 1 and 3; 275.55; 287.12; 290.06, Subdivision 1; 290.0601, Subdivisions 6 and 9; 290.0604; 290.061; 290.081; 290.17; 290.19, Subdivision 1, and by adding a subdivision; 290.361, Subdivi-

sions 2 and 4; 290.982; 290.983, Subdivision 1; 290.99; 291.33, Subdivision 2; 293.07, Subdivision 2; 297.13, Subdivision 1; 297A.14; 297A.25, Subdivision 1; 340.60, Subdivision 1; 376.424; 393.01, Subdivision 3; 393.07, Subdivision 2; 393.08, Subdivision 1; 414.01, by adding a subdivision; and 477A.01, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, and 17; repealing Minnesota Statutes 1971, Sections 93.53; 93.54; 93.56; 93.57; 245.46; 261.01; 261.02; 261.03; 261.05; 261.06; 261.061; 261.064; 261.065; 261.066; 261.067; 261.07; 261.08; 261.10; 261.11; 261.123; 261.124; 261.125; 261.126; 261.14; 261.141; 261.142; 261.143; 261.26; 276.15; 276.16; 276.17; 276.18; 290.0607; 290.0617; 295.38; 297.13, Subdivisions 2, 3, 4, 5, 6, 7, and 8; 297.15; 297.16; 297A.252; 340.60, Subdivisions 2, 3, 4, 5, 6, and 7; 368.39; 368.40; 368.41; 368.42; 373.20; 373.21; 373.22; 373.23; 373.24; 393.08, Subdivision 2; and 477A.01, Subdivisions 12 and 15."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: MARTIN O. SABO, IRVIN N. ANDERSON, RAYMOND PAVLAK, CARL M. JOHNSON, and FRANK H. DEGROAT.

Senate Conferees: A. J. PERPICH, NICHOLAS D. COLEMAN, ALEC G. OLSON, GEORGE R. CONZEMIUS, and WILLIAM MCCUTCHEON.

CALL OF THE HOUSE

On the motion of Mr. Pavlak, R., and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

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

Pavlak, R., moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

Pavlak, R., moved that the report of the Conference Committee on H. F. No. 2121 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2121, A bill for an act relating to government; raising revenue; providing for the administration of public welfare and other public activities; appropriating money; providing penalties; amending Minnesota Statutes 1971, Chapters 272; 273; 275; and 290; by adding sections; Sections 93.52, Subdivision 2; 93.55; 93.58; 124.03, Subdivision 3; 245.77; 261.04, Subdivision 1; 261.063; 272.02, Subdivision 1; 272.03, Subdivision 1; 272.04, Subdivision 1; 273.11; 273.13, Subdivisions 4, 6, and 7, and by adding a subdivision; 273.134; 273.41; 275.09, Subdivision 3; 275.50, Subdivisions 2, 4, and 5; 275.51, Subdivisions 1, 2, 3, 4, and by adding a subdivision; 275.52, Subdivisions 2 and 3; 275.53, Subdivisions 1 and 3; 275.55; 287.12; 290.06, Subdivision 1; 290.0601, Subdivisions 6 and 9; 290.0604; 290.061; 290.081; 290.17; 290.19, Subdivision 1, and by adding a subdivision; 290.361, Subdivisions 2 and 4; 290.982; 290.983, Subdivision 1; 290.99; 291.33, Subdivision 2; 293.07, Subdivision 2; 297.13, Subdivision 1; 297A.14; 297A.25, Subdivision 1; 340.60, Subdivision 1; 376.424; 393.01, Subdivision 3; 393.07, Subdivision 2; 393.08, Subdivision 1; 414.01, by adding a subdivision; and 477A.01, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, and 17; repealing Minnesota Statutes 1971, Sections 93.53; 93.54; 93.56; 93.57; 245.46; 261.01; 261.02; 261.03; 261.05; 261.06; 261.061; 261.064; 261.065; 261.066; 261.067; 261.07; 261.08; 261.10; 261.11; 261.123; 261.124; 261.125; 261.126; 261.14; 261.141; 261.142; 261.143; 261.26; 276.15; 276.16; 276.17; 276.18; 290.0607; 290.0617; 295.38; 297.13, Subdivisions 2, 3, 4, 5, 6, 7, and 8; 297.15; 297.16; 297A.252; 340.60, Subdivisions 2, 3, 4, 5, 6, and 7; 368.39; 368.40; 368.41; 368.42; 373.20; 373.21; 373.22; 373.23; 373.24; 393.08, Subdivision 2; and 477A.01, Subdivisions 12 and 15.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 102, and nays 32, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Kahn	Niehaus	Sherwood
Anderson, D.	Dieterich	Kelly	Norton	Sieben, H.
Anderson, G.	Eken	Kempe	Ohnstad	Sieben, M.
Anderson, I.	Enebo	Knickerbocker	Ojala	Skaar
Becklin	Erdahl	LaVoy	Parish	Smith
Bennett	Faricy	Lemke	Patton	Spanish
Berg	Ferderer	Lindstrom, J.	Pavlak, R.	Stanton
Berglin	Flakne	Mann	Pehler	Swanson
Biersdorf	Fudro	McArthur	Peterson	Tomlinson
Boland	Fugina	McCarron	Prahl	Ulland
Braun	Graba	McEachern	Quirin	Vanasek
Brinkman	Grove	McFarlin	Resner	Vento
Carlson, A.	Hagedorn	McMillan	Rice	Voss
Carlson, B.	Hanson	Menke	Ryan	Wenzel
Carlson, D.	Haugerud	Miller, D.	St. Onge	Wigley
Carlson, L.	Jacobs	Miller, M.	Salchert	Wohlwend
Casserly	Jaros	Moe	Samuelson	Wolcott
Connors	Johnson, C.	Mueller	Sarna	Mr. Speaker .
Culhane	Johnson, D.	Munger	Schreiber	
Cummiskey	Jopp	Nelson	Schulz	
Dahl	Jude	Newcome	Searle	

Those who voted in the negative were:

Adams, S.	Eckstein	Hook	Lindstrom, E.	Pleasant
Andersen, R.	Erickson	Johnson, J.	Lombardi	Savelkoul
Belisle	Esau	Johnson, R.	Long	Stangeland
Bell	Fjoslien	Klaus	McCauley	Weaver
Cleary	Forsythe	Kvam	Myrah	
Clifford	Graw	Laidig	Pavlak, R. L.	
Dirlam	Heinitz	Larson	Pieper	

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2437

May 18, 1973

Honorable Martin Sabo
Speaker of the House of Representatives

Honorable Alec Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2437, report that we have agreed upon the items in dispute and recommend as follows:

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

"Section 1. EDUCATIONAL PURPOSES, APPROPRIATIONS. Except as herein otherwise provided, the sums herein-after set forth in the columns designated "APPROPRIATIONS", or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury or any other fund herein designated for the purposes specified in the following sections of this act, to be available for the fiscal year indicated for each purpose. The figures "1973", "1974", and "1975" wherever used in this act, shall mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1973, 1974, and 1975 respectively.

APPROPRIATIONS
Available for the Year
Ending June 30,

	1974	1975
	\$	\$

**Sec. 2. DEPARTMENT OF
EDUCATION**

Subdivision -1. General Academic and Related Services	1,863,810	1,751,440
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(1) Salaries, supplies, and expenses	\$1,197,476	\$1,199,020
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(2) Claims, grants, and shared revenue	\$ 666,334	\$ 552,420
--	------------	------------

The appropriation in (1) includes \$100,-
000 each year for the right to read pro-
gram. Of the amount provided by this sub-
division, \$14,100 each year is appropriated
from the trunk highway fund.

Any unexpended balance remaining in
(2) in the first year shall not cancel but
shall be available for the second year of
the biennium.

Provided that notwithstanding the pro-
visions of Minnesota Statutes 1971, Sec-
tion 121.26 and 125.08 to the contrary, the
fee for registering with the teachers em-
ployment bureau shall not be less than \$10,
and the fee for a certificate to teach or for
a renewal or extension of certificate to
teach shall not be less than \$10.

Subd. 2. Vocational Technical Instruction and Related Services	455,342	455,853
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(1) Salaries, supplies, and expenses	\$ 455,342	\$ 455,853
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Subd. 3. Special and Compensatory Instruction and Related Services	509,624	512,434
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(1) Salaries, supplies, and expenses	\$ 279,624	\$ 282,434
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(2) Claims, grants, and shared revenue		
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(a) Indian scholarships	\$ 230,000	\$ 230,000
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Any unexpended balance remaining in
(a) in the first year shall not cancel but

1974 1975

\$ \$

shall be available for the second year of the biennium.

Subd. 4. Education Planning Innovative Developmental Evaluative Services	796,800	796,800
--	---------	---------

(1) Salaries, supplies, and expenses		
\$ 221,800	\$ 221,800	

(2) Claims, grants, and shared revenue		
\$ 575,000	\$ 575,000	

Subd. 5. Auxiliary Services and General Support	3,024,973	4,259,125
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(1) Salaries, supplies, and expenses		
\$1,708,579	\$3,139,731	

Of the amounts in (1), \$1,932,476 shall not be available in fiscal year 1974-75 until the senate committee on finance and the house committee on appropriations has reviewed the progress of the Minnesota education computer consortium. Recommendations will be made to the legislative advisory committee before March 1, 1974, for the release of the appropriation for the first six months of fiscal year 1974-75 and before September 1, 1974, for the release of the balance of the appropriation for fiscal year 1974-75.

The department shall establish reasonable charges to MECC users for on-line computer time actually used. Such receipts shall be deposited in a non-dedicated receipt account of the general fund.

The above appropriation includes in the first year of the biennium, \$45,000 for the summarization and dissemination of school statistical information. Any unexpended balance in the \$45,000 appropriation shall not cancel but shall be available for the second year of the biennium.

(2) Claims, grants, and shared revenue		
--	--	--

(a) School lunch		
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\$1,316,394	\$1,119,394	
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Any unexpended balance remaining in (a) in the first year shall not cancel but

1974

1975

\$

\$

shall be available for the second year of the biennium.

Item (2) includes a contingent fund of \$300,000 for state matching of federal funds to be expended in the first year upon showing that local resources qualifying under federal match formula have been fully utilized.

Of the amount provided in (2) of this subdivision, so much thereof as is necessary shall be used for the type "A" lunch program to be distributed under standards established by the state board of education.

Subd. 6. Community Library Services	1,806,026	1,838,026
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(1) Salaries, supplies and expenses		
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\$ 234,436	\$ 266,436
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(2) Claims, grants, and shared revenue		
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\$1,571,590	\$1,571,590
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Any unexpended balance remaining in (2) in the first year shall not cancel but shall be available for the second year of the biennium.

These funds may be granted for the improvement of library services at welfare and corrections institution libraries and for library services to the blind and physically handicapped. These funds shall not exceed in either year the amount provided for fiscal year 1972.

(3) A public library is a public library serving 20,000 or more persons or serving less than 20,000 persons with the approval of the commissioner of education and receiving annually from public funds financial support of at least one mill on the assessed valuation of the taxable property in the area served by the library.

To qualify for the state library grant herein authorized, local levies for libraries shall not be less than the library levies in effect January 1, 1973. All of the above funds are limited to operating purposes only.

1974

1975

\$

\$

Applications for financial assistance shall contain such information as the department requires including descriptions of areas served by the applicant and the number and distribution of persons residing therein; the local plan of the applicant for promoting library service in the areas it serves and an estimate of the financial assistance to put such a plan in effect, and a statement of the ability of local government within the area served by the applicant to finance operations out of public funds raised by local taxes. Financial assistance shall be granted to an eligible applicant proposing an economical and practical plan for the promotion of library service in the area in such amount and subject to such conditions as the department determines after considering the information contained in the application for assistance and the total amount of state and federal funds available for the promotion of library service in the state.

Provided that no state funds shall be used for construction of library facilities.

Subd. 7. Vocational Rehabilitation . . 1,947,902 1,952,725

(1) Salaries, supplies and expenses
and Counseling and Care of Persons

\$1,458,565 \$1,490,275

(2) Claims, grants, and shared revenues

\$ 119,337 \$ 72,450

(3) Rehabilitation facilities

\$ 370,000 \$ 390,000

Any unexpended balance remaining in (3) in the first year shall not cancel but shall be available for the second year of the biennium.

None of the amounts appropriated in Subdivisions 1, 3, 4, 5, 6, and 7 listed as claims, grants and shared revenues on the official worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration, shall be transferred to any other expenditure cate-

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gory other than that for which it was appropriated.

The number of state funded positions shall not exceed the number shown on official worksheets.

Sec. 3. STATE COLLEGE BOARD

Subdivision 1. Maintenance and Equipment

41,439,465 43,058,111

The amounts appropriated in subdivisions 1 and 2 include a sum in each year for recruitment of unclassified staff. Candidates for positions in the state college board central office or in a state college who have been invited by the state college board for interview, may be reimbursed for travel and subsistence expenses in the same manner and amounts as state employees. This reimbursement may be made from college imprest cash funds.

In developing new programs with the funds provided herein the state colleges shall, wherever appropriate and educationally sound, attempt to employ excess faculty resulting from declining or shifting enrollments.

Subd. 2. Metropolitan State College

850,000

900,000

The above amount shall be used by the state college board for operating an educational program for a state college center as organized in the seven county metropolitan area. The center may operate in facilities acquired through the commissioner of administration by gift or lease. The faculty and staff of the state college system shall provide assistance in developing curricular and educational programs for the college. The state college board shall also request the assistance of the university of Minnesota, the junior colleges, the area vocational-technical schools, and the private colleges in planning such programs. The college shall serve the needs of the graduates of the state junior colleges and the area vocational-technical schools, and include curricula for retraining adults to meet the technological demands of the changing economy.

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Subd. 3. State College Board
Contingent 750,000

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

In event the enrollment of full time equivalent students enrolled exceeds the budget estimates of 32,000 full time equivalents the first year and 31,000 full time equivalents the second year of the biennium for the total state college system, it is the intent of the legislature to provide additional teaching positions at a ratio of one position for each 19 full time equivalent undergraduate students, and one position for each 13 graduate students in excess of the biennial budget enrollment estimates for each year of the biennium.

In order to provide for an orderly realignment of faculty staffing resulting from reduced or shifting enrollments, not more than \$600,000 of this appropriation may be expended to pay the salaries of faculty members employed on terminal year contracts where such terminal appointments are required by current state college board rules. The state college board shall conduct a comprehensive program review at southwest Minnesota state college to determine the basic staffing requirements necessary to offer a sound educational program. Pursuant to this review the board may recommend to the legislative advisory committee a minimum staffing for that institution. Before any of the above appropriation is expended, the state college board shall demonstrate to the legislative advisory committee that all reasonable measures were taken to adjust staffing patterns in such a manner as to minimize the need for such contracts.

The above appropriation is to be expended with the approval of the governor after consultation with the legislative advisory committee as provided by Minnesota Statutes 1971, Section 3.30.

Subd. 4. Student Loans — State
Matching 274,472 274,472

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The above appropriation shall be used as state's matching share for any federal student aid or loan program.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. No portion of the appropriation shall be used to defray obligations incurred prior to July 1, 1973.

Subd. 5. General Research

25,000

25,000

None of this appropriation shall be allotted or encumbered until a research project has been approved by the state college board. Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

All receipts of every kind, including but not limited to students' tuition and fees, federal receipts, aids, contributions, and reimbursements in all state colleges are re-appropriated to the state college board, but subject to budgetary control by the commissioner of administration, except the following receipts not subject to budgetary control by the commissioner of administration:

(a) those attributed to dormitory functions handled under Minnesota Statutes 1971, Sections 136.31 to 136.38, and

(b) those attributable to college activity funds (including, for example, receipts from vending machines in buildings other than dormitories and student unions), and

(c) those attributable to grants for special projects, institutes, and similar activities subject to Minnesota Statutes 1971, Sections 136.143 and 136.144.

A report shall be submitted to the 69th session of the legislature as to the use of all such excepted funds.

The state college board is hereby authorized to transfer funds within the various college operating accounts of the maintenance and equipment appropriation account after the close of a fiscal year; pro-

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vided such transfers are in accordance with the laws of 1949, Chapter 230, Section 1, Subdivision 8.

Grants awarded to the state college system by any state agency shall be transferred to the account(s) of the state college board. Such transfers shall be by journal voucher or a request for transfer of funds as deemed most appropriate by the state auditor.

During the 1973-75 biennium, the state college board shall identify non-academic unclassified positions in the state college system for transfer to the classified state service. Persons in employee status in such positions at the time of transfer may be transferred with their consent into the classified service of the state without competitive examination, and shall be placed in the proper classifications by the director of civil service, provided, however, that the salary of any present incumbent shall not be reduced because the range maximum is lower than his or her present salary. Personnel occupying positions transferred may continue in the retirement programs in which they currently participate. Employees who have been employed by the colleges more than one year shall be granted permanent status; those employees with less than one year of service will be placed on probationary status. The above provisions shall be effective notwithstanding any other provisions of law to the contrary.

Notwithstanding any other law to the contrary, reimbursements are appropriated for use during the fiscal year in which they are received.

Notwithstanding the provisions of any law to the contrary, Minnesota Metropolitan State College is authorized to deposit tuition receipts received during the final quarter of each fiscal year in a suspense account. The balance in such an account shall not cancel on June 30 but shall be available in the next fiscal year.

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The state college board may allocate, not to exceed \$3,000 annually, to each college president and the office of the chancellor for miscellaneous expenses in connection with the state college system. The provisions of Minnesota Statutes 1971, Chapter 16, shall not apply to such expenditures but the state college board shall prescribe the manner, amount, and purpose of such expenditures and report thereon to the 1975 legislature.

Notwithstanding the provisions of Minnesota Statutes 1971, Section 136.06, or any other law to the contrary, expenses incurred in travel outside of the state of Minnesota shall be paid upon prior authorization of the chief executive officer or president of the state college board. No other approval shall be required.

The state college board is authorized to utilize up to \$200,000 of the maintenance and equipment appropriation each year for regional and community service projects provided that the agency or local unit of government receiving such services shall reimburse the college system for not less than one-third their cost. Receipts so derived shall be treated as tuition for enrollment and budgetary purposes.

Notwithstanding any provision in Minnesota Statutes 1971, Chapter 16, which may indicate the contrary, when the state college board so requests, technical educational equipment may be procured for the state colleges either by brand designation or in accordance with standards and specifications which the board may promulgate.

In addition to the fees prescribed by Minnesota Statutes 1971, Section 136.11, the state college board may prescribe fees to be charged students for college activities, functions, and purposes.

Notwithstanding any other provision of law to the contrary, the state college board may make refunds to students for tuition, activity fees, union fees and any other fees from imprest cash funds. The imprest cash

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fund shall be reimbursed periodically by checks or warrants drawn on the funds and accounts to which the refund should ultimately be charged. The state college board shall obtain the approval of the public examiner for the procedures used in carrying out the provisions of this paragraph.

The state college board may waive tuition on institutes, courses or projects when the sponsor pays all costs.

Notwithstanding the provisions of any law to the contrary, the state college board is authorized to provide for the orderly replacement of aircraft. An equipment suspense account shall be established by the State Auditor within the general fund. All receipts which are attributable to the operation or use of such aircraft are hereby reappropriated to the state college board. These receipts, or such portion thereof as may be designated by the board, shall be credited to the equipment suspense account. Any balance in this account shall not cancel at the end of a fiscal year but shall remain available for transfer at the request of the board to its maintenance and equipment account.

The state colleges are authorized to charge a placement service registration fee of \$10 to each student or graduate upon registration with the college placement service.

The state college board is authorized to contract for hospital benefits coverage and medical benefits coverage for students in the same manner as authorized by Minnesota Statutes 1971, Section 43.45.

The provisions of Minnesota Statutes 1971, Section 136.13, notwithstanding, the state college board may hold its annual meeting on any day in the month of May.

Sec. 4. STATE UNIVERSITY, UNIVERSITY FARM SCHOOL, EXPERIMENT SCHOOL AND STATIONS, AND BRANCHES

Subdivision 1. Maintenance and Operations

88,275,234 91,681,244

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The board of regents of the university may use any money not specifically appropriated for other purposes for acquiring land by purchase or condemnation. In case it is desired to use the fund for the acquisition of land, the power of eminent domain may be exercised in accordance with Minnesota Statutes 1971, Chapter 117.

Provided that these appropriations for maintenance and operations are made from revenues accruing to the university from:

- (1) the investments of the permanent university fund; and
- (2) the occupation tax on iron ore.

If such revenues are insufficient, the remainder of such appropriations are advanced and appropriated from any moneys in the state treasury credited to the general fund. The income derived from the investment of the permanent university fund is hereby appropriated to the board of regents pursuant to Minnesota Statutes 1971, 137.022.

For the purposes of these appropriations it is estimated that the income to be derived from the investment of the permanent university fund will not exceed \$2,160,000 for the first year and \$2,160,000 for the second year. If at the end of any fiscal year there are unexpended revenues accruing to the university from the occupation tax on iron ore, the general fund shall be reimbursed therefrom to the extent that payments have been made from the general fund during such fiscal year pursuant to these appropriations. The board of regents shall certify to the state auditor at the end of each quarter the amounts of earnings derived from the investment of the permanent university fund and if the income derived from the investment of the permanent university fund during any fiscal year exceeds the amounts herein stated, the amounts payable from the general fund shall be reduced accordingly.

For budgetary purposes it is estimated that the foregoing appropriation from the

1974 1975

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general fund will not exceed the sum of \$84,740,234 the first year and \$88,146,244 the second year.

Subd. 2. Equipment and Library Supplement

425,000 575,000

Of the above appropriation, \$150,000 in the second year shall be spent for the purpose of upgrading equipment of the industrial education program following legislative review and approval.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 3. Summer School Tuition and Continuing Education Supplement

700,000 700,000

Provided that the board of regents shall expend the funds to equalize tuition rates among undergraduate students for regular session, summer session and extension programs in order to facilitate to the maximum the use of campus units, buildings and staff. The university shall submit a progress report by November 15, 1974 to the chairmen of the house appropriations committee and the senate finance committee.

The appropriations made in subdivisions 2 and 3 are supplemental to the appropriation made in subdivision 1 but shall not become a part of the expenditure base.

On October 1, 1974 and 1975 the president of the university of Minnesota shall furnish the house appropriations and senate finance committees and the commissioner of administration the following information:

(1) the total amount of receipts during the fiscal year 1974 from all sources in excess of \$45,500,000 and during the fiscal year 1975 from all sources in excess of \$47,200,000;

(2) the sources of said receipts; and

(3) the purposes for which any excess receipts were expended and accounts to which transferred.

	1974	1975
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Subd. 4. For the Support of the University of Minnesota Technical College—Crookston	1,083,205	1,186,343
Subd. 5. Waseca Technical College	812,054	888,478

The Technical Colleges at Crookston and Waseca shall continue their programs without new construction until such time as the legislature has reviewed their programs and determined the need for additional facilities.

Subd. 6. Student Loans—State Matching	395,000
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The above appropriation shall be used as state's matching share for any federal student aid or loan program. Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 5. FOR CARE OF INDIGENT COUNTY PATIENTS TO BE RENDERED BY THE UNIVERSITY OF MINNESOTA HOSPITALS, INCLUDING THE HEART HOSPITAL

Subdivision 1. For State's Share of Expenses of County Indigent Patients	1,680,000	1,680,000
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In lieu of the formula for reimbursing a county as provided in Minnesota Statutes 1971, Section 158.04, a county under this appropriation will be reimbursed for 70% of the expenses charged against a patient at the university hospital up to \$5,000. A charge against a patient in excess of \$5,000 will be paid by the state. Except as otherwise herein set forth, the other provisions of the cited statute shall continue in force and effect.

Subdivision 1 shall include and cover the amounts which may become due to the university of Minnesota from the state during the fiscal years covered by said subdivisions.

There is further appropriated to the university of Minnesota the following sums, or so much thereof as may be necessary, for the purpose of reimbursing the said university for the sum due from counties

	1974	1975
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during said fiscal years under the provisions of said acts, payments to be made quarterly out of said appropriation, as shown by certificates filed with the state auditor pursuant to the provisions of Minnesota Statutes 1971, Chapter 158.	720,000	720,000

The state auditor is authorized and directed to pay the university out of sums collected from counties under the provisions of said chapter 158, during the fiscal years ending June 30, 1974, and June 30, 1975, respectively, an amount sufficient to reimburse said university in full for the amount due it from counties during said fiscal years, as shown by certificates filed with the state auditor, and a sum sufficient to make such payments is hereby appropriated.

Sec. 6. EDUCATIONAL OFFSET ...	250,000	250,000
Sec. 7. PSYCHOPATHIC DEPARTMENT—UNIVERSITY OF MINNESOTA HOSPITALS	1,524,013	1,547,171
Sec. 8. CHILD PSYCHIATRIC DEPARTMENT—UNIVERSITY OF MINNESOTA	567,971	578,820
Sec. 9. REHABILITATION CENTER—UNIVERSITY OF MINNESOTA HOSPITALS	1,501,727	1,525,609
Fees for service furnished to counties and individuals under this item shall be sought to augment the sum hereby appropriated, which said fees are hereby appropriated to said university hospital.		
Sec. 10. DEPARTMENT OF COMMUNITY SERVICE—UNIVERSITY OF MINNESOTA HOSPITALS	69,184	73,043
Sec. 11. FOR VARIOUS EXPERIMENTS AND INVESTIGATIONS TO BE CARRIED ON UNDER THE DIRECT SUPERVISION OF THE UNIVERSITY OF MINNESOTA		

Subdivision 1. Agricultural Extension Service	3,629,961	3,721,084
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This subdivision includes the items of agricultural extension work, county agri-

	1974	1975
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cultural agents, home demonstration and 4-H club work, and soil conservation. Any salary increases granted to personnel provided for by this subdivision by the university shall not result in a reduction of the county portion of the salary payments.

This appropriation includes funds for each year for the potato and sugar beet extension program in the Red River Valley, contingent on an equal amount being provided by the state of North Dakota.

The appropriation includes funds for irrigation and marketing development project.

Subd. 2. Agriculture

(a) General Agricultural Research	2,800,000	2,850,000
(Includes Agricultural Research—Rosemount)		

The above appropriation includes funds for research on aquatic plants including wild rice.

(b) Soybean Research	169,519	176,761
(c) Potato Processing Research Laboratory	34,772	35,860
(d) Forest Research Center—Cloquet	68,335	70,540

Subd. 3. Veterinary Medicine

(a) Veterinary Diagnostic Laboratory	262,016	268,664
(b) Veterinary Medicine Teaching Hospital	50,000	50,000

Subd. 4. Geological Research	119,363	124,647
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Subd. 5. Lake Superior Basin Studies	50,000	50,000
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Not more than \$25,000 of the above appropriation may be expended prior to receipt of matching funds.

In conducting the study, the university is directed to cooperate and coordinate its program with similar work in studies being conducted by other Minnesota state agencies or those of other states.

Any unexpended balance remaining in the first year shall not cancel but shall be

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available for the second year of the bien-nium.

The University shall submit a progress report to the 1975 legislature.

Subd. 6. General Research	1,867,570	1,642,199
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This appropriation is, as the board of regents may direct, for general research, business and economic research including Duluth, institute of child development, special education training and research, training for careers in fire prevention and protection, center for urban and regional affairs, criminal justice studies, museum of natural history, project Newgate, and juvenile justice seminar.

Subd. 7. Industrial Relations Education Program	165,800	195,800
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The above appropriation includes funds for short courses, programs, and seminars, for labor and management.

Subd. 8. Municipal Reference Bureau	54,927	
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Subd. 9. Medical Research	842,487	867,918
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The above amount includes funds for psychiatric research, control of hypercholesterolemia, medical and cancer research and multiple sclerosis and other neurological problems.

(a) Basic Sciences Program for Medical Training—Duluth Branch ...	832,481	1,017,375
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(b) Dental Hygiene Program—Duluth Branch	127,743	138,364
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(c) Duluth Graduate School of Social Work	328,327	379,470
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(d) Undergraduate Instruction of Medical Students at (1) Hennepin County General Hospital, (2) St. Paul-Ramsey Hospital, and (3) Private Hospitals	1,296,000	1,392,000
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(e) Graduate Residency Program		
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(1) University of Minnesota ...	1,275,000	1,500,000
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(2) Hennepin County General Hospital	532,000	532,000
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(3) St. Paul-Ramsey Hospital	418,000	456,000

All hospitals receiving any portion of the above appropriation shall furnish the house appropriations and senate finance committees with a full report no later than November 15, 1974, of all actual and reasonable costs resulting from graduate family practice residency education, and all fees and income to the hospital generated by the graduate residents in family practice and the purposes for which such funds were expended.

In the event that the number of graduate residents enrolled in the above program falls below the number projected on the official committee allocations worksheets, the university of Minnesota hospital and its affiliated hospitals shall cancel \$15,000, and Hennepin and Ramsey Hospitals each shall cancel \$19,000 for each student to the general fund.

Expenditures from this appropriation may be made only for activities directly related to the training of doctors in family practice at the above named and affiliated hospitals.

(f) Medical Services and Instruction	1,422,350	1,558,792
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The above amount includes funds for the rural health physicians' associate program, family practice and community health, drug abuse information and education, allied health—nurse—clinician generalist program, and patient transportation.

(g) Law School Supplement	170,000	350,000
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The above appropriation is for additional law students over planned first year enrollments for the 1973-74 school year, and additional law students over planned first year enrollments for the 1974-75 school year.

(h) Hormel Institute—Austin	100,000	100,000
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To support the operation of the institute and to promote research by such institute.

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From the appropriation made to the university of Minnesota by this act and from other sources all non-academic employees shall be paid a salary comparable to the salaries paid to state employees in the classified state civil service.

The appropriations made to the university of Minnesota by this act include funds for the employers share of social security, state retirement, and health insurance and such funds shall be expended only for these purposes. Any funds provided for these purposes by this act that are in excess of the employers share shall be returned to the state treasury.

None of the appropriations made in this act, with the exceptions of the appropriations for the university of Minnesota hospitals or made in this or other acts toward buildings, shall be made to the university by the auditor until the university first certifies to the auditor that its aggregate balances in the temporary investment pool, cash, or separate investments, resulting from all state maintenance and special appropriations do not exceed \$7 million plus one-third of all tuition and fee payments from the previous fiscal year. Upon such certification, one-twelfth of the annual appropriation to the university shall be paid at the beginning of each month. Additional payments shall be made by the state auditor whenever the state appropriations and tuition aggregate balances in the temporary investment pool, cash, or separate investments, are reduced below the indicated levels.

No payment of appropriations toward buildings shall be made by the auditor until all balances separately invested, including cash, and those in the temporary investment pool attributable to all state building funds shall be reduced below \$5 million. Payment shall then be made upon certification of the amounts needed for construction payments, but so as not to increase the building balances in cash, separately invested, or in the temporary investment pool, to a total above \$5 million.

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Appropriations not paid to the university in any fiscal year shall carry over to the following fiscal year.

Moneys not paid to the university by reason of the foregoing requirements shall be invested by the state in those securities authorized by Minnesota Statutes 1971, Section 11.10 until paid to the university. Income from investments shall be credited to the general fund in the state treasury.

In preparing legislative budget request for the 1975-1977 biennium, all projected income from student tuition shall be based on a charge per credit hour schedule.

Sec. 12. MAYO MEDICAL SCHOOL 608,000 928,000

The state of Minnesota shall pay a capitation of \$8,000 for each student who is a resident of Minnesota for a maximum of 40 such students in each class.

Sec. 13. MINNESOTA BOARD OF NURSING

Subdivision 1. For Nursing Scholarships 125,000 125,000

Sec. 14. MINNESOTA HIGHER EDUCATION COORDINATING COMMISSION

Subd. 1. Salaries and Expenses 475,085 481,871

This appropriation includes funds for the administration of the state scholarship, state grant-in-aid, student loan, and inter-institutional educational television programs and program review, and private college contracts.

Subd. 2. State Scholarship Program 3,175,000 3,875,000

Subd. 3. State Grant-in-aid Program 3,125,000 3,875,000

Subd. 4. Inter-institutional Educational Television 210,000 165,000

The commission, in cooperation with the state junior college system, the state college system, the university of Minnesota, and the Minnesota private colleges, shall be responsible for coordination and man-

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agement of the inter-institutional television program.

The staff of the higher education coordinating commission is directed to study the need for and the use of instructional television in Minnesota institutions of post-secondary education in cooperation with the senate finance committee and the house appropriations committee. The study shall include reconsideration of the assessments and recommendations of the interinstitutional feasibility study as presented to the 1965 legislature, evaluation of progress in meeting objectives presented in the feasibility study report, determination of the usefulness of the interinstitutional television program, and formulation of state policies on instructional television for the future. A staff report on the study shall be presented to the finance and appropriations committees by October 1, 1974. Recommendations of the commission on instructional television shall be included in the commission's biennial report to the 1975 legislature.

Of the amount appropriated in this subdivision, \$45,000 is for the study.

Subd. 5. Minitex Library Program . . .	248,600	248,600
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The commission, in cooperation with the state junior college system, the state college system, the university of Minnesota, and the Minnesota private colleges, shall be responsible for coordination and management of the minitex library program.

Subd. 6. Private College Contracts . . .	1,476,200	1,476,200
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Subd. 7. Regional Coordination and Service	175,000	
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The Higher Education Coordinating Commission is directed to develop and administer three experimental regional post-secondary education projects aimed at improving the efficiency and effectiveness of post-secondary education in meeting regional needs through increased interinstitutional cooperation and coordination of programs and planning within a region. In developing the three experimental projects,

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the Commission shall attempt to (1) improve the accessibility of all levels of post-secondary education to residents of the regions, (2) eliminate any unwarranted duplication of effort in the regions, (3) facilitate effective use of post-secondary education facilities and services for meeting regional needs, (4) provide for more effective liaison between regional planning and coordination of post-secondary education with regional planning and coordination of other public services, and (5) test means for accomplishing greater interinstitutional cooperative efforts for meeting local and regional needs of Minnesota residents. The Commission shall report on the results of the experimental regional projects in its next biennial report to the Governor and the Legislature. All post-secondary institutions and systems are requested to cooperate with and to assist the Commission in developing these projects.

Subd. 8. Student Loans 1,000,000

The commission is authorized and directed to supervise a student loan program in accordance with Minnesota Statutes, Section 136A.14 to 136A.17.

The Higher Education Coordinating Commission is hereby directed to take the necessary steps to encourage and expand the sharing of facilities and course offerings, through cross-registration or other appropriate means, between all public and private institutions of higher learning in Minnesota. A report showing the achievements and progress as well as recommendations for improvements and progress in this area shall be submitted to the 1975 legislature no later than January 1, 1975.

For the purpose of improved communications between all segments of public and private post-secondary education, the advisory council of the Higher Education Coordinating Commission shall be requested to sit with the Higher Education Coordinating Commission in the deliberations and discussions of the commission. Members of the advisory council shall, however,

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not vote on any matter before the commission.

Subd. 9. Upon request of the state finance officer and for the purpose of improving coordination of the state's effort in higher education, the Higher Education Coordinating Commission may (1) develop and implement an ongoing budgeting process and standardized reporting format which is compatible among the University of Minnesota, the state colleges, the state junior colleges, and public vocational technical schools, and which includes the relating of dollars expended to program output anticipated; (2) review budget requests, including requests for construction or acquisition of facilities, of the University of Minnesota, the state colleges, the state junior colleges, and public vocational technical schools, for the purpose of relating present resources and higher educational programs to the state's present and long-range needs; and conduct a continuous analysis of the financing of post-secondary institutions and systems, including assessments as to the extent to which such expenditures and accomplishments are consistent with legislative intent; (3) obtain from private post-secondary institutions receiving state funds a report on their use of those funds as specified above for public institutions. All institutions of higher education, public and private, and all state departments and agencies are requested to cooperate with and instructed to supply such written information as may be requested by the Higher Education Coordinating Commission in order to enable it to carry out and perform its duties. The commission shall include its budgetary recommendations for the university of Minnesota, the state colleges, the state junior colleges, public vocational technical schools, and private post-secondary institutions in reports to the governor and the legislature no later than November 15, 1974. There is hereby appropriated \$120,000 for this purpose.

Any unexpended balance remaining the first year in subdivisions 1, 2, 3, 4, 5, 6, 7,

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8, and 9 shall not cancel but shall be available for the second year of the biennium.

Sec. 15. STATE JUNIOR COLLEGE BOARD

Subdivision 1. Maintenance and Equipment	17,700,554	18,836,682
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The appropriation in this account provides salary increase funds sufficient to meet the obligations of the Minnesota Junior college board as stated in their contract negotiated with the junior college faculty association which is hereby approved for the 1973-1975 biennium only.

The above appropriation is for maintenance and equipment of the state junior college board and the state junior colleges. The state junior colleges are encouraged to use off-campus courses to extend the benefits of this appropriation to as many Minnesota residents as possible.

The above appropriation includes \$30,000 for development of community education programs at three out-state junior colleges.

The amounts appropriated in subdivision 1 include a sum in each year for recruitment of faculty. Candidates for twelve month administrative positions and for academic positions who have been invited by the state junior college board for interview may be reimbursed for travel and subsistence expenses in the same manner and in the same amounts as state officers and employees.

Subd. 2. Occupational Program Development	400,000
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Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

All receipts of every kind, nature and description, including student tuition and fees, all federal receipts, aids, contributions and reimbursements in all the state junior colleges are hereby reappropriated to the state junior college board, but are

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subject to budgetary control to be exercised by the commissioner of administration.

The state junior college board is authorized to establish activity funds, except for dormitory purposes, and imprest cash funds, to waive tuition charges and to act as agent and accept the benefits of public law 88-452, known as the economic opportunity act of 1964, as amended, public law 85-864, known as the national defense education act of 1958, as amended, to the same extent and subject to the same conditions as such authority is vested in the state college board. Minnesota Statutes 1971, Sections 136.56, 136.045, 136.142, 136.143, 136.144, 136.171, 136.22, 169.966, 352.01, Subdivision 2a(6), also apply to the state junior college board and the state junior colleges in the same manner as to the state college board and the state colleges.

All receipts attributable to the college activity funds and deposited in the state treasury are hereby reappropriated to the state junior college board and are not subject to budgetary control as exercised by the commissioner of administration.

Notwithstanding any other law to the contrary, reimbursements are appropriated for use during the fiscal year in which they are received.

Subd. 3. Student Loan Program—
State Matching

75,000

85,000

The above appropriation shall be used as state's matching share for any federal student aid or loan programs.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 4. State Junior College Board
Contingent

800,000

Of the above appropriation, not more than \$600,000 may be used to provide for meeting of contractual obligations between the junior college board and faculty resulting from reduced or shifting enrollments,

1974

1975

\$

\$

a shift to more costly programs requiring lower faculty-student ratios, and to maintain sound program offerings at the smaller institutions. Before any of the above appropriation is expended, the junior college board shall demonstrate to the legislative advisory committee that all reasonable measures have been taken to adjust staffing patterns to the degree possible within existing appropriation. A full report shall be submitted to the House appropriations and Senate finance committees on January 1, 1974 on the use made of this appropriation to that date.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory committee, as provided by Minnesota Statutes 1971, Section 3.30.

Sec. 16. EMPLOYEES COMPENSATION

To be transferred by the state auditor to the department of labor and industry compensation revolving fund, in payment of obligations incurred by the following agencies in the amounts as indicated:

1973

State College Board\$53,951.30

Sec. 17. UNEMPLOYMENT COMPENSATION41,139.72

In reimbursement of unemployment compensation benefits paid for former employees of the state college board.

Sec. 18. UNOBLIGATED BALANCES ON HAND, CANCELLED INTO GENERAL FUND. Except the revolving fund for the on-the-job training program, the unobligated balances on hand as of June 30, 1973, June 30, 1974, June 30, 1975, in the several appropriations and accounts for which an appropriation is made herein, unless otherwise excepted in this act, are hereby cancelled into the general fund for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975, and the unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30,

1975 appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1973, June 30, 1974, and June 30, 1975.

Sec. 19. INCOME, FEES, RECEIPTS, DEPOSITED IN GENERAL FUND. Except as herein otherwise specifically provided, except the income to the university of Minnesota, and except all federal aid, contributions, or reimbursements received for any account of any division, institution or department for which an appropriation is made in this act, all income, including fees or receipts of any nature whatsoever, shall be deposited in and for the benefit of the general fund.

Sec. 20. APPROVED COMPLEMENT. Whenever an appropriation to any department or agency for salaries discloses an approved complement, that department or agency is limited in the employment of the number of full time equivalent persons including part time and seasonal employees indicated by such approved complement.

Except as otherwise provided in this act, additional employees over the number of the approved complement may be employed on the basis of public necessity or emergency with the written approval of the governor, but the governor shall not approve such additional personnel until he has consulted with the legislative advisory committee created by Laws 1943, Chapter 594, and such committee has made its recommendation upon the matter. Such recommendation shall be advisory only. Failure or refusal of the committee to make a recommendation promptly shall be deemed a negative recommendation. The provisions hereof shall extend to any other agency to which the present authority of the legislative advisory committee may be transferred, but shall be deemed to be repealed in case such authority shall be abolished.

Sec. 21. Any moneys made available to any state department or agency by this act by appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes 1971, Section 355.50 and 352.04, Subdivision 5.

Sec. 22. In order to enable the state to match the cost of any program under Title I of the Higher Education Act of 1965, any receipts accruing to any state department or agency by reason of service performed for the university of Minnesota in connection with such program shall be deposited in the state treasury. Such receipts are hereby reappropriated to the department or agency making the deposit, to be used as part of the state's 25 percent share of the cost of such programs. The balance of the state's share of the cost of such programs is payable by the participating departments or agencies from any moneys appropriated for salaries, supplies and expenses.

Sec. 23. Notwithstanding the provisions of any law to the contrary, the administrative expenses of the supplemental retirement plan established pursuant to Minnesota Statutes 1971, Sec-

tions 136.80 to 136.87 shall be paid from the portion of the cash realized on the redemption of shares pursuant to Minnesota Statutes 1971, Section 136.82, Subdivision 1, clause (5) which becomes the property of the supplemental retirement account of the teachers retirement fund. The balance of said cash after payment of said expenses shall be prorated as thereafter provided in Minnesota Statutes 1971, Section 136.82, Subdivision 1, clause (5). The amount of \$12,500 is hereby annually appropriated to the teachers retirement association from the cash balance described herein for said purposes."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: HOWARD E. SMITH, RAY W. FARICY, PETER X. FUGINA, STANLEY A. ENEBO, and RODNEY N. SEARLE.

Senate Conferees: JACK T. DAVIES, NORBERT ARNOLD, JEROME M. HUGHES, ROBERT O. ASHBACH, and JOHN L. OLSON.

Norton moved that the report of the Conference Committee on H. F. No. 2437 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2437, A bill for an act relating to the organization and operations of state government; imposing regulations for junior college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, junior colleges, higher education coordinating commission, and moneys for medical education; providing aid to school districts including those affected by gross earnings taxation and authorizing the power of eminent domain with certain of the funds provided hereby; transferring moneys between accounts and funds in the state treasury; controlling certain treasury receipts; and imposing conditions relative to the expenditure of public moneys.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 117, and nays 16, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, B.	Esau	Jaros	Long
Andersen, R.	Carlson, D.	Faricy	Johnson, C.	Mann
Anderson, D.	Carlson, L.	Ferderer	Johnson, D.	McArthur
Anderson, G.	Cassery	Fjoslien	Johnson, J.	McCarron
Anderson, I.	Connors	Flakne	Johnson, R.	McCauley
Becklin	Cummiskey	Forsythe	Jopp	McEachern
Belisle	Dahl	Fudro	Jude	McFarlin
Bell	DeGroat	Fugina	Kahn	McMillan
Bennett	Dieterich	Graba	Kelly	Menke
Berg	Dirlam	Graw	Laidig	Miller, D.
Berglin	Eckstein	Grove	Larson	Miller, M.
Biersdorf	Eken	Hanson	LaVoy	Moe
Boland	Enebo	Haugerud	Lemke	Mueller
Braun	Erdahl	Hook	Lindstrom, E.	Munger
Brinkman	Erickson	Jacobs	Lindstrom, J.	Nelson

Newcome	Pehler	Samuelson	Smith	Weaver
Niehaus	Peterson	Sarna	Spanish	Wenzel
Norton	Prahl	Schreiber	Stanton	Wigley
Ohnstad	Quirin	Schulz	Swanson	Wohlwend
Ojala	Resner	Searle	Tomlinson	Wolcott
Parish	Rice	Sherwood	Ulland	Mr. Speaker
Patton	Ryan	Sieben, H.	Vanasek	
Pavlak, R.	St. Onge	Sieben, M.	Vento	
Pavlak, R. L.	Salchert	Skaar	Voss	

Those who voted in the negative were:

Adams, S.	Culhane	Knickerbocker	Pieper	Savelkoul
Carlson, A.	Hagedorn	Kvam	Pleasant	Stangeland
Cleary	Heinitz	Lombardi		
Clifford	Klaus	Myrah		

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1821

May 18, 1973

Honorable Martin O. Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 1821, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 1821, the typewritten bill, be amended as follows:

Page 1, strike lines 31 and 32.

Renumber the subsequent subdivisions.

Page 3, line 15, after "agency" strike "and the director" and insert in lieu thereof "may".

Page 5, line 20, strike "protection goals" and insert "policies".

Page 5, line 28, strike "or environmental protection problem" and insert "problem or be inconsistent with state environmental policies, the manufacturer of the product may withdraw it from further consideration until such time as the manufacturer may resubmit such product to the agency, or".

Page 6, line 12, strike "prepare" and insert "adopt and may amend or rescind".

Page 6, line 14, after "review" strike the period and insert "after notice and hearing as provided in Minnesota Statutes, Section 15.0412, Subdivision 4."

Page 6, line 20, after "cause." insert "Except as may be necessary in connection with any public hearing, the agency shall keep the samples and information confidential if the person submit-

ting them certifies that disclosure of said samples and information would affect the competitive position of the person."

Page 7, line 22, after "contract" strike "affected by this section may" and insert "in effect on final enactment of this act may, if the parties to the contract mutually agree,".

Page 7, line 24, after "section." insert "The exemption shall terminate upon expiration of the contract. If a party to such a contract, after a good faith attempt to renegotiate the contract, is unable to do so and the contract will continue in effect on and after March 1, 1974, the commissioner of taxation, after notice from the party in such form as the commissioner may prescribe and setting forth these facts, shall issue to the party a certificate that solid waste materials disposed of pursuant to the contract are exempt from the user fee imposed by this section. The operator of a solid waste disposal facility may require such a party to display his certificate of exemption at the operator's request.".

Page 8, line 19, strike "July 1, 1974" and insert in lieu thereof "March 1, 1974".

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: WILLARD MUNGER, HENRY SVELKOUL, and WALTER HANSON.

Senate Conferees: JAMES LORD, JOHN KEEFE, and WINSTON W. BORDEN.

Munger moved that the report of the Conference Committee on H. F. No. 1821 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1821, A bill for an act relating to the environmental impact, reduction, reuse and recycling of solid waste; authorizing state grants to regions, municipalities, and institutions therefor; prescribing duties and powers of the Minnesota pollution control agency; providing penalties; imposing a solid waste disposal charge; appropriating funds.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 133, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Berg	Casserly	Eken	Fudro
Adams, S.	Berglin	Cleary	Enebo	Fugina
Andersen, R.	Biersdorf	Clifford	Erdahl	Graba
Anderson, D.	Boland	Connors	Erickson	Graw
Anderson, G.	Braun	Culhane	Esau	Growe
Anderson, I.	Brinkman	Cummiskey	Faricy	Hagedorn
Becklin	Carlson, A.	Dahl	Ferderer	Hanson
Belisle	Carlson, B.	Dieterich	Fjoslien	Haugerud
Bell	Carlson, D.	Dirlam	Flakne	Heinitz
Bennett	Carlson, L.	Eckstein	Forsythe	Hook

Jacobs	Lemke	Munger	Quirin	Spanish
Jaros	Lindstrom, E.	Myrah	Resner	Stangeland
Johnson, C.	Lindstrom, J.	Nelson	Rice	Stanton
Johnson, D.	Lombardi	Newcome	Ryan	Swanson
Johnson, J.	Long	Niehaus	St. Onge	Tomlinson
Johnson, R.	Mann	Norton	Salchert	Ulland
Jopp	McArthur	Ohnstad	Samuelson	Vanasek
Jude	McCarron	Ojala	Sarna	Vento
Kahn	McCauley	Parish	Savelkoul	Voss
Kelly	McEachern	Patton	Schreiber	Weaver
Kempe	McFarlin	Pavlak, R.	Schulz	Wenzel
Klaus	McMillan	Pavlak, R. L.	Searle	Wigley
Knickerbocker	Menke	Pehler	Sherwood	Wohlwend
Kvam	Miller, D.	Peterson	Sieben, H.	Wolcott
Laidig	Miller, M.	Pieper	Sieben, M.	Mr. Speaker
Larson	Moe	Pleasant	Skaar	
LaVoy	Mueller	Prahl	Smith	

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 9

May 18, 1973

Honorable Martin O. Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and Senate, upon the disagreeing votes as to H. F. No. 9, report that we have agreed upon the items in dispute and recommend as follows:

That H. F. No. 9 be amended as followed:

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

"Section 1. [CITATION.] This act may be cited as the Minnesota fair labor standards act.

Sec. 2. [STATEMENT OF POLICY.] It is declared to be the policy of the Minnesota fair labor standards act (1) to establish minimum wage and overtime compensation standards for workers at levels consistent with their health, efficiency, and general well-being; (2) to safeguard existing minimum wage and overtime compensation standards which are adequate to maintain the health, efficiency, and general well-being of workers against the unfair competition of wage and hour standards which do not provide such adequate standards of living; and (3) to sustain purchasing power and increase employment opportunities.

Sec. 3. [DEFINITIONS.] Subdivision 1. Unless the language or context clearly indicates that a different meaning is intended, the following terms, for the purposes of this act, shall have the meanings given to them in this section.

Subd. 2. "Department" means the Minnesota department of labor and industry.

Subd. 3. "Commissioner" means the commissioner of labor and industry of Minnesota or his authorized designee.

Subd. 4. "Wage" means compensation due to an employee by reason of his employment, payable in legal tender of the United States or check on banks convertible into cash on demand at full face value, subject to such allowances as may be permitted by regulations of the department under section 8.

Subd. 5. "Employ" means to suffer or permit to work.

Subd. 6. "Employer" means any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee.

Subd. 7. "Employee" means any individual employed by an employer but shall not include

(1) any individual employed in agriculture on a farming unit or operation employing less than the equivalent of two full time workers and on any given day employing no more than four employees. For the purpose of this clause, equivalent of a full time worker means 40 weeks of employment in a calendar year;

(2) an individual who has not attained the age of 18 who is employed in agriculture on a farm;

(3) any individual employed as a counselor to work with programs and campers in an organized resident or day camp;

(4) any individual employed in a bona fide executive, administrative, or professional capacity, or a salesman who conducts no more than 20 percent of his sales on the premises of the employer, as such terms are defined and delimited by regulations of the department;

(5) any individual who renders service gratuitously for a nonprofit organization as such terms are defined by regulations of the department;

(6) any individual who serves as an elected official for a political subdivision or who serves on any governmental board, commission, committee or other similar body, or who renders service gratuitously for a political subdivision;

(7) any individual employed by a political subdivision to provide police or fire protection services or who is employed by an entity whose principal purpose is to provide police or fire protection services to a political subdivision;

(8) any individual employed by a political subdivision who is ineligible for membership in the public employees retirement association by reason of the provisions of Minnesota Statutes, Section 353.01, Subdivision 2, Paragraph (2), Clauses (a), (b), (d), and (h);

(9) any driver employed by an employer engaged in the business of operating taxicabs;

(10) any individual engaged in babysitting as a sole practitioner;

(11) any individual employed on a part-time basis in a carnival, circus or fair;

(12) any individual under the age of 18 employed part-time by a municipality as part of a recreational program.

Subd. 8. "Occupation" means any occupation, service, trade, business, industry, or branch or group of industries or employment or class of employment in which employees are gainfully employed.

Subd. 9. "Gratuities" means voluntary monetary contributions received by an employee from a guest, patron, or customer for services rendered.

Sec. 4. [PAYMENT OF MINIMUM WAGES.] Except as may otherwise be provided in this act, or by regulation issued pursuant thereto, every employer shall pay to each of his employees wages at a rate of not less than \$1.80 an hour.

Sec. 5. [OVERTIME.] Subdivision 1. No employer shall employ any of his employees for a workweek longer than 48 hours, unless such employee receives compensation for his employment in excess of 48 hours in a workweek at a rate of not less than one and one-half times the regular rate at which he is employed; provided, however, that an employer if it is the State of Minnesota or a political subdivision may grant time off at the rate of one and one half hours for each hour worked in excess of 48 hours in any week in lieu of monetary compensation; and, provided, however, that no employer shall be deemed to have violated the overtime pay provisions of this section by employing any employees for a work week in excess of that specified in this section without paying the compensation for overtime employment prescribed herein if such employee is so employed under an agreement meeting the requirement of section 7 (b) (2) of the Fair Labor Standards Act of 1938, as amended.

Subd. 2. No employer engaged in the operation of a health care facility shall be deemed to have violated subdivision 1 if pursuant to an agreement or understanding arrived at between the employer and employee before performance of the work, a work period of 14 consecutive days is accepted in lieu of the work week of 7 consecutive days for the purpose of overtime compensation and if for his employment in excess of 8 hours in any work day and in excess of 80 hours in such 14 day period the employee receives compensation at a rate not less than one and one half times the regular rate at which he is employed.

Subd. 3. The provisions of subdivision 1 shall not apply with respect to any salesman, parts man, or mechanic primarily engaged in selling or servicing automobiles, trailers, trucks, or farm implements and paid on a commission or incentive basis,

if employed by a nonmanufacturing establishment primarily engaged in the business of selling such vehicles to ultimate purchasers.

Sec. 6. [DIVISION OF LABOR STANDARDS IS CREATED.] Subdivision 1. A division of labor standards is hereby created in the department of labor and in industry under the supervision and control of the commissioner of labor and industry.

Subd. 2. [POWERS AND DUTIES.] The powers, duties, and functions vested in, or imposed upon, the division of women and children of the department of labor and industry by Minnesota Statutes, Chapter 177, and other applicable laws relating to wages, hours, and working conditions, are transferred, vested in, and imposed upon the division of labor standards. In addition, the division of labor standards shall administer the provisions of this act and chapter 184.

Subd. 3. [EMPLOYEES; TRANSFER FROM DIVISION OF WOMEN AND CHILDREN.] All persons employed by the department of labor and industry in the division of women and children shall be transferred to the division of labor standards without loss to the person of any rights acquired by reason of his employment at the time of transfer.

Sec. 7. [POWERS AND DUTIES OF THE COMMISSIONER.] Subdivision 1. The commissioner or his authorized representative may enter during reasonable office hours or upon request and inspect the place of business or employment of any employer of employees in any occupation in the state, for the purpose of examining and inspecting any or all books, registers, payrolls, and other records of any such employer that in any way relate to or have a bearing upon the question of wages, hours, and other conditions of employment of any such employees; transcribe any or all of such books, registers, payrolls, and other records as he or his authorized representative may deem necessary or appropriate; and question such employees for the purpose of ascertaining whether the provisions of this act and the regulations issued pursuant thereto have been and are being complied with.

Subd. 2. The commissioner or his authorized representative may require from any employer of employees in any occupation in the state full and correct statements in writing, including sworn statements, with respect to wages, hours, name, addresses, and such other information pertaining to his employees and their employment as the commissioner or his authorized representative may deem necessary or appropriate.

Subd. 3. The commissioner or his authorized representative may issue any order requiring an employer to comply with the provisions of this act or with any regulation promulgated under the provisions of section 8. Any order shall be served by the department upon the employer or his authorized representative in person or by certified mail at the employer's place of business.

If an employer wishes to contest the order for any reason, he shall file written notice of his objection to the order with the commissioner within 10 days after service of said order upon said employer. Thereafter, a public hearing shall be held in accordance with the provisions of Minnesota Statutes, Sections 15.0418 to 15.0426, and such regulations consistent therewith as the commissioner may make.

Subd. 4. The commissioner may investigate, mediate, and settle wage claims by an employee against an employer if the failure to pay any such wage may violate Minnesota laws or any order or regulation of the department thereunder.

Subd. 5. The commissioner may commence a civil action in any court of competent jurisdiction for the benefit of any employee for appropriate relief with respect to any wage claim which the commissioner deems to be valid, upon a written request being filed with the commissioner by such employee, provided: (1) the failure to pay such wage would constitute a violation of Minnesota laws or any order or regulation of the department thereunder, and (2) the wage claim does not exceed \$300. The employer shall pay all costs and disbursements as may be allowed by the court, and shall further pay an assessment of ten percent of the amount of any awarded wage claim to the treasurer of the state of Minnesota. In any action herein no security for payment of costs shall be required. Nothing herein shall be construed to prevent an employee from prosecuting his own claim for wages.

Subd. 6. Upon the written request of the commissioner, the attorney general of the state of Minnesota shall commence a civil action for appropriate relief against the employer as provided in subdivision 5.

Sec. 8. [POWER TO MAKE REGULATIONS.] Subdivision 1. The commissioner shall make and revise such regulations, including definitions of terms, as he shall deem appropriate to carry out the purposes of this act, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage and overtime rates established by sections 4 and 5.

Subd. 2. The commissioner shall appoint an advisory committee composed of an equal number of not more than three representatives each of employers and employees and of not more than three disinterested persons representing the public, which he shall consult concerning the making and revising of administrative regulations.

Subd. 3. The commissioner may establish regulations which define and govern this act with respect to, salesmen who conduct no more than 20 percent of their sales on the premises of the employer; allowances as part of the wage rates for board, lodging and other facilities or services furnished by the employer and used by the employees. Regulations issued by the department pursuant to this section shall include, but are not limited to, bonuses; part-time rates for employees working 24 hours or less

per week; special pay for special or extra work; procedures in contested cases; other facilities or services furnished by employers and used by employees; and other special items usual in a particular employer-employee relationship.

Subd. 4. An employee who receives \$20 or more per month in gratuities is a tipped employee. His employer is entitled to a credit in an amount up to 25 percent of the minimum wage which a tipped employee receives. Said credit against the wages due for gratuities received by a tipped employee may not be taken unless a signed statement from each tipped employee states that he did receive during the pay period an amount equal to or greater than the credit applied against the wages due by his employer. Such statements shall be maintained by the employer as a part of his business records.

Subd. 5. In order to prevent curtailment of opportunities for employment, avoid undue hardship, and safeguard the minimum wage rates under sections 4 and 5, the department shall also issue regulations providing for the employment of handicapped workers at wages lower than the wage rates applicable under sections 4 and 5, under permits and for such periods of time as specified therein; and providing for the employment of learners and apprentices at wages lower than the wage rates applicable under sections 4 and 5, under permits and subject to such limitations on number, proportion, length of learning period, occupations, and other conditions as the department may prescribe. The regulations issued by the department shall provide that where a handicapped person is now performing or is being considered for employment where he will perform work which is equal to work performed by a non-handicapped person, such handicapped person shall be paid the same wage as a non-handicapped person with similar experience and skill.

Subd. 6. Regulations shall be adopted by the department only after a public hearing held upon due publication of notice, at which any interested person may be heard and of which a record shall be made. Regulations shall be published by the department and shall take effect upon publication and filing with the secretary of state and the department of administration. Such regulations shall have the force and effect of law upon filing as provided herein.

Sec. 9. [JUDICIAL REVIEW.] Subdivision 1. Any person who may be aggrieved by any administrative regulation issued pursuant to section 8 may obtain a review thereof in the district court for Ramsey county, by filing in such court a written petition for declaratory judgment praying that the regulation be modified or set aside. A copy of such petition shall be served upon the department. The department's findings of fact, if any, shall be conclusive upon the court if supported by substantial evidence. The court shall determine whether the regulation is in accordance with law.

If the court determines that such regulation is not in accordance with law, it shall remand the case to the department with

directions to modify or revoke such regulation. If application is made to the court by any aggrieved party for leave to adduce additional evidence, such party shall show to the satisfaction of the court that such additional evidence is material, and that there were reasonable grounds for the failure to adduce such evidence before the department. If the court finds that such evidence is material and that reasonable grounds exist for the failure of the aggrieved party to adduce such evidence in prior proceedings, the court may remand the case to the department with directions that such additional evidence be taken by the department. The department may modify its findings and conclusions, in whole or in part, by reason of such additional evidence.

Subd. 2. Hearings in the district court on all appeals taken under subdivision 1 shall be privileged and take precedence over all matters, except matters of the same character. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final except that the same shall be subject to review on appeal to the supreme court.

Subd. 3. The commencement of proceedings under subdivision 1 shall not, unless specifically ordered by the court, operate as a stay of an administrative regulation issued pursuant to section 8. The court shall not grant any stay of an administrative regulation unless the person complaining of such regulation shall file in the court an undertaking with a surety or sureties satisfactory to the court for the payment to the employees affected by the regulation, in the event such regulation is affirmed, of the amount by which the compensation such employees are entitled to receive under the regulation exceeds the compensation they actually receive while such stay is in effect.

Sec. 10. [KEEPING RECORDS.] Every employer subject to any provision of this act or of any regulation issued pursuant thereto shall make and keep, for a period of not less than three years in or about the premises wherein any employee is employed, a record of the name, address and occupation of each of his employees, the rate of pay, and the amount paid each pay period to each such employee, the hours worked each day and each workweek by such employee, and such other information as the department shall prescribe by regulation as necessary or appropriate for the enforcement of the provisions of this act or of the regulations issued pursuant thereto.

Sec. 11. [POSTING OF LAW AND REGULATIONS.] Every employer subject to any provision of this act shall keep a summary thereof, approved by the department, and copies of any applicable regulations issued pursuant thereto, or a summary of such regulations, posted in a conspicuous and accessible place in or about the premises wherein any person subject thereto is employed. The department shall furnish copies of such summaries and regulations to employers without charge.

Sec. 12. [PENALTIES.] Subdivision 1. Any employer who hinders or delays the department or its authorized representative in the performance of its duties under this act or re-

fuses to admit the commissioner or his authorized representative to any place of employment as required by section 7, subdivision 1; or fails to make, keep, and preserve records as required by section 10; or falsifies any such record; or refuses to make any such record accessible, or to furnish a sworn statement of such record or any other information as required by section 7; or fails to post a summary of this act or a copy of any applicable regulation as required by section 11; or pays or agrees to pay wages at a rate less than the rate applicable under or pursuant to this act; or otherwise violates any provision of this act or of any regulation issued pursuant thereto; is guilty of a misdemeanor.

Subd. 2. Any employer who discharges or in any other manner discriminates against any employee because such employee has complained to his employer, to the department, or to an authorized representative of the department that he has not been paid wages in accordance with this act or regulations issued pursuant thereto or because such employee has caused to be instituted or is about to cause to be instituted any proceeding under or related to this act, or because such employee has testified or is about to testify in any such proceeding shall, upon conviction therefor, be fined not less than \$500 nor more than \$1000.

Sec. 13. [EMPLOYEES' REMEDIES.] Any employer who pays any employee less than the wages and overtime compensation to which such employee is entitled under this act and regulations issued pursuant thereto shall be liable to such employee for the full amount of such wages and overtime compensation, less any amount actually paid to such employee by the employer, for an additional equal amount as liquidated damages, and for costs and such reasonable attorney's fees as may be allowed by the court. Any agreement between such employee and the employer to work for less than the applicable wage rate shall be no defense to such action. Such action may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves.

Sec. 14. [RELATION TO OTHER LAWS.] Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other law of this state on the effective date of this act which are more favorable to employees than those applicable hereunder shall not be deemed to be amended, rescinded, or otherwise affected by this act but shall continue in full force and effect until they are specifically superseded by standards more favorable to such employees by operation of or in accordance with this act or regulations issued pursuant thereto.

Sec. 15. [RIGHT OF COLLECTIVE BARGAINING.] Nothing in this act shall be deemed to interfere with, impede, or in any way diminish the right of employees to bargain collectively with their employers through representatives of their own choosing in order to establish wages or other conditions of work more favorable to the employees than those required by this act and regulations issued pursuant thereto.

Sec. 16. Minnesota Statutes 1971, Sections 175.38, 175.39, 177.01, 177.02, 177.03, 177.04, 177.05, 177.06, 177.07, 177.075, 177.08, 177.09, 177.10, 177.11, 177.12, 177.121, 177.122, 177.13, 177.14, 177.15, 177.16, 177.17, 177.19, and 177.20, are repealed.

Sec. 17. [EFFECTIVE DATE.] This act shall become effective January 1, 1974."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: RAY W. FARICY, ROBERT J. FERDERER, and JACK H. LAVOY.

Senate Conferees: JOHN MILTON, AL KOWALCZYK, and HOWARD D. OLSON.

Faricy moved that the report of the Conference Committee on H. F. No. 9 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 9, A bill for an act relating to labor; creating a division of labor standards; providing for minimum wage and overtime standards; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 175.38; 175.39; and 177.01 to 177.20.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the passage of the bill and the roll being called, there were yeas 99, and nays 29, as follows:

Those who voted in the affirmative were:

Adams, J.	Clifford	Johnson, C.	Moe	Sarna
Adams, S.	Connors	Johnson, D.	Munger	Savelkoul
Andersen, R.	Cummiskey	Jude	Nelson	Schulz
Anderson, G.	Dahl	Kahn	Newcome	Sherwood
Anderson, I.	Dieterich	Kelly	Ojala	Sieben, H.
Belisle	Eckstein	Kempe	Parish	Sieben, M.
Bell	Enebo	Knickerbocker	Patton	Smith
Bennett	Faricy	Laidig	Pavlak, R.	Spanish
Berg	Ferderer	LaVoy	Pavlak, R. L.	Stanton
Berglin	Flakne	Lemke	Pehler	Swanson
Biersdorf	Forsythe	Lindstrom, J.	Peterson	Tomlinson
Boland	Fudro	Mann	Pleasant	Ulland
Braun	Fugina	McArthur	Prahl	Vanasek
Brinkman	Graw	McCarron	Quirin	Vento
Carlson, A.	Grove	McCauley	Resner	Voss
Carlson, B.	Hanson	McEachern	Rice	Wenzel
Carlson, D.	Haugerud	McFarlin	Ryan	Wohlwend
Carlson, L.	Heinitz	Menke	St. Onge	Wolcott
Casserly	Jacobs	Miller, D.	Salchert	Mr. Speaker
Cleary	Jaros	Miller, M.	Samuelson	

Those who voted in the negative were:

Anderson, D.	Erickson	Johnson, R.	Mueller	Searle
Becklin	Esau	Klaus	Myrah	Skaar
Culhane	Fjoslien	Kvam	Niehaus	Stangeland
Dirlam	Graba	Larson	Ohnstad	Weaver
Eken	Hagedorn	Lindstrom, E.	Pieper	Wigley
Erdahl	Johnson, J.	Long	Schreiber	

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 624

May 18, 1973

Honorable Martin O. Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 624, report that we have agreed upon the items in dispute and recommend as follows:

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

"Section 1. [CITATION.] Sections 1 to 4 may be cited as the Minnesota free flow of information act.

Sec. 2. [PUBLIC POLICY.] In order to protect the public interest and the free flow of information, the news media should have the benefit of a substantial privilege not to reveal sources of information or to disclose unpublished information. To this end, the freedom of press requires protection of the confidential relationship between the news gatherer and the source of information. The purpose of this act is to insure and perpetuate, consistent with the public interest, the confidential relationship between the news media and its sources.

Sec. 3. [DISCLOSURE PROHIBITED.] No person who is or has been directly engaged in the gathering, procuring, compiling, editing, or publishing of information for the purpose of transmission, dissemination or publication to the public shall be required by any court, grand jury, agency, department or branch of the state, or any of its political subdivisions or other public body, or by either house of the legislature or any committee, officer, member, or employee thereof, to disclose in any proceeding the person or means from or through which information was obtained, or to disclose any unpublished information procured by him in the course of his work or any of his notes, memoranda, recording tapes, film or other reportorial data which would tend to identify the person or means through which the information was obtained.

Sec. 4. [EXCEPTION AND PROCEDURE.] Subdivision 1. A person seeking disclosure may apply to the district court of the county where the person employed by or associated with a news media resides, has his principal place of business or where the proceeding in which the information sought is pending.

Subd. 2. The application shall be granted only if the court determines after hearing the parties that the person making ap-

plication, by clear and convincing evidence, has met all three of the following conditions:

(1) that there is probable cause to believe that the source has information clearly relevant to a specific violation of the law other than a misdemeanor,

(2) that the information cannot be obtained by any alternative means or remedy less destructive of first amendment rights, and

(3) that there is a compelling and overriding interest requiring the disclosure of the information where the disclosure is necessary to prevent injustice.

Subd. 3. The district court shall consider the nature of the proceedings, the merits of the claims and defenses, the adequacies of alternative remedies, the relevancy of the information sought, and the possibility of establishing by other means that which the source is expected or may tend to prove. The court shall make its appropriate order after making findings of fact, which order may be appealed directly to the supreme court according to the appropriate rule of appellate procedure. The order is stayed and nondisclosure shall remain in full force and effect during the pendency of the appeal.

Sec. 5. [DEFAMATION.] Subdivision 1. The prohibition of disclosure provided in section 3 shall not apply in any defamation action where the person seeking disclosure can demonstrate that the identity of the source will lead to relevant evidence on the issue of actual malice.

Subd. 2. Notwithstanding the provisions of subdivision 1 of this section, the identity of the source of information shall not be ordered disclosed unless the following conditions are met:

(a) that there is probable cause to believe that the source has information clearly relevant to the issue of defamation;

(b) that the information cannot be obtained by any alternative means or remedy less destructive of First Amendment rights.

Subd. 3. The court shall make its order on the issue of disclosure after making findings of fact, which order may be appealed directly to the supreme court according to the rules of appellate procedure. During the appeal the order is stayed and nondisclosure shall remain in full force and effect."

We request adoption of this report and repassage in accordance therewith.

House Conferees: RUSSELL P. STANTON, SALISBURY ADAMS, and RAY W. FARICY.

Senate Conferees: HUBERT H. HUMPHREY III, ROBERT J. BROWN, and ROBERT J. TENNESSEN.

Stanton moved that the report of the Conference Committee on H. F. No. 624 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 624, A bill for an act relating to the free flow of information, the protection of sources of information of the news media, and prohibiting disclosure of sources of information.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 133, 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
Brinkman	Fugina	Lindstrom, E.	Pehler	Ulland
Carlson, A.	Graba	Lindstrom, J.	Peterson	Vanasek
Carlson, B.	Graw	Lombardi	Pieper	Vento
Carlson, D.	Growe	Long	Pleasant	Voss
Carlson, L.	Hagedorn	Mann	Prahl	Weaver
Casserly	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	

The bill was repassed, as amended by Conference, and its title agreed to.

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:

H. F. No. 1271, A bill for an act relating to labor; employment of minors; providing that prohibitions do not apply to employment of farm children on the family farm; amending Minnesota Statutes 1971, Sections 181.40 and 182.09.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

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.

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 5 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 2530, A bill for an act relating to the organization and operation of state government; providing for public buildings of the state of Minnesota; authorizing the alteration, repair, rehabilitation of said buildings, the equipping and the replacement of equipment of certain of said buildings; appropriating money therefor.

The Senate has appointed as such committee Messrs. Arnold; Novak; Olson, J. L.; Fitzsimons and Davies.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 1626, A bill for an act relating to education; school aids and levies; authorizing the issuance of bonds by independent school district No. 625; appropriating money; amending Minnesota Statutes 1971, Chapter 124, by adding sections; Sections 120.17, Subdivision 7, and by adding a subdivision; 124.17, by adding a subdivision; 124.212, Subdivision 8, and by adding subdivisions; 124.32, Subdivisions 1 and 5, and by adding a subdivision; and 275.125, by adding subdivisions; repealing Minnesota Statutes 1971, Sections 120.17, Subdivision 8; 124.04; 124.17, Subdivision 1; 124.212, Subdivisions 3, 4, 6, and 7; 124.22, Subdivisions 1, 3, 4, and 6; 124.31; 124.32, Subdivision 3; and 275.125, Subdivisions 2 and 3.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1626

May 17, 1973

Honorable Alec G. Olson
President of the Senate

Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 1626, report that we have agreed upon the items in dispute and recommend as follows:

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

"Section 1. Minnesota Statutes 1971, Section 120.17, Subdivision 7, is amended to read:

Subd. 7. [PLACEMENT IN STATE INSTITUTION; RESPONSIBILITY.] Responsibility for special instruction and services for a handicapped child placed in a state institution on a temporary basis shall be determined in the following manner:

(a) The legal residence of such child shall be the school district in which his parent resides, if living or his guardian (IF NEITHER PARENT IS LIVING WITHIN THE STATE OR THE DISTRICT DESIGNATED BY THE COMMISSIONER OF EDUCATION IF NEITHER PARENT OR GUARDIAN IS LIVING WITHIN THE STATE);

(b) When the educational needs of such child can be met through the institutional program, the costs for such instruction shall be paid by the department to which the institution is assigned;

(c) When it is determined that such child can benefit from public school enrollment, provision for such instruction shall be made in the following manner:

(1) Determination of eligibility for special instruction and services shall be made by the commissioner of education and the commissioner of the department responsible for the institution;

(2) The school district where the institution is located shall provide an appropriate educational program for the child and shall make a tuition charge to the child's district of residence for the actual cost of providing the program;

(3) The district of the child's residence shall pay the tuition and other program costs *including the unreimbursed transportation costs* and may claim foundation aid for the child. *Special*

transportation shall be provided by the district providing the education program and the state shall reimburse such district within the limits provided by law.

Sec. 2. Minnesota Statutes 1971, Section 120.17, is amended by adding a subdivision to read:

Subd. 8a. [RESIDENCE OF CHILD UNDER SPECIAL CONDITIONS.] The legal residence of a handicapped child placed in a foster facility for care and treatment when: (1) parental rights have been terminated by court order; (2) parent or guardian is not living within the state; or (3) no other school district residence can be established, shall be the school district in which the child resides. The school board of the district of residence shall provide the same educational program for such child as it provides for all resident handicapped children in the district.

Sec. 3. Minnesota Statutes 1971, Section 124.04, is amended to read:

124.04 [CAPITAL EXPENDITURE TAXING AUTHORITY.] In addition to the tax levy prescribed by law for general and special school purposes, the board of any district may levy annually an amount (EQUAL TO EIGHT) *not to exceed \$65 per pupil unit and not to exceed 10 mills on each dollar of assessed valuation of the taxable property in the district as adjusted for the preceding year by the equalization aid review committee notwithstanding the provisions of sections 272.64 and 275.49, provided that said levy may not exceed by more than two mills (three mills if the district adds units pursuant to section 124.17, subdivision 1, clause (7))* the levy under this section in the previous year. The tax so levied shall be collected in the manner provided by law for the collection of (OTHER) school taxes. The proceeds of the tax may be used only to acquire *land*, improve and repair school sites and to (ERECT,) equip, *re-equip*, repair and improve buildings and permanent attached fixtures (, AND). *Subject to the commissioner's approval, the tax proceeds may also be used to rent or lease buildings for school purposes and to acquire or construct buildings.* The board (MAY) shall establish a fund in which the proceeds of this tax (MAY) *shall* be accumulated until expended (BY THE BOARD).

The proceeds of the tax shall not be used for custodial *or other maintenance services.*

Sec. 4. Minnesota Statutes 1971, Section 124.17, Subdivision 1, is amended to read:

124.17 [DEFINITION OF PUPIL UNITS.] Subdivision 1. Pupil units for each resident pupil in average daily membership shall be counted as follows:

(1) In an elementary school, for kindergarten and for handicapped pre-kindergarten pupils as defined in section 120.03, and enrolled in one-half day sessions throughout the school year or the equivalent thereof, approved by the commissioner of educa-

tion, one-half pupil unit and other elementary pupils, one pupil unit.

(2) In secondary schools, pupils in junior high school or a six-year school and all other pupils in secondary schools, one and four-tenths pupil units. Pupils enrolled in the seventh and eighth grades of a middle school shall be counted as secondary pupils.

(3) In area vocational-technical schools one and one-half pupil units.

(4) To meet the problems of educational overburden caused by broken homes, poverty and low income, each pupil from families receiving aid to families with dependent children or its successor program shall be counted as an additional five-tenths pupil unit. The department of public welfare is directed to furnish to the department of education that information concerning children from families with dependent children which is necessary to calculate pupil units. Additional aids to a district for such pupils may be distributed on a delayed basis until the department of education publicly certifies that the information needed for paying such aids is available on such a timely basis that such aids may be paid concurrently with other foundation aids.

(5) *In every district where the number of pupils from families receiving aid to families with dependent children or its successor program exceeds ten percent of the total actual pupil units in the district for the same year, as computed in clauses (1) and (2), each such pupil shall be counted as an additional 35/100 of a pupil unit; for those districts where the number of such pupils is more than eight percent but not more than ten percent of the total pupil units in the district for the same year, as computed in clauses (1) and (2), each such pupil shall be counted as an additional two-tenths of a pupil unit and for those districts where the number of such pupils is at least five percent but not more than eight percent of the total pupil units in the district for the same year, as computed in clauses (1) and (2), each such pupil shall be counted as an additional one-tenth of a pupil unit. Such weighting shall be in addition to the weighting provided in clauses (1), (2), (3), and (4) of this section. School districts are encouraged to allocate a major portion of the aids that they receive on account of clauses (4) and (5) to primary grade programs and services, particularly to programs and services that involve participation of parents.*

((5)) (6) Where the total pupil units of a district are used as a multiplier in determining foundation aids and spending and levy limitations and where the actual number of pupil units has decreased from the prior year, the number of pupil units for such district shall equal the average of actual pupil units for the prior and current years.

(7) *Where the actual number of pupil units has increased from the prior year by more than four percent, a number of pupil units equal to one fourth of the difference between the units as*

computed in clauses (1) and (2) for the two years shall be added to the other units for the district.

(8) (THIS ADJUSTMENT SHALL NOT BE MADE) *Only pupil units in clauses (1), (2) and (3) shall be used in computing adjusted maintenance cost per pupil unit.*

Sec. 5. Minnesota Statutes 1971, Section 124.212, Subdivision 1 is amended to read:

124.212 [FOUNDATION AID.] Subdivision 1. The foundation aid program for school districts for (FISCAL) school years (1972) 1973-1974 and (1973) 1974-1975 shall be governed by the terms and provisions of this section.

Sec. 6. Minnesota Statutes 1971, Section 124.212, is amended by adding a subdivision to read:

Subd. 3a. [AID GUARANTY.] *Notwithstanding any of the other provisions of this section, for the 1973-1974 school year neither the sum nor the sum per pupil unit of the aggregate foundation aid earned by a district maintaining a classified secondary school and the amount raised by the maximum levy authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 2, Clause (2) and for the 1974-1975 school year neither the sum nor the sum per pupil unit of the aggregate foundation aid earned by such a district and the amount raised by the maximum levy authorized for 1973 by section 18 (1) of this act, shall be less than the sum or the sum per pupil unit respectively of the aggregate foundation aid earned for the 1972-1973 school year, any payments earned for 1972-1973 which but for the operation of Minnesota Statutes 1971, Section 124.212, Subdivision 3, would not have been earned, and the amount raised by the levy authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 2, Clause (1). Aggregate foundation aid includes foundation aid for all pupil units. For purposes of this computation pupil units used as a divisor shall include only those units identified in clauses (1), (2) and (3) of subdivision 1 of section 124.17.*

Sec. 7. Minnesota Statutes 1971, Section 124.212, Subdivision 4, is amended to read:

Subd. 4. (NOTWITHSTANDING ANY OF THE OTHER PROVISIONS OF THIS SECTION, FOUNDATION AIDS COMPUTED UNDER SUBDIVISIONS 6 AND 7 SHALL BE REDUCED BY THE AMOUNT OF MONEYS RECEIVED BY THE DISTRICT FROM THE PERMANENT SCHOOL FUND AND SHALL BE FURTHER REDUCED BY THE AMOUNT OF SALES TAX PER CAPITA PAYMENTS MADE TO THE DISTRICT PURSUANT TO SECTIONS 297A.57 AND 297A.55. *The amount of money received by a school district as income from the permanent school fund for any year, shall be deducted from the foundation aid earned by the district for the same year including aid earned pursuant to section 6 of this act or from aid earned from other state sources.*

Sec. 8. Minnesota Statutes 1971, Section 124.212, is amended by adding a subdivision to read:

Subd. 6a. For the 1973-1974 school year a district shall receive in foundation aid the lesser of (1) \$788 per pupil unit less 30 mills times the 1971 adjusted assessed valuation of the district, or (2) the amount that bears the same relation to the difference in (1) as the sum of the 1970-1971 adjusted maintenance cost per pupil unit increased by \$87, and the greater of (a) one-sixth of the difference that results when the adjusted maintenance cost per pupil unit, so increased, is subtracted from \$788, or (b) \$38, bears to \$788.

Sec. 9. Minnesota Statutes 1971, Section 124.212, is amended by adding a subdivision to read:

Subd. 7a. For the 1974-1975 school year a district shall receive in foundation aid, the lesser of: (1) \$820 per pupil unit less 30 mills times the 1972 adjusted assessed valuation of the district, or (2) the amount that bears the same relation to the difference in (1) as the sum of the greater sum computed pursuant to section 8, clause (2) of this act, and the greater of (a) one-third of the difference that results when such greater sum is subtracted from \$820, or (b) \$32, bears to \$820.

Sec. 10. Minnesota Statutes 1971, Section 124.212, is amended by adding a subdivision to read:

Subd. 8a. Notwithstanding any provisions of any other law to the contrary, the adjusted assessed valuation used in calculating foundation aid shall include only that property which is currently taxable in the district. For districts receiving payments under sections 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; 294.21 to 294.28; 124.215, subdivision 2a; 124.25; 124.30; 360.133; 360.135; and 124.28; any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; the foundation aid shall be reduced by: The previous year's payment to the district pursuant to said sections times the ratio of the maximum levy allowed the district under section 18 of this act to the total levy allowed by section 275.125, but not to exceed 35 percent in 1973-1974 and 40 percent in 1974-1975 of the previous year's payment.

Sec. 11. Minnesota Statutes 1971, Chapter 124, is amended by adding a section to read:

[124.222] [TRANSPORTATION AID ENTITLEMENT.]
Subdivision 1. [COMPUTATION.] *For the 1974-1975 school year the state shall pay to each school district for all school transportation and related services for which the district is authorized by law to receive state aid: (1) The lesser product of either (a) The actual net operating cost per eligible pupil transported during the 1975 fiscal year times the number of eligible pupils transported during the 1975 fiscal year; or*

(b) 110 percent of the actual net operating cost per eligible pupil transported during the year ending June 30, 1973, times the number of eligible pupils transported during the 1975 fiscal year;

(2) Minus the amount raised by a levy of one mill times the adjusted assessed valuation which is used to compute the transportation levy limitation for the levy collected in calendar year 1974;

(3) Plus, the amount of depreciation for one year on the school bus fleet computed by the department of education on a straight line basis at the rate of ten percent per year of the net cost of the fleet.

Subd. 2. Notwithstanding subdivision 1, for the 1974-1975 school year the state shall pay to school districts having boundaries coterminous with the boundaries of a city of the first class for all school transportation and related services for which a district is authorized by law to receive state aid: Eighty percent of the lesser product computed pursuant to clause (1) of subdivision 1, plus 80 percent of the amount computed pursuant to clause (3) of subdivision 1.

Subd. 3. [PAYMENT SCHEDULE.] The state shall pay to each school district 30 percent of its estimated school transportation aid entitlement for the 1975 fiscal year on or before each of the following dates: September 30, December 31, and March 31. The actual balance due the district shall be paid on or before August 31 of the following fiscal year.

Subd. 4. [SPECIAL PAYMENT.] In addition to other payments authorized by law, on or before August 31 in fiscal year 1975 only, the state shall pay to each school district ten percent of the amount paid to the district in fiscal year 1974 for school transportation services provided in fiscal year 1973.

Sec. 12. Minnesota Statutes 1971, Chapter 124, is amended by adding a section to read:

[124.223] [TRANSPORTATION AID AUTHORIZATION.] For the 1974-1975 school year and thereafter, school transportation and related services for which state transportation aid is authorized are:

(1) Transportation or board of resident pupils who reside one mile or more from the public schools which they could attend, or transportation to, from, or between the schools they attend pursuant to a program approved by the commissioner of education, or who reside one mile or more from a private school actually attended, but only to the extent permitted by Minnesota Statutes, Sections 123.76 to 123.79 with respect to private school pupils; provided that state transportation aid is authorized in an amount not to exceed \$700,000 annually for the transportation of any elementary pupil, if the commissioner determines that the transportation is necessary because of extraordinary traffic hazards;

(2) *Transportation to or board and lodging in another district, of resident pupils of a district without a secondary school; the pupils may attend a classified secondary school in another district and shall receive board and lodging in or transportation to a district having a classified secondary school at the expense of the district of the pupil's residence;*

(3) *Transportation for residents to a state board approved secondary vocational center;*

(4) *Transportation or board and lodging of a handicapped pupil when he cannot be transported on a regular school bus, and the conveying of handicapped pupils between home and school and within the school plant;*

(5) *Transportation of resident handicapped children to licensed daytime activity centers attended by the children;*

(6) *When necessary, board and lodging for nonresident handicapped pupils in a district maintaining special classes;*

(7) *Services described in clauses (1) to (6) when provided in conjunction with a state board approved summer school program.*

Sec. 13. Minnesota Statutes 1971, Section 124.28, Subdivision 3, is amended to read:

Subd. 3. For the purpose of determining the applicability of this section to any district in *fiscal 1974 and subsequent years*, the valuation of taxable property shall be the (1969) adjusted value of such property as determined by the equalization aid review committee *and used in calculating foundation aid for the corresponding school year*, (EXCLUSIVE OF CLASS 2 PERSONAL PROPERTY AND PERSONAL PROPERTY EXEMPT FROM TAXATION BY EXTRA SESSION LAWS 1967, CHAPTER 32,) and the valuation of the exempt property shall be the full value of the exempt property as reported annually by the department of public service. For the purpose of determining refunds the valuations of the taxable property shall be taken at 30 percent of the valuations as adjusted by the equalization aid review committee and the valuation of the exempt property shall be taken at 30 percent of its full value. The eligibility of a school district under this section is determined by adding the adjusted taxable valuation of the taxable property of the district as determined by the equalization aid review committee to the full value of the exempt property as reported by the department of public service; then by dividing the amount of the exempt property by the total of such taxable property and exempt property; if the result is 20 percent or more the school district is eligible, otherwise not, unless it qualifies temporarily under subdivision 1 or the following paragraph.

Any district disqualified from receiving refunds because this subdivision as amended substitutes a more recent adjusted assessed valuation for the 1969 adjusted assessed valuation previously specified, shall nevertheless continue to receive such

refunds for three additional years, but the net amounts due prior to any required proration shall be reduced by 25 percent the first year, by 50 percent the second year, and by 75 percent the third year.

Sec. 14. Minnesota Statutes 1971, Section 124.32, Subdivision 1, is amended to read:

124.32 [HANDICAPPED CHILDREN.] Subdivision 1. The state shall pay to any district and unorganized territory (a) for the employment in its educational program for handicapped children, 60 percent of the salary of essential personnel, but this amount shall not exceed (\$5,300) \$5,600 for the normal school year for each full time person employed, or a pro rata amount for a part time person or a person employed for a limited time, including but not limited to summer school; (b) for the employment of an individual jointly with another district or districts or unorganized territory in its educational program for handicapped children, 60 percent of the salary of essential personnel, but this amount shall not exceed (\$5,300) \$5,600 per annum for each full time person employed, or a pro rata amount for a part time person or a person employed for a limited time including but not limited to summer school.

Sec. 15. Minnesota Statutes 1971, Section 124.32, Subdivision 5, is amended to read:

Subd. 5. When a handicapped child is placed in a residential facility approved by the commissioner and established primarily to serve handicapped children and when the child's educational program is approved by the commissioner, the state shall pay to the resident district not to exceed 60 percent of instructional costs charged to the resident district, less the foundation aid per pupil unit payable to the resident district. Not more than (\$125,000) \$300,000 shall be spent annually for purposes of implementing this subdivision. If that amount does not suffice, the aid shall be pro rated among all qualifying districts.

The following types of facilities may be approved by the commissioner:

(a) A residential facility operated by a public school district and designed to serve the low incidence handicapped, the multiple handicapped, or the most severely handicapped children, either within or outside of the state, or, a state residential school outside of the state.

(b) A private, nonsectarian residential facility designed to provide educational services for handicapped children either within or outside of the state.

(c) A state hospital or private nonsectarian residential center designed to provide care and treatment for handicapped children.

Sec. 16. Minnesota Statutes 1971, Section 124.32, is amended by adding a subdivision to read:

Subd. 6. *The state shall reimburse each district or unorganized territory the actual cost incurred in providing instruction and services for a handicapped child whose district of residence has been determined by sections 1 or 2 of this act, and who is temporarily placed in a state institution or a licensed residential facility for care and treatment. This section does not apply for a child placed in a foster home or a foster group home.*

Upon following such procedure as requested by the commissioner of education a district or unorganized territory providing instruction and services for such handicapped child may bill the state the actual cost incurred in providing said services including transportation costs and a proportionate amount of capital outlay and debt service, minus the amount of foundation aid, special education aid, transportation aid, and any other aid earned in behalf of such child, such action pursuant to limits set forth in Minnesota Statutes, Section 124.32, Subdivision 4.

Sec. 17. Minnesota Statutes 1971, Chapter 124, is amended by adding a section to read:

[124.781] [LIMITATION ON TAX ANTICIPATION BORROWING.] *Except as approved by the commissioner, a district may not issue certificates of indebtedness pursuant to sections 124.71 to 124.78, for a larger proportion of its total anticipated tax or aid revenues than it borrowed against such revenues which were received in calendar 1973 with respect to tax revenues and in the 1972-1973 school year with respect to aid revenues.*

Sec. 18. Minnesota Statutes 1971, Section 275.125, is amended by adding a subdivision to read:

Subd. 2a. (1) *In 1973, a school district may levy for all general and special school purposes, an amount equal to the amount raised by the 1972 adjusted assessed valuation of the district times the number of mills, not to exceed 30, that bears the same relation to 30, as the greater sum computed pursuant to section 9, clause (2) of this act, bears to \$820.*

(2) *In 1974, a school district may levy for all general and special school purposes, an amount equal to the amount raised by the 1973 adjusted assessed valuation of the district times the number of mills, not to exceed 30, that bears the same relation to 30, as the sum of the greater sum computed pursuant to section 9, clause (2) of this act, and the greater of (a) one-half of the difference that results when such greater sum is subtracted from \$860, or (b) \$40, bears to \$860.*

(3) *The levy authorized by clauses (1) or (2) may be increased in any amount which is approved by the voters of the district at a referendum called for the purpose. Such a referendum may be called by the school board or shall be called by the school board upon written petition of qualified voters of the district. The referendum shall be held on a date set by the school board. Only one such election may be held in a single school year.*

The question on the ballot shall be whether a specific millage which will yield a specific amount based on the most recent assessed valuation may be added to that authorized by clauses (1) or (2). If approved, the amount provided by the millage applied to each year's assessed valuation shall be authorized for certification until revoked by the voters of the district at a subsequent referendum, which may be called by the school board and which shall be called by the school board upon the written petition of qualified voters of the district unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. A petition authorized by this clause shall be effective if signed by a number of qualified voters in excess of 15 percent, or 10 percent if the school board election is held in conjunction with a general election, of the average number of voters at the two most recent district wide school elections. A referendum invoked by petition shall be held within three months of submission of the petition to the school board unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. Notwithstanding any law to the contrary, the approval of 50 percent plus one of those voting on the question is required to pass a referendum.

Sec. 19. Minnesota Statutes 1971, Section 275.125, Subdivision 3, is amended to read:

Subd. 3. In addition to the levy (PRESCRIBED) authorized by (SUBDIVISION 2) section 18 of this act, (EACH) a qualifying district may levy additional amounts as follows:

(1) The amounts necessary to make payments for bonds issued and for interest thereon, (AND FOR REPAYMENT OF DEBT SERVICE LOANS AND CAPITAL LOANS, THE AMOUNT AUTHORIZED FOR CAPITAL OUTLAY) including the bonds and interest thereon, issued as authorized by clause (7) (C) of this subdivision, and for repayment of debt service loans and capital loans, the amount authorized for capital expenditures pursuant to section 124.04 and the amount authorized for liabilities of dissolved districts pursuant to section 122.45.

((2) AN AMOUNT NECESSARY TO PAY THE ESTIMATED ACTUAL TRANSPORTATION COSTS OF THE DISTRICT FOR THE FOLLOWING SCHOOL YEAR LESS ESTIMATED STATE TRANSPORTATION REIMBURSEMENT FOR THE CURRENT YEAR. THE MONEY RAISED BY THIS ADDITIONAL LEVY MAY BE USED ONLY FOR COSTS INCURRED IN TRANSPORTATION WHICH IS PARTIALLY REIMBURSABLE UNDER SECTIONS 124.22 AND 124.32.)

(2) For school transportation services, an amount not to exceed the amount raised by a levy of one mill times the adjusted assessed valuation of the taxable property of the district for the preceding year; provided that in 1973 and thereafter a district having boundaries coterminous with the boundaries of a city of

the first class may levy an amount not to exceed 20 percent of its costs for transportation and related services for which state aid is authorized for the 1974-1975 school year and thereafter, and provided further that a district may levy under this clause for the annual cash payments to be made for the purchase of buses, but only for that portion of the payments not offset by state transportation aid received on account of depreciation.

((3) FOR PURPOSES OF THE 1971 LEVY, COLLECTIBLE IN 1972, ANY DISTRICT, IN WHICH THE SUM OF \$87 PER PUPIL UNIT IN AVERAGE DAILY MEMBERSHIP AND THE DIFFERENCE BETWEEN THE REIMBURSEMENT ENTITLEMENT PER PUPIL UNIT IN AVERAGE DAILY MEMBERSHIP FOR 1970-1971 SCHOOL YEAR PROGRAMS FOR HANDICAPPED CHILDREN AND THE 1970-1971 ADJUSTED MAINTENANCE COST PER PUPIL UNIT IN AVERAGE DAILY MEMBERSHIP IS GREATER THAN \$750 PER PUPIL UNIT, MAY LEVY AN AMOUNT PER PUPIL UNIT WHICH IS EQUAL TO OR LESS THAN THE DIFFERENCE BETWEEN SAID SUM AND \$750 PER PUPIL UNIT. A DISTRICT WHICH IS LOCATED IN A CITY OF THE FIRST CLASS MAY NOT QUALIFY FOR AN ADDITIONAL LEVY THAT EXCEEDS 1.5 MILLS TIMES THE ADJUSTED ASSESSED VALUATION OF THE DISTRICT.)

((4) FOR PURPOSES OF THE 1972 LEVY COLLECTIBLE IN 1973, ANY DISTRICT, WHICH QUALIFIED FOR AN ADDITIONAL LEVY UNDER SUBPARAGRAPH (3) OF THIS SUBDIVISION, AND IN WHICH THE SUM OF THE ADDITIONAL AMOUNT PER PUPIL UNIT AUTHORIZED BY SUBPARAGRAPH (3) AND \$750 PER PUPIL UNIT IS GREATER THAN \$788 PER PUPIL UNIT MAY LEVY AN ADDITIONAL AMOUNT PER PUPIL UNIT WHICH IS EQUAL TO OR LESS THAN \$38 PER PUPIL UNIT PLUS THE DIFFERENCE BETWEEN SAID SUM AND \$788 PER PUPIL UNIT. A DISTRICT WHICH IS LOCATED IN A CITY OF THE FIRST CLASS MAY NOT QUALIFY FOR AN ADDITIONAL LEVY THAT EXCEEDS 1.5 MILLS TIMES THE ADJUSTED ASSESSED VALUATION OF THE DISTRICT.)

((5) EACH DISTRICT WHICH MAINTAINS A POST-SECONDARY AREA VOCATIONAL-TECHNICAL SCHOOL SHALL REPORT TO THE COMMISSIONER OF EDUCATION THE RECEIPTS AND EXPENDITURES OF THE DISTRICT FOR THE AREA VOCATIONAL-TECHNICAL SCHOOL BY SEPTEMBER OF THE FISCAL YEAR ENDING IN THE PRECEDING JUNE. THE COMMISSIONER SHALL PRESCRIBE THE FORM OF THE REPORT.)

(EACH DISTRICT OR COUNTY MAINTAINING A POST-SECONDARY AREA VOCATIONAL-TECHNICAL SCHOOL MAY LEVY AN ADDITIONAL LEVY EXCLUSIVELY FOR THIS SCHOOL, BUT SUCH LEVY IN A DISTRICT WITHIN A CITY OF THE FIRST CLASS MAY NOT EXCEED .5 MILLS TIMES THE ADJUSTED ASSESSED VALUATION OF THE DISTRICT AS DETERMINED BY THE EQUALIZA-

TION AID REVIEW COMMITTEE FOR THE YEAR PRIOR TO THE CERTIFICATION OF THE LEVY.)

(3) For purposes of the 1973 levy, collectible in 1974, any district which qualified for an extra levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4), shall be allowed to levy the same amount per pupil unit allowed by that clause. Provided, however, that a district having boundaries coterminous with the boundaries of a city of the first class which was affected by the limitation of an extra levy not to exceed 1.5 mills times the adjusted assessed valuation of the district shall be allowed to levy 1.9 mills. For purposes of the 1973 levy, collectible in 1974, any district which qualified for an extra levy in 1971, collectible in 1972, under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3) but did not qualify for an extra levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4) in 1972, collectible in 1973, shall be allowed to levy the amount per pupil unit it was qualified to levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3).

(4) In 1973 only, for a district which was authorized to levy pursuant to Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3), but which was not authorized to levy pursuant to Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4), an amount not to exceed the aggregate amount authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3).

(5) A district which qualified for a levy under clause (3) above shall be allowed to levy that same amount per pupil unit in 1974 reduced by two and one-half percent. The per pupil amount of the reduction shall be rounded down to the dollar. Provided, however, that a district within a city of the first class which was affected by the limitation of an extra levy not to exceed 1.9 mills times the adjusted assessed valuation of the district shall be allowed to levy the 1.9 mills.

(6) For districts in cities of the first class, maintaining post secondary vocational schools, one half mills times the adjusted assessed valuation of the taxable property of the district for the preceding year; and for other districts maintaining post secondary vocational schools, three mills times the adjusted assessed valuation of the taxable property of the district for the preceding year, provided that districts formed pursuant to Laws 1967, Chapter 822, and Laws 1969, Chapters 775 and 1060, shall be subject to the levy limitations imposed by those laws, as amended.

((6)) (7) (A) In order that the transition from existing patterns of financing public schools to the system prescribed in Extra Session Laws 1971, Chapter 31, Article 20 may be made in an orderly fashion, a district may levy an additional levy under the terms of this section.

(B) If that part of the levy certified by the school district in 1970, received in 1971, plus so much of the levy, allowed under subdivisions 2 and 3, sections 1 to 5 of this act, to be certified

in 1971, received in 1972, as will be received between July 1, 1971 and June 30, 1972, and when added to all other state aids, local funds available and net existing local debts, exclusive of bonded debt and existing capital loans will not be sufficient to allow a district to spend an amount per pupil unit sufficient to raise its 1970-1971 adjusted maintenance cost per pupil unit by \$42 it may petition the commissioner of education for authority to levy an additional levy. Before such a levy can be made, the commissioner must authorize such a levy. Such authorization shall specify the amount of the levy, provided that such levy may not exceed .5 mills in a city of the first class or 1.5 mills in any other district times the 1970 adjusted assessed valuation of the district as determined by the equalization aid review committee.

(C) If the additional levy allowed in (B) is insufficient to raise the adjusted maintenance cost of a district to \$42 above its costs in 1970-1971 it may petition the commissioner of education for authority to issue general obligation bonds of an amount sufficient to meet the deficiency. The commissioner must authorize such a bond issue. The authorization shall specify the amount of the bond issue provided that the levy authorization to pay the principal and interest on the bonds may not exceed .5 mills in a district within a city of the first class, or 1.5 mills in any other district, times the 1970 adjusted assessed valuation of the district as determined by the equalization aid review committee. The bonds authorized by this section shall be sold and issued pursuant to the provisions of chapter 475, except as otherwise provided herein. Such bonds shall not be included in computing any debt limitation for a district and no election shall be required for their sale and issuance.

A district may not be authorized an additional levy under both (B) and (C) of this section.

(8) *In 1973, and each year thereafter, for a district which has established a community school advisory council pursuant to section 121.88, whether or not the district receives reimbursement from the state pursuant to section 121.89, an amount of money raised by the greater of (A) \$1 per capita, or (B) the number of mills not to exceed the number of mills necessary in 1973 to raise \$1 per capita in 1973 for community services including summer school, nonvocational adult programs, recreation programs, and programs contemplated by sections 121.85 to 121.89.*

The population of the district for purposes of this clause is the population determined as provided in section 275.14 or as certified by the department of education from the most recent federal census.

(9) *Districts which receive payments which result in deductions from foundation aid pursuant to section 10 of this act, shall reduce the permissible levies authorized by this subdivision by 25 percent in 1973, 50 percent in 1974, 75 percent in 1975, and 100 percent for each year thereafter of that portion of the previous year's payment not deducted from foundation aid on ac-*

count of the payment, unless such a levy reduction is otherwise required by law. The levy reductions shall be made in the proportions that each permissible levy bears to the sum of the permissible levies.

(10) The commissioner shall certify to the county auditors any errors made in 1971 and 1972 in general and special purpose levy amounts. The county auditor is authorized to adjust the 1973 levy to correct for the errors.

Sec. 20. Minnesota Statutes 1971, Section 275.125, is amended by adding a subdivision to read:

Subd. 3a. Independent School District No. 625 is authorized to issue general obligation bonds in the amount of \$13,000,000. Such bonds shall be sold and issued pursuant to the provisions of Minnesota Statutes, Chapter 475, except as provided herein. Such bonds shall be used for the construction and betterment of two senior high schools and shall not be included in computing any debt limitation for a district and no election shall be required for their sale and issuance.

Sec. 21. Minnesota Statutes 1971, Section 360.133, Subdivision 2, is amended to read:

Subd. 2. [VALUATION OF PROPERTIES.] For the purposes of determining the amount of this refund, the value of such properties shall be set at 30 percent of their full and true value except that in no case shall the assessed value of said properties for this purpose exceed such an amount as when added to the assessed value of all other property in the school district exceed (\$2,600) \$6,500 per resident pupil unit.

Sec. 22. The state board of education shall summarize and disseminate to boards of education, individual school faculty groups, individual school and school district parent organizations, the legislature and the governor, from presently available reports or from new reports it may require of school districts, the following types of information: individual elementary and secondary and area vocational technical school district costs, student enrollments, staffing and staffing ratios, district capital and operating debt or surplus, per pupil per mile costs of transportation, and other school district fiscal and demographic characteristics of importance.

The state board of education shall submit a report on or before November 15, 1974, to the house appropriations committee and senate finance committee detailing a plan for a fiscal accounting and reporting system of program expenditures for each elementary, secondary and area vocational technical school building and school district in the state and additional information as listed above with procedures to summarize this material for regional and state description and comparison.

Sec. 23. [RETARDED; INDETERMINATE RESIDENCY; AID 1972-73.] A district which provides educational services in 1972-1973 to trainable mentally retarded children residing

in a state hospital mental retardation unit or other licensed residential facility, other than a group or foster home, and for which children parental rights have been legally terminated, or for which children no district of residency has been established, shall receive \$550 per child served in that year.

Sec. 24. [VOCATIONAL REIMBURSEMENT CEILING.] *Notwithstanding any reimbursement formula which is inconsistent with this section, for secondary, post-secondary and adult vocational programs, with the exception of obligations for veteran farmer cooperative training programs for which a separate appropriation is made, provided in fiscal year 1974 to be reimbursed in fiscal year 1975, the state shall not be obligated to reimburse in fiscal year 1975, or any other fiscal year, any amounts in excess of the appropriations made for fiscal year 1975 in this act for those purposes.*

Sec. 25. *Notwithstanding any other provisions of law, any school district which has received aid pursuant to Minnesota Statutes, Section 124.802, for the preceding eight years shall be entitled to receive in any school year commencing after July 1, 1973, the greater of the aid under section 124.802 or the average of the aid received during the preceding eight years. This section shall not apply to a district in which the average of the aids received during the eight preceding years exceeds \$90,000.*

Sec. 26. [EXPERIMENTAL SCHOOL.] **Subdivision 1.** *It is the intention of the legislature of the state of Minnesota to establish an experimental educational program to be situated in Independent School District No. 309 on the land comprising former Independent School District No. 25, which was dissolved and attached to Independent School District No. 309 by an order of the county board of Becker county dated June 23, 1970, which is on file and of record in the office of the county auditor of Becker county. Such experimental school shall be established as set forth in this section.*

Subd. 2. *Notwithstanding any statute, rule or regulation of the state board of education to the contrary, the school board of Independent School District No. 309 shall, in accordance with subdivisions 1 to 17, and within 30 days subsequent to the election specified in subdivision 3, transfer all of its jurisdiction, authority and liability for the pupils attending the experimental public school situated on the land comprising former Independent School District No. 25 to an incorporated Indian Education Committee which is eligible to receive federal aid to Indians pursuant to section 124.64. Thereafter, the care, management and control of the experimental school shall be vested in such committee.*

Subd. 3. *Upon approval of this section by the governing body of Independent School District No. 309, the chairman of the board shall determine a date not less than 20 nor more than 45 days from the date of approval of this section and a place located within the boundaries of former Independent School District No.*

25 as set out in subdivision 1 for holding a meeting to organize the experimental school committee. He shall cause ten days posted notice of the meeting to be given in the experimental school area. The chairman of the board shall call the meeting to order and act as temporary chairman of the meeting until the officers of the experimental school committee have been elected. At the meeting, a chairman shall be elected to hold office until July 1 following the next annual election; the treasurer until one year from such date; and the clerk until two years from such date. Thereafter, the term of office for an officer of the committee shall be three years and until his successor qualifies.

Subsequent elections of committee officers shall be held in accordance with the applicable provisions of section 123.11.

Any qualified voter residing on the land comprising former Independent School District No. 25 as set out in subdivision 1 shall be entitled to vote at such election.

Subd. 4. Nothing contained in this section shall be construed to prohibit any qualified voter residing in the area comprising former Independent School District No. 25 from participating in the elections of Independent School District No. 309.

Subd. 5. The treasurer of such committee shall give a corporate surety bond to the state in an amount sufficient to protect the interest of the district as set by the board of Independent School District No. 309. Except as expressly provided in this subdivision, the provisions of section 123.34, subdivision 6 shall apply.

Subd. 6. The committee shall superintend and manage the experimental school; adopt, modify, or repeal rules for its organization, government and instruction and for the keeping of registers; and prescribe textbooks and courses of study, provided, that such courses of study shall meet the standards for similar courses of study available in the public schools of this state.

Subd. 7. (a) The board of District No. 309 shall transfer to the committee all state aids, grants, and refunds earned and received by reason of the pupils actually attending the experimental school established by this section.

(b) The board of District No. 309 shall transfer to the committee, to the extent permissible, any federal aids or grants to which such district may be eligible or entitled by reason of the population in the experimental school area, the pupils actually attending the experimental school, the program of the experimental school, the boundaries of the experimental school or for any reason related thereto.

Subd. 8. Nothing contained in this section shall be construed to authorize the committee to issue bonds, levy taxes, or borrow funds in its behalf.

Subd. 9. The committee shall cause an audit to be made annually of all accounts of the experimental school which shall be

completed within one year following the year for which the audit is made. In all respects, the committee shall be subject to the provisions of Minnesota Statutes, Chapter 215.

Subd. 10. The committee shall employ necessary teachers in accordance with section 125.12 and may employ other necessary personnel. Teachers employed by the committee subsequent to the effective date of the transfer specified in subdivision 2 shall be employees of the experimental school and shall constitute an "appropriate unit" or "unit" for the purposes of sections 179.61 to 179.77, notwithstanding the provisions of section 179.63, subdivision 17.

Teachers employed by the board of District No. 309 and assigned by the board to the school designated as the experimental school by this section shall remain employees of the board.

The committee shall have the authority to employ instructors in the area of Indian culture. Notwithstanding the provisions of Minnesota Statutes, Chapter 125, or any rule or regulation of the state board relating to certification requirements, said instructors need not be certified by the state board. For all other purposes, said instructors shall be deemed to be "teachers" as defined by section 125.03, subdivision 1.

Subd. 11. The committee may procure the insurance specified in sections 123.35, subdivision 13, and 123.41. The committee shall purchase insurance to the extent required by Minnesota Statutes, Chapter 466 and shall not be liable beyond the extent provided by section 466.12, subdivision 3a. The term "average number of pupils" as set out in section 466.12, subdivision 3a shall mean, for the purposes of this section, the average number of pupils attending the experimental school.

Subd. 12. Except as otherwise provided by this section, the care, management, and operation of the experimental school by the committee shall be governed in accordance with the provisions of the education code, as defined by section 120.01, and any other statutes affecting public school districts.

Unless otherwise provided in this section, the committee shall operate pursuant to statutes governing independent school districts.

Subd. 13. Nothing contained in this section shall be construed to prohibit any pupil residing on land within the defined boundaries of the experimental school as set out in subdivision 1 from attending any other school within District No. 309. Nor shall anything contained in this section be construed to prohibit any pupil residing in District No. 309 from attending the experimental school established by this section.

Subd. 14. To the extent permitted by statute, the board of Independent School District No. 309 shall remain responsible for providing transportation for District No. 309.

Subd. 15. All legally valid and enforceable claims and contract obligations entered into by the board of District No. 309

prior to the effective date of the transfer to the committee specified in subdivision 2, shall remain the obligations of District No. 309.

Subd. 16. The subdivisions of this section shall be construed to be severable. In the event a particular provision may be determined to be invalid, such determination shall not affect any other subdivision of this section.

Subd. 17. The provisions of this section shall expire July 1, 1977. At any time the experimental school may be terminated upon unanimous vote of the officers of the committee and 30 days notice to the board of District No. 309, whereupon the board of District No. 309 shall resume the care, management and control of the entire district on July 1 following. Prior to December 1 of each year the committee shall submit to the legislature a report of the experimental school established by this section. Such report shall document the success or failure of the experimental school.

Subd. 18. This section is effective upon its approval by the governing body of Independent School District No. 309, and the Pine Point Indian Education Advisory Committee, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Sec. 27. Minnesota Statutes 1971, Section 124.212, Subdivision 10, is amended to read:

Subd. 10. The equalization aid review committee, consisting of the commissioner of education, the commissioner of administration, and the commissioner of taxation, is hereby continued and permanently established. The duty of this committee shall be to review the assessed valuation of the districts of the state. When such reviews disclose reasonable evidence that the assessed valuation of any district furnished by any county auditor is not based upon the market value of taxable property in such district, then said committee shall call upon the department of taxation to ascertain the market value of such property, and adjust such values as required by law to determine the adjusted assessed valuation. The department of taxation shall take such steps as it may consider necessary in the performance of that duty and may incur such expense as is necessary therefor. The commissioner of taxation is authorized to reimburse any county or governmental official for services performed at his request in ascertaining such adjusted valuation. On or before (MAY 15) May 1, annually, the department of taxation shall submit its report on the assessed values established by the previous year's assessment to said committee for approval or rejection and, if approved, such report shall be filed not later than the following July 1 with the commissioner of education and each county auditor for those school districts for which he has the responsibility for determination of mill rates. A copy of the adjusted assessed value so filed shall be forthwith mailed to the clerk of each dis-

strict involved and to the county assessor or supervisor of assessments of the county or counties in which such district is located.

Sec. 28. [APPROPRIATION.] *There is appropriated from the general fund of the state treasury to the department of education the following sums for the years and purposes indicated:*

*For the year ending
June 30*

	1974	1975
(1) Foundation Aid	\$541,000,000	\$497,500,000

The appropriations in (1) include \$750,000 for 1974 and \$700,000 for 1975 to be expended pursuant to Laws 1965, Chapter 719, as amended. If the appropriation for this purpose in either year is insufficient, the aids shall be prorated among all qualifying districts. The appropriation in (1) also includes \$500,000 in each indicated year for shared time aid, and not to exceed \$500,000 in 1974 for emergency aid.

(2) Transportation Aid	\$ 38,000,000	\$ 51,000,000
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The amount appropriated in (2) for 1974 may be paid for transportation reimbursement obligations incurred by the state before July 1, 1973, pursuant to Minnesota Statutes 1971.

(3) Special Education Aid	\$ 25,700,000	\$ 27,700,000
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(4) Secondary Vocational Aid ..	\$ 10,300,000	\$ 10,400,000
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(5) Post-Secondary	\$ 30,100,000	\$ 34,100,000
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(6) Adult Vocational Aid	\$ 2,700,000	\$ 2,800,000
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(7) Vocational Construction	\$ 750,000	
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Any unexpended balance remaining from the appropriations in (1) through (7) for 1974, shall not cancel but shall be available for the second year of the biennium, unless otherwise provided in (1) through (7).

(8) For Gross Earnings Aid Pursuant to Minnesota Statutes, Section 124.28	\$ 900,000	\$ 900,000
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(9) Exempt Land Special School Aid Pursuant to Minnesota Statutes, Section 124.30	\$ 400,000	\$ 400,000
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(10) For Aid to School Districts Pursuant to Minnesota Statutes, Section 360.133	\$ 145,000	\$ 145,000
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(11) School Aid—Counties A/C of Non Tax Areas	\$ 48,000	\$ 48,000
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The amount appropriated in (11) shall be expended in 1974 and 1975, as provided in Laws 1971, Chapter 966, Section 16 for 1971 and 1972. If the appropriations made in (8) through (11) in either year are insufficient, the aids shall be prorated among all qualifying recipients.

None of the amounts appropriated in (1) through (11) above shall be expended for a purpose other than the purpose indicated, unless otherwise provided in (1) through (11).

Sec. 29. Minnesota Statutes 1971, Section 276.11, is amended to read:

276.11 [WHEN TREASURER SHALL PAY FUNDS.] As soon as practical after each settlement in February, May, and October the county treasurer shall pay over to the state treasurer or the treasurer of any town, city, village, or school district, on the warrant of the county auditor, all moneys received by him arising from taxes levied and collected belonging to the state, or to such municipal corporation, or other body, and deliver up all orders and other evidences of indebtedness of such municipal corporation or other body, taking triplicate receipts therefor. He shall file one of the receipts with the county auditor, and shall return one by mail on the day of its reception to the clerk of the town, city, village, or school district to which such payment was made, who shall preserve the same in his office. The county treasurer is authorized and directed to make such partial payments of amounts collected periodically in advance of final settlements as may be practicable. Accompanying each payment to the state treasurer or treasurer of any town, city, village, or school district shall be a statement prepared by the county treasurer designating the years for which taxes included in the payment were collected and, for each year, the amount of such taxes and any penalties thereon. (IF) The county treasurer (FAILS TO) *shall* pay over such moneys to the state or to a municipal corporation or other body within (90) 45 days after settlement, (INTEREST SHALL THEREAFTER ACCRUE AT THE RATE OF 3 1/2 PERCENT PER YEAR) *provided, however, that after 30 days interest shall accrue to the credit of and shall be paid to the state, municipal corporation or other body.* Interest shall be payable upon appropriation from the general revenue fund of the county and, if not paid, may be recovered by the state, municipal corporation, or other body, in a civil action.

Sec. 30. Minnesota Statutes 1971, Sections 120.17, Subdivision 8; 124.212, Subdivisions 3, 6, 7, and 8; 124.22; 124.31; 124.32, Subdivision 3; 275.125, Subdivision 2; and 360.133, Subdivision 3, are repealed."

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

"A bill for an act relating to operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; authorizing an experimental school in independent school district No. 309 and the issuance of bonds by independent school district No. 625; appropriating money; amending Minnesota Statutes 1971, Chapter 124, by adding sections; Sections 120.17, Subdivision 7, and by adding a subdivision; 124.04; 124.17, Subdivision 1; 124.212, Subdivisions 1, 4, and 10, and by adding subdivisions; 124.28, Subdivision 3; 124.32, Subdivisions 1 and 5, and by adding a subdivision; 275.125, Subdivision 3 and

by adding subdivisions; 276.11; and 360.133, Subdivision 2; repealing Minnesota Statutes 1971, Sections 120.17, Subdivision 8; 124.212, Subdivisions 3, 6, 7 and 8; 124.22; 124.31; 124.32, Subdivision 3; 275.125, Subdivision 2; and 360.133, Subdivision 3."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: JERALD C. ANDERSON, RALPH R. DOTY, WINSTON W. BORDEN, DOUGLAS H. SILLERS, and JOSEPH T. O'NEILL.

House Conferees: JOSEPH P. GRABA, TOM BERG, DOUGLAS J. JOHNSON, SALISBURY ADAMS, and GILBERT D. ESAU.

Graba moved that the report of the Conference Committee on S. F. No. 1626 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1626, A bill for an act relating to education; school aids and levies; authorizing the issuance of bonds by independent school district No. 625; appropriating money; amending Minnesota Statutes 1971, Chapter 124, by adding sections; Sections 120.17, Subdivision 7, and by adding a subdivision; 124.17, by adding a subdivision; 124.212, Subdivision 8, and by adding subdivisions; 124.32, Subdivisions 1 and 5, and by adding a subdivision; and 275.125, by adding subdivisions; repealing Minnesota Statutes 1971, Sections 120.17, Subdivision 8; 124.04; 124.17, Subdivision 1; 124.212, Subdivisions 3, 4, 6, and 7; 124.22, Subdivisions 1, 3, 4, and 6; 124.31; 124.32, Subdivision 3; and 275.125, Subdivisions 2 and 3.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 124, and nays 9, as follows:

Those who voted in the affirmative were:

Adams, J.	Cleary	Graba	Kvam	Nelson
Adams, S.	Clifford	Grove	Laidig	Newcome
Andersen, R.	Connors	Hagedorn	LaVoy	Niehaus
Anderson, D.	Culhane	Hanson	Lemke	Norton
Anderson, G.	Cumiskey	Haugerud	Lindstrom, J.	Ohnstad
Anderson, I.	Dahl	Heinitz	Lombardi	Ojala
Becklin	DeGroat	Hook	Long	Parish
Belisle	Dieterich	Jacobs	Mann	Patton
Bell	Dirlam	Jaros	McArthur	Pavlak, R.
Bennett	Eken	Johnson, C.	McCarron	Pavlak, R. L.
Berg	Enebo	Johnson, D.	McCauley	Pehler
Berglin	Erdahl	Johnson, J.	McEachern	Peterson
Biersdorf	Erickson	Johnson, R.	McMillan	Prahl
Boland	Esau	Jopp	Menke	Quirin
Braun	Faricy	Jude	Miller, D.	Resner
Brinkman	Ferderer	Kahn	Miller, M.	Rice
Carlson, A.	Fjoslien	Kelly	Moe	Ryan
Carlson, D.	Flakne	Kempe	Mueller	St. Onge
Carlson, L.	Fudro	Klaus	Munger	Salchert
Casserly	Fugina	Knickerbocker	Myrah	Samuelson

Sarna	Sieben, H.	Stangeland	Vanasek	Wigley
Savelkoul	Sieben, M.	Stanton	Vento	Wohlwend
Schreiber	Skaar	Swanson	Voss	Wolcott
Searle	Smith	Tomlinson	Weaver	Mr. Speaker
Sherwood	Spanish	Ulland	Wenzel	

Those who voted in the negative were:

Eckstein	Graw	Lindstrom, E.	Pieper	Schulz
Forsythe	Larson	McFarlin	Pleasant	

The bill was repassed, as amended by Conference, and its title agreed to.

Anderson, I., moved that the House recess until 2:30 p.m. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Mueller was excused for the remainder of today's session.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2531

May 19, 1973

Honorable Martin O. Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2531, report that we have agreed upon the items in dispute and recommend as follows:

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

"Section 1. State government; public buildings; appropriation. Except as otherwise provided by this act there is hereby appropriated from the Minnesota state building fund in the state treasury for the purposes hereinafter stated, the sums of money herein set forth or so much thereof as may be necessary. There is also appropriated from federal funds or other sources the moneys made available for any of the purposes prescribed in this act and in accordance with the terms hereof.

Sec. 2. Subdivision 1. To the commissioner of administration to be expended for the purposes and in accordance with the provisions of this act.

Subd. 2. Department of Public Welfare:

(1) At the state institutions for alterations, betterments, construction, improvements, rehabilitation, fire safety, and demolition of buildings \$3,100,000

Provided that the expenditure of these funds shall be preceded by plans which are based on the 1973 legislative buildings commission's written recommendations which shall be forwarded to the senate finance committee and the house appropriations committee not less than 30 days prior to the implementation of such plan. Such plan shall be developed in accordance with standards, criteria and priorities established by the department pursuant to this subdivision. First priority shall be given to the demolition of those buildings which are unsafe due to fire hazard or structural deterioration, and to those which are old or obsolete and superfluous to immediate needs. Such demolition projects shall be commenced and may be completed before development of the remainder of the program and may be commenced prior to legislative recommendation. Priorities shall then be established among buildings suitable for continued use but requiring rehabilitation or improvement, those requiring alteration for different use, and those which should be replaced because of obsolescence, inefficiency, or inadequacy for modern needs. Criteria in establishing priorities for construction shall be based on the degree of safety hazard, demand for use, obsolescence, and operating as well as capital cost involved in rehabilitation of existing facilities, the cost, delay, and need of constructing new facilities and additions, and other factors deemed relevant by the department of public welfare. Notwithstanding any laws to the contrary, the commissioner of public welfare is hereby directed to cause to be demolished any old or obsolete buildings immediately.

(2) At Gillette State Hospital

For designing, rehabilitation and constructing .. \$ 170,000

Provided that no more than \$170,000 may be expended for architectural planning of a project of which the state share shall not exceed \$3,530,000, however, these funds shall not be expended unless Ramsey county or an agency thereof provides its share.

Provided further that these funds shall not be available unless separate legislation is enacted by the legislature which authorizes a Gillette Authority.

(3) At the Lake Owasso Children's Home, Glen Lake State Sanatorium and Oak Terrace Nursing Home, Ah-Gwah-Ching Nursing Home, Braille and Sight Saving School, and the School for the Deaf for alterations, betterments, construction, reconstruction, improvements, rehabilitation, and fire safety \$ 540,000

Subd. 3. Department of Corrections:

(1) At the Minnesota State Prison

(a) Remodel minimum security building \$ 135,000

Sec. 3. To the commissioner of administration to improve grounds at certain junior colleges 320,000

Sec. 4. To the commissioner of administration to construct and equip certain state college buildings . 3,769,578

This appropriation and anticipated federal grants are for the construction and equipping of the following state college buildings in the amounts indicated:

(1) At Bemidji State College:

(a) Parking facilities \$ 132,000

(b) Conduct a feasibility study to convert Deputy Hall to business classroom building . 10,000

(2) At Mankato State College:

(a) Install oil tanks 35,000

(b) Assessment to Mankato state college on Cherry/Warren projects 42,000

(c) Campus Study 20,000

The commissioner of administration in consultation with the chairmen of the house appropriations and senate finance committees may conduct a study to determine the need for continuation of the lower campus facilities at Mankato state college. The study shall also include a review of current and future enrollments and programs at Mankato and other public or private institutions of post secondary education in the Mankato service area. The higher education coordinating commission is requested to provide assistance where necessary. A report of the findings, alternatives and recommendations shall be submitted to the chairmen of the house appropriations and senate finance committees no later than January 1, 1974.

(3) At Moorhead State College:

(a) Install boiler \$ 235,000

(b) City street assessment 6,400

(4) At St. Cloud State College:

(a) Construct and equip administration/ orientation building 2,242,178

(b) Install and rehabilitate boiler 200,000

(c) Install city utilities 150,000

(d) Complete and equip remodeling of
Kiehle Hall \$397,000

(e) Rehabilitate Stewart Hall 200,000

(5) At Southwest State College:

(a) Complete site work and landscaping
and develop road and circulation
patterns 100,000

The commissioner of administration is authorized to make applications for the maximum federal share for any project. In the event the amount of federal funds obtained for these projects exceeds the amount appropriated for it in the above appropriation, the commissioner of administration shall reduce the state share for individual projects.

The state auditor shall establish a single control account for the construction and equipping of state colleges. The appropriation in this section, federal grants received for state college construction and transfers from the higher education facilities contingent account shall be recorded in this account. The commissioner of administration shall maintain individual project accounts for each project authorized by this section.

Notwithstanding limitations on cost of projects approved, the commissioner of administration may exceed the cost approved for an authorized project within the limitations of total funds available from appropriation, from federal funds granted and from transfer from the higher education facilities contingent account. The moneys in excess of project authorizations are hereby appropriated for the purposes expressed in this paragraph.

Expenditure of funds in excess of the project authorization shall be made only after the commissioner of administration has consulted with the chairman of the house appropriations committee, and the chairman of the senate finance committee and they have made their recommendations thereon. Such recommendations shall be advisory only. Failure or refusal to make recommendation promptly shall be deemed a negative recommendation.

Sec. 5. To the commissioner of administration

(1) For land acquisition in the state capital area including improvements and preparation of sites for construction \$1,000,000

Sec. 6. Subdivision 1. To the commissioner of administration to be expended for the purposes and in accordance with the provisions of this act

(1) Remodel Capitol, east wing second and third floor, for Supreme Court and rent temporary quarters, phase I \$ 800,000

(2) Preliminary plans and cost estimates for Capitol building annex 1,200,000

(3) Special improvements including remodeling 4th floor of State Office building	\$ 410,000
(4) Building remodeling and rehabilitation and special projects	1,760,000
(5) Supplemental for Centennial building parking facility	829,000
(6) Improvements to Historical building	100,000
(7) Expand and equip state archives and records center for the Minnesota historical society	845,334

Provided that the funds shall not be expended without consulting with the director of the state historical society.

(8) Replace windows and install two elevators in the infirmary, tuckpoint, improve electrical service, install kitchen equipment and install bathrooms in building 6 domiciliary, install auditorium elevator. 50 percent to be federal funds furnished by the Veterans administration—total cost to the state	100,000
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(9) In Capitol Area: Remodel and improve property in area bounded by 12th and 14th Streets and Robert and Jackson Streets, including Champion Chevrolet property	400,000
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Sec. 7. Subdivision 1. To the regents of the University of Minnesota to be expended for the purposes and in accordance with the provisions of this act

Subd. 2. At the University of Minnesota, Twin Cities Campus

(1) Preliminary planning of Music building	\$ 100,000
(2) Working drawings for Veterinary Medicine, phase II	360,000
(3) Construct and equip Home Economics building expansion, phase I	5,800,000
(4) Remodel and rehabilitate to upgrade for the handicapped, phase I	300,000
(5) Remodel Cooke Hall/Norris Gym	781,800
(6) Land acquisition at Twin Cities campus	100,000
(7) Minneapolis primary electrical system, phase V	460,000
(8) St. Paul primary electrical system, phase III	270,000
(9) St. Paul gas main extension, phase II	25,000
(10) Boiler additions and pollution control at Minneapolis and St. Paul, phase II	2,048,800

- (11) St. Anthony sewer assessment, phase II \$125,000
(12) Renovate Peik Hall to meet safety code, industrial education area 100,000

Subd. 3. At the University of Minnesota, Twin Cities

- (1) Planning for basic science remodeling 200,000
(2) Construct Unit B/C, health science 14,000,000

Construction not to start until \$14,000,000 non-state funds are available.

- (3) Primary electrical distribution system 250,000

Subd. 4. At University of Minnesota, Duluth Campus

- (1) Facilities Study—Duluth 150,000

For a study of the existing buildings on the UMD campus for the purpose of facilitating the fullest practical utilization of space for present programs, and inclusion of additional space for the basic sciences medical program by means of construction of additions to existing structures to accomplish this purpose.

- (2) Preliminary planning—Social Sciences building \$ 100,000

- (3) Basic medical sciences building planning funds for a \$7,500,000 building. Not to be expended prior to July 1, 1974, and completion of facilities study 234,000

- (4) Remodeling of Science building, phase III . . . 411,000

- (5) Health sciences library addition 1,893,000

- (6) Boiler addition to heating plant 550,000

- (7) Road and campus improvements, phase I . . . 100,000

Subd. 5. At University of Minnesota, Morris Campus

- (1) Remodel social science and Edson Hall 400,000

- (2) Landscaping and campus development 10,000

- (3) Paved parking lot (400 cars) to include lighting and relocation of Cyrus Road 170,000

Subd. 6. At Technical College, Crookston

- (1) Construct plant service maintenance shop and vehicle storage building 50,000

Subd. 7. At Northwest Experiment Station, Crookston

- (1) Construct control for runoff from animal facilities 30,000

Subd. 8. At Technical College, Waseca

- (1) Develop roadways and parking lots, phase II . . . 50,000

Subd. 9. At West Central Experiment Station, Morris

(1) Construct horticulture, soils, and agronomy building	\$ 35,000
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(2) Road surfacing and improve drainage	15,000
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Subd. 10. At Southwest Experiment Station, Lamberton

(1) Complete drainage system	12,356
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Subd. 11. At North Central Experiment Station, Grand Rapids

(1) Construct two herdsman's residences (to be built by station personnel)	35,000
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Subd. 12. At Cloquet Forest Research Center

(1) Improve campus roads, surfacing and lighting	15,000
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Subd. 13. At Lake Itasca Forestry and Biological Station

(1) Rehabilitate station facilities, phase II, kitchen-dining-meeting room facility	81,040
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(2) Construct student cabin	13,845
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Subd. 14. Horticultural Research Center, Excelsior

(1) Remodel superintendent house	10,000
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(2) Connect sewer to new main sewer line	20,000
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Subd. 15. Landscape Arboretum, Excelsior

(1) Construct greenhouse and head house facilities	187,013
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No buildings shall be constructed or erected on lands of the university until the regents have first consulted with the chairman of the senate finance committee and the chairman of the house appropriations committee and obtained their recommendations which shall be advisory only.

The regents of the university of Minnesota are authorized to make applications for the maximum federal share for each project including interest subsidies. In the event the amount of federal funds obtained for any of these projects exceeds the amount appropriated for it in the above appropriation, the regents of the university shall reduce the state share for individual projects.

In the planning, design and operation of state buildings, all state agencies and the university of Minnesota are requested to take necessary measures to conserve to the greatest extent possible the use of various sources of energy. All agencies are requested to submit a report to the legislature no later than January 1, 1974, outlining steps and recommendations resulting in savings of energy sources.

Sec. 8. Subdivision 1. To the state auditor to be expended for the purposes and in accordance with the provisions of this act.

Subd. 2. Expenses incidental to the sale, printing, execution, and delivery of the bonds authorized by this act, including, but without limitation, actual and necessary travel and subsistence expenses of state officers and employees for such purposes not to exceed \$48,234.

Sec. 9. Neither the commissioner of administration nor the board of regents shall prepare final plans and specifications for any building authorized in this act until the using agency or department has presented the program and schematic plans to the chairman of the house appropriations committee and the chairman of the senate finance committee and they have made their recommendations thereon. Such recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 10. Lands or sites for public buildings or real estate, the acquisition of which is included in the appropriations made by this act, may be acquired by gift, purchase, or condemnation proceedings by the regents of the university of Minnesota in the case of lands for the university and by the commissioner of administration in case of other lands. Condemnation proceedings shall be pursuant to Minnesota Statutes, Chapter 117.

Sec. 11. Subdivision 1. Upon the awarding of final contracts for the completion of any projects enumerated in any of the sections 2 through 6, the commissioner of administration may transfer any unexpended funds in said project account to any other project enumerated in the same section.

Subd. 2. Upon the awarding of final contracts for the completion of any projects enumerated in section 7, the regents of the university of Minnesota may transfer any unexpended funds in said project account therein enumerated.

Subd. 3. The moneys which may be transferred pursuant to this section are hereby appropriated for the purposes for which transferred.

Subd. 4. The commissioner of administration, and the university of Minnesota shall report to the chairman of the house appropriations committee and the chairman of the senate finance committee on any transfer made pursuant to this section.

Subd. 5. The balance of each appropriation made by this and any prior act to the commissioner of administration from the Minnesota state building fund, remaining when the specific purpose of such appropriation is accomplished as certified by the commissioner to the state auditor, may be transferred to any other account for which an appropriation from the fund is made to the commissioner by this or any prior act; provided that the amount so transferred to the account for any project shall not exceed ten percent of the amount otherwise appropriated for that

project, and that before any such transfer is made the commissioner shall consult and obtain the recommendations of the chairman of the house appropriations committee and the chairman of the senate finance committee, which shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 12. There is appropriated to the commissioner of administration from the Minnesota state building fund the sum of \$100,000 which may be expended by him for the administration of the building program covered by this appropriation, including the employment of personnel. The commissioner may expend these funds for microfilming of plans for all state buildings.

Sec. 13. There is appropriated to the commissioner of administration from the Minnesota state building fund the sum of \$300,000 which may be expended for plans, studies and surveys, and for the alterations, betterments, construction, reconstruction, improvements or rehabilitation of any state-owned building or structure, if it appears to the commissioner that such an expenditure is necessary in the public interest in order to avoid injury or damage to persons or property and funds have not been otherwise appropriated for such purposes. The commissioner, however, shall not authorize any expenditures from such appropriation until he has first consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee and received their recommendations thereon. Such recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 14. There is appropriated to the commissioner of administration from the Minnesota state building fund the sum of \$50,000 which may be expended for the purpose of preparing preliminary plans, or other documentation that may be required, for assistance in obtaining non-state participation in state building programs. The commissioner, however, shall not authorize any expenditures from such appropriation until he has first consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee and received their recommendations thereon. Such recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 15. There is appropriated to the commissioner of administration from the Minnesota state building fund the sum of \$1,000,000 for a higher education facilities contingent account. The commissioner may transfer these funds when the amount of the federal share for a project is less than the amount anticipated or if it appears that the total cost of constructing and equipping an entire project will exceed the total cost authorized notwithstanding limitations on state funds appropriated therefor.

The commissioner may transfer these funds to the building accounts projects authorized in sections 3, 4, and 7, and to the building accounts of projects authorized by Laws 1967, Extra

Session, Chapter 8, Section 9 and by Laws 1969, Chapter 1159, Section 8. Moneys transferred are hereby reappropriated for such purposes. All transfers authorized by this section shall be made only after the commissioner has consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee, and has received their recommendations thereon. Such recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation. Funds for the transfer of moneys to a project under the authority of the university of Minnesota are hereby reappropriated to the board of regents to carry out the purpose of the transfer.

Sec. 16. Minnesota state building bond issue and appropriation. For the purpose of providing the moneys appropriated by this act to the state agencies herein designated, for the acquisition and betterment of the public lands and buildings and other public improvements of a capital nature herein designated, the state auditor is authorized upon request of the governor to sell and issue Minnesota state building bonds in the amount of \$46,470,000 in the manner and upon the terms and conditions prescribed by Minnesota Statutes, Sections 6.30 and 6.31 and by the Constitution, Article IX, Section 6. The proceeds of such bonds, other than accrued interest and premium, are appropriated and shall be credited to the Minnesota state building fund.

Sec. 17. Minnesota state building bond account; appropriation. In order to reduce the amount of taxes otherwise required by the Constitution, Article IX, Section 6, Subdivision 4, to be levied for the payment of interest and principal on the bonds authorized in Section 16 of this act, there is hereby appropriated annually to the Minnesota state building bond account in the state bond fund from the general fund in the state treasury a sum of money sufficient in amount, when added to the balance on November 1 in each year in said Minnesota state building bond account, to pay all principal and interest due and to become due on said bonds within the then ensuing year and to and including July 1 in the second ensuing year. The moneys received and on hand pursuant to the appropriation annually made by this section are available in the state bond fund prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4, and shall be used to reduce the amount of the tax otherwise required to be levied.

Sec. 18. Where an amount is payable to a creditor of the state from a project account which is financed partly with federal funds and such project is one included in appropriations now or hereafter made to the commissioner of administration for public buildings and equipment therefor and such amount cannot be timely paid because of a deficiency of money in such project account caused by a delay in the receipt of federal funds, the commissioner may provide such money as is needed to pay the amount by temporarily transferring such sum from any other appropriation made to him in the same act as contains the project account wherein the deficiency has occurred. Such moneys

as are required therefor are hereby appropriated for such purpose. When the delayed federal funds are received the commissioner shall cause the amount of money transferred to be returned to the account from whence it came.

Sec. 19. In the case of appropriations made for construction or other permanent improvement, including acquisition of real estate, equipment, rehabilitation, appurtenances or utility systems, which appropriations do not lapse until the purposes for which the appropriations were made shall have been accomplished or abandoned, the commissioner of administration may dispense with periodic allotment and shall prescribe such regulations as will insure proper application and encumbrance of funds.

Sec. 20. Notwithstanding any other provision of law, all moneys appropriated by this act and all previous acts for the purposes of the Minnesota state building fund shall be and remain available for such purposes until and unless such appropriations are specifically rescinded by law. The state auditor shall, upon the certification of the commissioner of administration as to the accounts involved, make such transfers of appropriations as will place in one account all of the moneys appropriated for the same or related projects, incidental expenses or contingencies.

Sec. 21. The appropriation made by Section 6, Subdivision 1 (5) for the Centennial building parking facility is in addition to the amounts heretofore appropriated for the same purpose. The conditions imposed under prior laws for this facility are rescinded and in lieu thereof all appropriations made for such facility are subject to the following:

By July 1, 1973, or as soon thereafter as possible, the commissioner of administration, in accordance with the provisions of Minnesota Statutes, Section 16.72, shall fix and collect gross rents, charges and fees in connection with and for the use of all parking lots and facilities now or hereafter owned and operated by the state and under the jurisdiction of the commissioner.

Such gross rents, charges and fees shall be fixed by the commissioner in such amount as will defray all costs of operating, maintaining and improving the parking lots and facilities under the jurisdiction of the commissioner and in addition provide the sum of \$4,064,000 which is hereby appropriated from such gross rents, charges and fees to the Minnesota State building bond account in the state bond fund, and which shall be credited to said account in the annual amount of \$203,200 on or before November 1 in each year, commencing in 1974 until the amount so appropriated has been credited to said account. The moneys received and on hand annually pursuant to this authorization are available in the state bond fund prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4, and shall be used to reduce the amount of the tax otherwise required to be levied.

Sec. 22. This act becomes effective the day following final enactment."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: FRED C. NORTON, NEIL S. HAUGERUD, HOWARD E. SMITH, DONALD B. SAMUELSON, and DELBERT F. ANDERSON.

Senate Conferees: NORBERT ARNOLD, EDWARD G. NOVAK, JOHN L. OLSON, RICHARD W. FITZSIMONS, and JACK T. DAVIES.

Norton moved that the report of the Conference Committee on H. F. No. 2531 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2531, A bill for an act relating to public buildings and public lands of the state of Minnesota; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; the acquisition by gift, purchase, or condemnation of certain real property therefor; the equipping and replacement of equipment of certain said buildings; appropriating and reappropriating moneys therefor, including necessary expenses from the Minnesota state buildings fund; authorizing the issuance of the sale of bonds under the provisions of the constitution, article IX, section 6, to finance said fund appropriating moneys in connection therewith.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 113, and nays 18, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Johnson, R.	Miller, M.	Schreiber
Andersen, R.	Eckstein	Jopp	Moe	Schulz
Anderson, D.	Eken	Jude	Munger	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	Ojala	Smith
Bennett	Federer	Laidig	Parish	Spanish
Berg	Fjoslien	Larson	Patton	Stanton
Berglin	Forsythe	LaVoy	Pavlak, R.	Swanson
Biersdorf	Fudro	Lemke	Pavlak, R. L.	Tomlinson
Boland	Fugina	Lindstrom, J.	Pehler	Ulland
Braun	Graba	Lombardi	Peterson	Vanasek
Brinkman	Growe	Long	Prahl	Vento
Carlson, B.	Hagedorn	Mann	Quirin	Voss
Carlson, L.	Hanson	McArthur	Resner	Weaver
Casserly	Haugerud	McCarron	Rice	Wenzel
Connors	Hook	McEachern	Ryan	Wigley
Culhane	Jacobs	McFarlin	St. Onge	Wolcott
Cummiskey	Jaros	McMillan	Salchert	Mr. Speaker
Dahl	Johnson, C.	Menke	Samuelson	
Dieterich	Johnson, D.	Miller, D.	Sarna	

Those who voted in the negative were:

Adams, S.	DeGroat	Kvam	Ohnstad	Stangeland
Carlson, A.	Graw	Lindstrom, E.	Pieper	Wohlwend
Cleary	Heinitz	McCauley	Pleasant	
Clifford	Johnson, J.	Myrah	Savelkoul	

The bill was repassed, as amended by Conference, and its title agreed to.

MESSAGES FROM THE SENATE, Continued

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1821, A bill for an act relating to the environmental impact, reduction, reuse and recycling of solid waste; authorizing state grants to regions, municipalities, and institutions therefor; prescribing duties and powers of the Minnesota pollution control agency; providing penalties; imposing a solid waste disposal charge; appropriating funds.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 624, A bill for an act relating to the free flow of information, the protection of sources of information of the news media, and prohibiting disclosure of sources of information.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 23, A bill for an act relating to pharmacists; permitting price advertising of prescription drugs; restricting the content of such advertisements and requiring certain disclosure of prices; amending Minnesota Statutes 1971, Section 151.06, by adding a subdivision.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 295, A bill for an act relating to public employees; giving public employees and employers certain rights and obligations; defining unfair practices; amending the public employment labor relations act of 1971; amending Minnesota Statutes 1971, Sections 179.63, Subdivisions 6, 8, 9, 13, and 18, and by adding a subdivision; 179.64, Subdivisions 1 and 7; 179.65, Subdivisions 2, 3, 5, 6 and 7; 179.66, Subdivisions 4 and 5; 179.66, by adding a subdivision; 179.67, Subdivisions 7, 11, and 12; 179.68; 179.69, Subdivisions 3, 5 and 6; 179.70, Subdivision 1; 179.71, Subdivision 3; 179.72, Subdivisions 1, 7, 9, and 10; 179.73, Subdivision 2; 179.74, Subdivisions 2, 4 and 5; 179.75, Subdivision 8; repealing Minnesota Statutes 1971, Sections 179.69, Subdivision 7; 179.72, Subdivisions 11 and 13; 179.73, Subdivisions 3, 4, and 5; 179.75, Subdivisions 1, 2, 3, 4, 5, 6, 7, and 9; and 179.77.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 491, A bill for an act relating to labor and industry; providing for safe and healthful working conditions for working men and women; authorizing the commissioner of labor and industry to promulgate standards and rules and regulations therefor; creating an occupational safety and health advisory board; prescribing penalties; amending Minnesota Statutes 1971, Section 175.16; repealing Minnesota Statutes 1971, Sections 182.01 to 182.08; 182.10 to 182.62; and 183.05 to 183.34.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 611, A bill for an act relating to public safety; division of highway patrol; providing salary adjustments for members of the highway patrol assigned to air patrol duty; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 3.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 633, A bill for an act relating to towns; authorizing all towns to make local improvements and to assess the cost thereof against benefited property; amending Minnesota Statutes 1971, Sections 429.011, Subdivision 2; and 435.19, Subdivision 1.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 805, A bill for an act relating to taxes on and measured by net income; limiting the deductions attributable to farming; amending Minnesota Statutes 1971, Sections 290.01, Subdivision 20; and 290.09, by adding a subdivision.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1053, A bill for an act relating to workmen's compensation; raising minimum weekly benefits; coordinating the payment of workmen's compensation death benefits with governmental death benefits; extending coverage to occupational diseases; amending Minnesota Statutes 1971, Sections 176.101, Subdivisions 1, 2, and 3; 176.111, Subdivisions 19, 20, and by adding a subdivision; 176.131, Subdivision 7; 176.132, Subdivision 2; 176.151; 176.66, Subdivision 1; and repealing Minnesota Statutes

1971, Sections 176.66, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 176.661 to 176.668.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1203, A bill for an act relating to pollution; pollution control agency; providing for the certification of operators of solid waste disposal facilities; providing for enforcement; amending Minnesota Statutes 1971, Chapter 116, by adding sections.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Speaker has concurred in and adopted the report of the Conference Committee on:

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, establishing certain compulsory retirement requirements; amending Minnesota Statutes 1971, Sections 43.01, Subdivision 9, and by adding subdivisions; 43.03, Subdivision 3; 43.051; 43.111; 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.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1659, A bill for an act prescribing policies and procedures for the selection, designation, planning, and regulation of areas of critical concern.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

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.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1854, A bill for an act relating to Ramsey County; renewing authority of Ramsey county hospital and sanitarium commission and revising its membership; amending Laws 1969, Chapter 1104, Sections 2, 3, 4 and 5; 6, Subdivisions 1 and 3; and repealing Laws 1969, Chapter 1104, Section 11.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2353, A bill for an act relating to Ramsey county; appropriations by the county for the preliminary plans of a detention center or centers.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. 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. 2107, A bill for an act relating to intoxicating liquor; regulation of the on-sale thereof; amending Minnesota Statutes 1971, Section 340.07, Subdivision 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

Sieben, H., moved that the House refuse to concur in the Senate amendments to H. F. No. 2107, that the Speaker appoint a Conference Committee of 3 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.

A roll call was requested and properly seconded.

The question was taken on the Sieben, H., motion and the roll being called, there were yeas 26, and nays 101, as follows:

Those who voted in the affirmative were:

Adams, J.	Graba	Menke	Salchert	Wenzel
Anderson, I.	Johnson, C.	Miller, D.	Samuelson	Mr. Speaker
Boland	Kelly	Pavlak, R.	Sherwood	
Brinkman	Lemke	Quirin	Sieben, H.	
Carlson, B.	McCarron	Resner	Sieben, M.	
Fugina	McMillan	Rice	Swanson	

Those who voted in the negative were:

Adams, S.	Dahl	Hook	McEachern	Savelkoul
Andersen, R.	DeGroat	Johnson, D.	McFarlin	Schreiber
Anderson, D.	Dieterich	Johnson, J.	Miller, M.	Schulz
Anderson, G.	Dirlam	Johnson, R.	Moe	Searle
Becklin	Eckstein	Jopp	Myrah	Skaar
Belisle	Eken	Jude	Nelson	Smith
Bell	Enebo	Kahn	Newcome	Spanish
Bennett	Erdahl	Kempe	Niehaus	Stangeland
Berg	Erickson	Klaus	Norton	Stanton
Berglin	Esau	Knickerbocker	Ohnstad	Tomlinson
Biersdorf	Ferderer	Kvam	Ojala	Ulland
Braun	Fjoslien	Laidig	Parish	Vanasek
Carlson, A.	Flakne	Larson	Patton	Voss
Carlson, D.	Forsythe	LaVoy	Pavlak, R. L.	Weaver
Carlson, L.	Fudro	Lindstrom, E.	Pehler	Wigley
Casserly	Graw	Lindstrom, J.	Peterson	Wohlwend
Cleary	Growe	Lombardi	Pieper	Wolcott
Clifford	Hagedorn	Long	Pleasant	
Connors	Hanson	Mann	Prahl	
Culhane	Haugerud	McArthur	Ryan	
Cummiskey	Heinitz	McCauley	St. Onge	

The motion did not prevail.

CONCURRENCE AND REPASSAGE

Casserly moved that the House concur in the Senate amendments to H. F. No. 2107 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2107, A bill for an act relating to intoxicating liquor; regulation of the on-sale thereof; prohibiting discrimination by importers; granting the liquor control commissioner subpoena powers; removing the residency requirement for obtaining a wholesaler's or manufacturer's license; regulating the advertising of intoxicating liquor; providing for a penalty; providing for joint purchases; reducing excise tax on liquor; providing for filing of wholesale price schedules; amending Minnesota Statutes 1971, Chapter 340, by adding sections; Sections 340.07, Subdivision 5; 340.09; 340.11, Subdivision 2; 340.15; 340.19; 340.47; 340.983; and repealing Minnesota Statutes 1971, Sections 340.97; 340.971; 340.972; 340.973; 340.974; 340.975; 340.976; 340.977; 340.978; 340.98; 340.981; 340.9815; 340.982; 340.984; and 340.985.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 125, and nays 6, 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	Fugina
Becklin	Carlson, A.	Cummiskey	Erickson	Graw
Belisle	Carlson, B.	Dahl	Esau	Growe
Bell	Carlson, D.	DeGroat	Faricy	Hagedorn

Hanson	Knickerbocker	McMillan	Peterson	Skaar
Haugerud	Kvam	Menke	Pieper	Smith
Heinitz	Laidig	Miller, M.	Pleasant	Spanish
Hook	Larson	Moe	Prahl	Stangeland
Jacobs	LaVoy	Munger	Resner	Stanton
Jaros	Lemke	Myrah	Rice	Tomlinson
Johnson, C.	Lindstrom, E.	Nelson	Ryan	Ulland
Johnson, D.	Lindstrom, J.	Newcome	St. Onge	Vanasek
Johnson, J.	Lombardi	Niehaus	Salchert	Vento
Johnson, R.	Long	Norton	Sarna	Voss
Jopp	Mann	Ohnstad	Savelkoul	Weaver
Jude	McArthur	Ojala	Schreiber	Wenzel
Kahn	McCarron	Parish	Schulz	Wigley
Kelly	McCauley	Patton	Searle	Wohlwend
Kempe	McEachern	Pavlak, R. L.	Sieben, H.	Wolcott
Klaus	McFarlin	Pehler	Sieben, M.	Mr. Speaker

Those who voted in the negative were:

Brinkman	Pavlak, R.	Quirin	Samuelson	Sherwood
Graba				

The bill was repassed, as amended by the Senate, and its title agreed to.

The following Conference Committee Reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2275

May 18, 1973

Honorable Martin Olav Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2275, report that we have agreed upon the items in dispute and recommend as follows: Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. DEPARTMENTS OF PUBLIC WELFARE, CORRECTIONS, HEALTH, ALCOHOL AND DRUG PROBLEMS, OMBUDSMAN, AND BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS TO EXPEND MONEYS.

The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated from the general fund in the state treasury not otherwise appropriated, or any other fund herein designated, to be expended for the purposes specified in the following sections of this act, to be available for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975.

APPROPRIATIONS
Available for the Year
Ending June 30,

1974	1975
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\$

\$

Sec. 2. TO THE COMMISSIONER
OF PUBLIC WELFARE

	1974	1975
	\$	\$
Subdivision 1. Administration of the Department of Public Welfare—salaries . . .	2,200,000	2,200,000

Unless approved by the governor, after consulting the legislative advisory committee, any federal funds received in excess of \$1,915,000 in fiscal year 1974 and \$1,930,000 in fiscal year 1975 shall reduce the state appropriation by a like amount.

Approved Complement—327

Subd. 2. Supplies and Expense	1,552,800	1,397,600
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Notwithstanding any other law to the contrary, not more than \$5,000 annually is appropriated from salary savings to be used for the payment of necessary travel expenses to and from interviews arranged by the department of public welfare, incurred by job applicants for professional, administrative, or highly technical positions recruited by the department of public welfare.

Notwithstanding any state law to the contrary, the commissioner of public welfare shall not adjust the budget standards for any categorical aid program in excess of the amount authorized by the legislature, unless federal law or regulation require such action.

The commissioner of public welfare may adopt a bloc grant system for the categorically aided recipients on or after October 1, 1973. In determining the amount of the public assistance grant, the commissioner shall effect a 12 percent increase over the historical average grant.

The commissioner of public welfare shall submit a specific comprehensive plan to the senate finance committee and the house appropriations committee by November 15, 1974, regarding state hospitals, local facilities, and development plans for regions. Such report shall be preceded by a systematic plan for closing and demolishing old or obsolete buildings in the state hospital system, however the preliminary report may be implemented prior to submission, but specific items which are objected to in writing shall not be commenced.

1974 1975

\$ \$

If the total caseload, as estimated, does not materialize in all of the categorical aid programs for which funds are appropriated, the surplus funds shall revert to the general fund.

Funds are provided in the above appropriation for expenses incurred in distributing surplus commodities furnished by the federal government to the counties.

Subd. 3. Mechanized Payment System
for the Categorical Aids 1,000,000

Provided that these funds shall be available only if separate legislation passes the 1973 legislature which authorizes the department of public welfare to develop and implement such system.

Subd. 4. Mental Health Research 200,000

Approved Complement — 2

Subd. 5. Mental Health Training
Program 93,000

Funds provided by this subdivision may be used for a psychiatric residency training program.

Of the amount appropriated by this subdivision, \$30,000 each year may be used for the employment of additional psychiatrists at state institutions and only such funds as are necessary shall be transferred to those institutions where the psychiatrists are employed.

Approved Complement — 0

Subd. 6. Community Mental Health
centers 5,200,000 5,500,000

Notwithstanding any law to the contrary, no funds provided in this subdivision shall be used for matching that part of salaries paid above the class of persons in comparable positions in the state civil service nor shall any funds provided in this subdivision be used for matching that part of fringe benefits which exceed the fringe benefits provided to employees in the state civil service.

The above funds provide for a 50 per-

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cent matching, except for counties affected by subdivision 11, of local community mental health centers approved expenditures. Seventy-five percent of any federal funds received as reimbursement by the commissioner of public welfare shall be used to equally reduce local and state funding and surplus state funds resulting from federal funds shall cancel to the general fund. Twenty-five percent of the federal funds may be used for program expansion.

The community mental health centers may accept cases from juvenile courts for diagnostic evaluation.

Approved Complement—4

Subd. 7. Care and Support of Children Under Guardianship of the Commissioner of Public Welfare	716,000	790,000
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Subd. 8. Care, Relief, and Support of Dependent Children, Aged, Blind, Disabled and the Medical Assistance to the Needy Program	86,400,000	97,700,000
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Provided that \$3,000,000 of the funds appropriated by this subdivision shall be available only if separate legislation is passed by the legislature to provide supplemental payments in the adult categories.

Notwithstanding the provision of any other law, the commissioner of public welfare may utilize the funds, pursuant to the approval of the governor, provided in the above subdivision to pay a portion of the cost of day care and vocational training programs. The portion of the cost not paid by federal funds shall be paid equally from state and local funds. The cases selected by the commissioner for the new programs, on the average, shall not have a greater cost then if they remained in this program. The commissioner shall develop such criteria, selection principles, and other rules so as to carry out the intent of this provision.

Notwithstanding any other law to the contrary, when the expenditure made in the aid to families with dependent children program to meet special needs, as defined

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by the commissioner of public welfare, exceeds 3.1 percent of the total expenditure for the above program in a county, that portion of the expenditure in excess of the above percentage not paid from federal funds shall be paid entirely by county funds.

Notwithstanding any other law to the contrary, when the expenditure made in the aid to the blind program to meet special needs, as defined by the commissioner of public welfare, exceeds 3.2 percent of the total expenditure for the above program in a county, that portion of the expenditure in excess of the above percentage not paid from federal funds shall be paid entirely by county funds.

Notwithstanding any other law to the contrary, when the expenditure made in the old age assistance program to meet special needs, as defined by the commissioner of public welfare, exceeds 2.1 percent of the total expenditure for the above program in a county, that portion of the expenditure in excess of the above percentage not paid from federal funds shall be paid entirely by county funds.

Notwithstanding any other law to the contrary, when the expenditure made in the aid to the disabled program to meet special needs, as defined by the commissioner of public welfare, exceeds 1.8 percent of the total expenditure for the above program in a county, that portion of the expenditure in excess of the above percentage not paid from federal funds shall be paid entirely by county funds.

Provided that the amount appropriated for implementation of Minnesota Statutes 245.0313 shall be available only if matched by federal funds. Provided that if the cost of care in state institutions falls below the projections used for implementation of Minnesota Statutes 245.0313, any excess appropriation shall revert to the general fund.

The department of public welfare may promulgate rules and regulations, not inconsistent with federal law or regulation,

1974 1975

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allowing recipients of medical services to be charged a specified minimum amount toward cost of medical services provided. An amount sufficient to meet anticipated needs for this purpose shall be included as part of the recipient's public assistance grant.

Notwithstanding any law to the contrary, if, due to any court ruling or federal law or regulation, federal financial participation in the aid to families with dependent children program for children over the age of 18 is conditioned upon the provision of aid to all children otherwise eligible between the ages of 18 and 21, eligibility for children under the aid to families with dependent children program shall cease at the age of 18; provided, however, that if such federal funds become unavailable, aid to families with dependent children shall be provided for children over 18 and under the age of 19 attending high school on a full-time basis, to be paid from state and county funds.

Subd. 9. Administrative Expense on Aging

125,000 125,000

Provided that the funds appropriated by this subdivision may not be expended unless matched by federal funds.

The use of the funds appropriated herein may include the appropriate matching of federal funds provided programs for the aging for the payment to members of advisory committees required in these programs by federal law, for their actual expenses incurred in performance of their duties.

Subd. 10. Vocational Rehabilitation of the Blind

210,000 210,000

The sum of \$2,500 each year out of the amount above appropriated shall be paid into the revolving fund established by Laws 1947, Chapter 535, for the purchase of equipment and supplies for establishing and operating of vending stands by blind persons. All income, receipts, earnings, and federal grants due to the operation thereof shall also be paid into said fund, and all equipment, supplies and expenses

1974

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for the setting up of such stands to be so operated, shall be paid from said fund.

Subd. 11. Equalize the Cost of Welfare

1,075,000 1,075,000

All payments from funds appropriated by this subdivision shall be based upon a formula which includes four factors: recipient rate, per capita income, per capita taxable value, and per capita expenditures for welfare as indicated in the work sheets of the conference committee which also specify the number of counties that may receive this aid.

Salary expenditures shall not be included for purposes of computing county per capita welfare costs or in county welfare costs.

Notwithstanding any law to the contrary, initial payments to counties shall be made on or before October 1, 1973, for fiscal year 1974 and on or before October 1, 1974, for fiscal year 1975. Final payments shall be made before October 1 of the following fiscal year.

For the purposes of this act, welfare costs shall be deemed to include all forms of public assistance and the administrative costs thereof, to-wit: old age assistance, medical assistance to the needy, aid to dependent children, aid to the permanently and totally disabled, aid to the blind, payments to the commissioner of public welfare for care and treatment of patients in state institutions, maintenance relief, medical relief, tuberculosis sanatoria care, hospital charges, maintenance of children not under state guardianship, cost of sundry poor, and all administrative costs except university hospitals care, care of children under state guardianships, and poor burials.

No county shall be entitled to the benefits of this act if it has transferred any moneys available for welfare purposes to any other county funds, except that a transfer of a surplus in the welfare fund may be made to the road and bridge fund of said county, and except that where funds are otherwise unavailable, a transfer

1974

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may also be made to the general revenue fund of said county for payment of rent of office space for the county welfare board. Such transfers shall be made only with the

approval of the governor after consultation with the Minnesota public relief advisory committee. Provided further that such transfer of funds for payment for rent shall not be considered an expenditure for equalization aid reimbursement. Any federal funds received in lieu of taxes because of federal grants shall be available for welfare purposes.

Provided that no county shall receive in excess of 75 percent of its cost of welfare as defined in this subdivision from state funds.

Notwithstanding any law to the contrary, the formula used in this subdivision for equalizing welfare costs shall be used for computing distressed county aid for daytime activity centers and community mental health centers.

Subd. 12. Daytime Activity Centers for the Mentally Retarded 3,650,000

Approved Complement—1

The above funds provide for a 60 percent matching, except for counties affected by subdivision 11, of local daytime activity centers approved expenditures. Seventy-five percent of any federal funds received as reimbursement by the commissioner of public welfare shall be used to equally reduce local and state funding and surplus state funds resulting from federal funds shall cancel to the general fund. Twenty-five percent of the federal funds may be used for program expansion.

Subd. 13. Crippled Children Services 600,000 700,000

Subd. 14. Aid to Counties—Mentally Retarded 3,196,900

Notwithstanding any law to the contrary this appropriation provides for not more than 70 percent of the cost of care.

Subd. 15. Red Lake Band of Chippewa Indians 130,000 130,000

	1974	1975
	\$	\$
Provided that any funds appropriated by this subdivision in excess of the county costs for this purpose shall cancel to the general fund.		
Subd. 16. General Relief—Indians . . .	363,000	254,000
Provided further that reimbursements shall be prorated if the appropriation made in this subdivision is insufficient to provide full reimbursement.		
Subd. 17. Foster Grandparents Program	200,000	200,000
Five percent of this appropriation may be retained by the governor's council on aging as a fee for administrative services and expenses, pursuant to Minnesota Statutes 1971, Section 256.976.		
Subd. 18. Aid to Counties—Emotionally Disturbed	622,800	678,200
Subd. 19. Child Care Service Grants . .	800,000	
Subd. 20. State Hospitals		
(a) Current Expense	7,038,800	7,104,900

The above appropriation includes funds to provide temporary laundry service for Rice memorial hospital at a charge to be determined by the commissioner of public welfare.

Provided that laundry service shall be furnished without charge to the Willow River camp.

Provided that when equipment expenditures are necessary at the prison laundry, laundry service shall be provided without charge for the prison after the transfer of four positions from the department of corrections to the department of welfare has been accomplished.

Notwithstanding any law to the contrary, the commissioner of public welfare may authorize any state hospital to enter into agreement with other governmental and non-profit health service organizations for participation in "shared service" agreements which would be of mutual benefit to the state, the health service organizations involved and the public. The

1974 1975

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charges for such services shall be on an actual cost basis and the receipts shall be deposited in the general fund.

So much of the above funds as necessary may be established in a special account in the department of public welfare to pay for special costs relating to the mental health commitment act.

(b) Salaries 46,958,600 46,315,900

Approved Complement —

July 1, 1973 — 5,410

January 1, 1975 — 5,250

June 30, 1975 — 5,167

Provided that as the population decreases, the supportive staff complement shall be reduced in direct proportion.

Not more than 25 percent of the salary savings occurring as a result of efficiencies in operations may be used for supplies and expense expenditures upon the advance approval of the commissioner of administration.

(c) Special Equipment 451,400

The commissioner of public welfare shall submit the budgets for the hospitals to the 1975 legislature on an individual hospital basis together with a summary budget.

Funds are provided in this appropriation for developing a self-injurious behavior program at the Faribault state hospital. Information obtained from other states shall be used in developing this program.

The hospitals enumerated by this subdivision are hereby granted authority to negotiate with sheltered workshops to provide services to the hospitals, provided salary savings are used to pay these costs.

(d) Hospital Care 50,000

The amount appropriated by this item shall be used to cover the expense of hospital care for patients and inmates furnished in hospitals not under supervision

1974 1975

-\$ \$

of the commissioner of public welfare. All reimbursements received for such medical services shall be credited to this account and become a part thereof.

Subd. 21. Braille and Sight Saving School

(a) Current Expense	52,100	53,100
(b) Salaries	632,000	622,000
Approved Complement — 73		
(c) Regional Library for the Blind ..	66,400	65,800
Approved Complement — 6.5		

Subd. 22. School for the Deaf

(a) Current Expense	164,200	167,700
(b) Salaries	1,364,300	1,364,300
Approved Complement — 150.5		

As soon as feasible, the business office of the braille and sight saving school shall be combined with that of the school for the deaf and the complement reduced accordingly.

(c) Gallaudet Students	800	800
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Subd. 23. Gillette State Hospital

(a) Current Expense	339,200	340,700
(b) Salaries	2,149,000	2,149,000
Approved Complement—245.16		

(c) Honorarium for Visiting Staff ...	78,300	78,300
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Subd. 24. Ah-Gwah-Ching Nursing Home

(a) Current Expense	382,900	392,800
(b) Salaries	2,087,700	2,087,700
Approved Complement—271		

Subd. 25. Glen Lake State Sanatorium and Oak Terrace Nursing Home

(a) Current Expense	433,600	443,900
(b) Salaries	2,506,400	2,506,400
Approved Complement—297		

	1974	1975
	\$	\$
(c) Central Library Service	12,000	12,000
Subd. 26. Special Equipment for the Braille and Sight Saving School, School for the Deaf, Gillette State Hospital, Ah-Gwah-Ching Nursing Home, and Glen Lake State Sanatorium and Oak Terrace Nursing Home	122,300	

Any unexpended balances in subdivisions 3, 4, 5, 6, 12, 13, 14, 18, 19, 20 (c), 20 (d) and 26 remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 3. TO THE COMMISSIONER OF CORRECTIONS

Subdivision 1. Administration

(a) Salaries, supplies and expense ... 3,385,000 3,374,000

Approved Complement—245

The commissioner of corrections is authorized to establish a select committee of 15 to 20 members whose purpose will be to review the roles of all Minnesota correctional institutions and to determine which of these institutions should be retained.

The commissioner of corrections is authorized to appoint to this select committee members of the legislature, law enforcement and private citizens or citizen's groups.

The commissioner of corrections is hereby authorized to pay members of the select committee \$25 per diem plus travel expenses pursuant to rules and regulations promulgated by the commissioner of administration and to pay publication expenses for the committee's report. Said report will be submitted to the 1974 legislature by January 2, 1974.

This appropriation includes funds for the operation of the transportation unit.

No new program may be implemented unless a statistical evaluation of its objectives and accomplishments accompanies the development of such program.

Provided that the parole agents shall reside in the various districts of the state in

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which they are employed during the period for which this appropriation is effective.

This appropriation includes personnel and funds for the expenses of providing supervision for county homes.

Provided that regional supervisors paid from this account may also supervise state parole agents as directed by the commissioner of corrections. Such duties shall not interfere with the supervisor's responsibility under the County Probation Act, Laws 1959, Chapter 698.

(b) County Reimbursement	700,000	700,000
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Provided further that reimbursement to counties as provided by Minnesota Statutes 260.311, Subdivision 5, shall be computed on the basis of 50 percent of the probation officers salary costs only, including fringe benefits, however that part of fringe benefits in excess of those provided for state civil service employees shall not be reimbursable.

Notwithstanding any law to the contrary, no county shall be eligible for the reimbursement aforementioned unless its county probation officers are paid a salary commensurate with the salaries paid to comparable positions in the classified service of the state civil service. The salary range to which the county probation officers shall be assigned shall be determined by the judge(s) of the juvenile court(s) who shall base the decision on length and performance of service of said officer(s). The judges of the juvenile courts shall annually assign their county probation officer(s) to a position on the aforementioned salary scale commensurate with the officer's experience, tenure, and responsibilities and said judges shall file with the county auditor an order setting said county probation officer's salary.

Provided further that reimbursement to counties shall be prorated if the appropriation made in this item is insufficient to pay the cost as provided by Minnesota Statutes 260.311, Subdivision 5.

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Provided that time spent by the county probation officer as a court referee shall not qualify for reimbursement from this appropriation.

Subd. 2. Corrections Subsidy Act 1,500,000

The commissioner of corrections shall select the counties which may participate under the Corrections Subsidy Act after consulting with the appropriate finance committees of the legislature. These funds shall not be expended unless separate legislation is passed by the 1973 legislature authorizing such expenditure.

Subd. 3. Medical and Psychiatric Services 1,500,000

The amount appropriated by this item shall be used for psychiatric services and to cover the expense of providing secure hospital care for inmates and persons furnished in hospitals not under supervision of the commissioner of corrections. All reimbursements received for such medical services shall be credited to this account and become a part thereof.

The commissioner of corrections may contract with any other state department or agency to obtain psychiatric services for the department of corrections. This appropriation is in addition to funds for psychiatric services provided in the appropriations for the individual institutions.

Approved Complement—13

Subd. 4. Personnel Training 497,000

This appropriation includes funds for training of group home parents in county homes.

Subd. 5. Vocational Training 140,000

The amount appropriated by this item shall be used for the purpose of providing vocational training of the inmates of institutions under the control of the commissioner of corrections. The commissioner of corrections is hereby authorized and empowered to employ skilled craftsmen to

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conduct a vocational training program and to instruct such inmates.

Subd. 6. Foster Group Care 1,000,000

The amount appropriated by this item shall be used for foster group care facilities under the commissioner of corrections and to reimburse counties pursuant to Minnesota Statutes 1971, Section 260.251, Subdivision 1a, provided, however, that such reimbursement to counties shall be prorated if the appropriation is insufficient.

The amounts reimbursed to the counties shall be based upon 50 percent of cost to the counties after federal and state aids, grants or relief programs have been deducted from the costs of said group home operations.

Subd. 7. Work Release and Newgate Programs 360,000

This appropriation includes \$110,000 for the Newgate program.

Subd. 8. Community Corrections Centers 425,000

This appropriation includes \$50,000 for community corrections centers on Indian reservations. Rules and regulations shall be developed by the commissioner of corrections for operation of such programs.

Subd. 9. Correctional Institutions

This appropriation is for the Minnesota state prison, reformatory for men, Minnesota correctional institution for women, state training school for boys, the Willow River camp, Minnesota home school, the Minnesota reception and diagnostic center and Thistledeew camp.

(a) Current Expense 2,541,900 2,547,800

(b) Salaries 12,731,000 12,712,500

Approved Complement—1,138.75

(c) Special Equipment 175,000

The academic school program at the state training school for boys and the Min-

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nesota home school shall be conducted on a 12 month basis.

Provided that the appropriate committees on finance of the legislature shall receive a written report of the anticipated expenditures from the prison revolving fund for recreational or vocational equipment not less than 30 days prior to expenditure.

The reception and diagnostic center may be used for training and treatment of persons adjudicated delinquent and committed to the youth conservation commission. The commissioner may also set aside suitable space at other institutions under his control for the study, examination and diagnosis of persons committed to the youth conservation commission, and for temporary detention under the provisions of Minnesota Statutes 260.175.

Provided the youthful offender reception center shall be at the reformatory for men until June 30, 1975.

Subd. 10. Regional Jails, Area Lock-ups, and Detention Centers 550,000

It is the intention of the legislature that this shall be a final and non-recurring appropriation.

Of the sum of \$800,000 appropriated from the general fund by Laws 1971, Chapter 961, Section 3, Subdivision 12, for regional jails, area lock-ups, and detention centers, the sum of \$381,206, is hereby reappropriated to the commissioner of corrections for the purposes of Laws 1971, Chapter 961, Section 3, Subdivision 12.

Subd. 11. Special Projects 50,000

This appropriation is intended as the state match for applications for federal grants.

The state auditor is hereby directed to establish whatever accounts the department of corrections deems necessary to expend the funds provided by this subdivision.

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Any unexpended balances in subdivisions 1 (b), 2, 3, 4, 5, 6, 7, 8, 9, (c), 10 and 11 remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 4. BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS

Subdivision 1. Salaries, supplies and expense	54,600	54,900
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Provided that after July 1, 1974, the commissioner of administration shall not permit the allotment and encumbrance of any funds in excess of the anticipated revenues.

Sec. 5. ALCOHOL AND DRUG ABUSE

Subdivision 1. Administration	330,200	
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Subd. 2. Community Grant Programs	2,925,000	
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Any unexpended balances in subdivisions 1 and 2 remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 6. BOARD OF HEALTH

Subdivision 1. Administration		
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(a) Salaries	2,592,200	2,607,000
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Approved Complement — 255

Of the amounts provided by this item, \$61,500 for the first year and \$61,500 for the second year are appropriated from the trunk highway fund for highway safety activities and preventive health services for state employees.

(b) Supplies and Expense	627,000	627,000
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Of the amounts provided by this item, \$27,000 for the first year and \$23,400 for the second year are appropriated from the trunk highway fund for highway safety activities and preventive health services for state employees.

Funds are provided in the above appropriation for expenses of the sanitarian ad-

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visory council and for the registration and inspection of x-ray and radium sources of ionizing radiations if separate legislation passes during the 1973 session which authorizes such.

All receipts received from the national office of vital statistics for microfilmed transcripts of vital statistics records shall be deposited in and for the benefit of the general fund.

Subd. 2. Mobile Health Clinic

(a) Salaries, supplies and expense . . .	38,900	39,500
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Approved Complement — 3

Sec. 7. CORRECTIONS OMBUDSMAN

Subdivision 1. Salaries, Supplies and Expense	15,600	93,400
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Sec. 8. COMMISSIONER OF PUBLIC WELFARE

Subdivision 1. Economic opportunity program	300,000	
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This appropriation shall be available to allocate and to finance operations formerly funded in whole or in part under the Economic Opportunity Act of 1964, Public Laws 88-452, as amended; provided that the recipient municipality or other public body shall have expended all funds received under Title II, Section 221 of the Economic Opportunity Act of 1964, as amended, that no agency or program receiving funds hereunder shall receive more than 20 percent annually of the amount of money received under the last year of funding under the Economic Opportunity Act, and provided further that the recipient agency or program certifies that it has appropriated a sum of no less than 50 percent of the amount to be disbursed to the agency or program by the state. It is the intention of the legislature that this shall be a final and non-recurring appropriation.

Sec. 9. CONTINGENT FOR STATE INSTITUTIONS	500,000	
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The amount appropriated by this item or so much thereof as may be necessary, is to be used for emergency purposes, and for the purchase of food, clothing, drugs, and fuel for any of the institutions or work camps for which an appropriation is herein made. The expenditure of said contingent shall be under the control of the legislative advisory committee and no expenditure shall be made therefrom without the direction of the governor after consultation with the legislative advisory committee.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the bien-nium.

Provided that the allowance for food may be adjusted annually according to the United States department of labor, bureau of labor statistics publication wholesale price index, upon the approval of the governor. Such adjustments shall be based on the July, 1973, wholesale food price index, but such adjustment shall be prorated if the wholesale food price index adjustment would require funds in excess of this appropriation.

Sec. 10. EMPLOYEES 1973
COMPENSATION \$738,068.78

To be transferred by the state auditor to the department of labor and industry, compensation revolving fund, in payment of obligations incurred by the following state agencies in the amount as indicated:

Public Welfare \$621,554.03

Corrections \$116,514.65

Sec. 11. UNEMPLOYMENT

1973

COMPENSATION \$39,548.67

To unemployment compensation fund in reimbursement of unemployment compensation benefits paid for former employees of the following:

Department of
Corrections \$39,548.67

Sec. 12. CERTAIN FUNDS USED FOR CERTAIN PURPOSES. Upon the approval of the commissioner of public wel-

fare or the commissioner of corrections as to the institutions under their respective control, the superintendent of any such institution for which an appropriation is made herein may pay out of the current expense appropriation of said institution to any employee thereof, the amount of any property damage sustained by such employee, not in excess of \$250 by reason, or as a result of action of any patient or inmate of such institution.

Except at the state prison and state reformatory, profits accrued by reason of operation of diversified labor accounts may be used at the direction of the superintendent of the institution for the purchase of occupational therapy equipment.

Sec. 13. APPROVED COMPLEMENT. Except as otherwise provided herein, whenever an appropriation to any institution or agency for salaries discloses an approved complement, the institution or agency is limited in the employment of the number of full-time equivalent persons indicated by such approved complement. Part-time and summer student help may be employed with the advance approval of the commissioner of administration, and shall not be included in the approved complement. Such approved complement, however, does not include employees engaged in repair or construction projects who may be employed only with the advance approval of the commissioner of administration.

Additional employees over the number of the approved complement may be employed on the basis of public necessity or emergency with the written approval of the governor, but the governor shall not approve such additional personnel until he has consulted with the legislative advisory committee. Any requests for increases in the approved complement shall be forwarded to the appropriate committees on finance of the legislature not less than 30 days prior to the legislative advisory committee meeting. The provisions hereof shall extend to any other agency to which the present authority of the legislative advisory committee may be transferred.

Sec. 14. CERTAIN EMPLOYEES. Provided that none of the moneys appropriated by this act or any other law shall be used to employ maids or personnel with similar domestic duties to work in the residences of any officer or employee of any institution, department, or agency of the state. This provision shall not apply to such persons who pay a fixed monthly fee for board and room and laundry and who obtain their meals from state operated dining rooms.

Sec. 15. RECEIPTS. All funds, sums of moneys, or other resources provided or to be received, including all receipts, collections, legislative allocations, transfers, and other income and receipts properly belonging to and to be used for financing activities, programs, and other projects other than the institutions now or hereafter under the supervision and jurisdiction of the commissioner of public welfare not otherwise specifically designated as income or credits to other state departments or funds by law, shall be credited to and become a part of the appropria-

tions provided for in section 2, subdivisions 1, 2, 7, 8, 9, 10 and 11.

All receipts of said institutions and activities carried on under the direction of said commissioners of public welfare and corrections shall be deposited in and for the benefit of the general fund, provided, however, that this shall not apply to revolving funds now established in institutions under the control of said commissioner; and provided further that this shall not apply to receipts from the operation of patients' and inmates' stores and vending machines, which shall be deposited in the social welfare fund in each institution for the benefit of the patients and inmates; and provided further that this shall not apply to money received in payment for services of inmate labor employed in the industries carried on in the state reformatory for men, state reformatory for women, and state prison, which receipts shall be credited to the current expense fund of said institutions.

Sec. 16. COMMISSARY AND QUARTER ALLOWANCE. No commissary privileges, including food, laundry service, and household supplies, shall be furnished to any person in staff residences or apartments from appropriations made by this act.

The director of civil service is hereby directed to increase the salaries of the adult correctional institutions heads \$150 per month, \$75 per month for correctional camps heads, and \$150 per month for physicians employed in institutions, above the normal adjustment to be made in salaries on or after July 1, 1973. The commissioner of administration is hereby directed to charge a fair rental rate which includes utility costs to any of the above persons who reside on the grounds.

Quarters and a stipend allowance of not to exceed \$150 per month may be authorized by the commissioner of welfare for medical students and physicians fellows.

Notwithstanding any provision in Minnesota Statutes, Section 246.02, to the contrary, maintenance including food, laundry service, and household supplies shall not be furnished to any officer including, but not limited to, the chief executive officers of the state prison and reformatories.

Sec. 17. PROVISIONS. Moneys appropriated under this act for the purchase of provisions within the item "current expense" shall be used solely for that purpose. The amounts appropriated for provisions are shown on the worksheets of the conferences of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration. Any money so provided and not used for purchase of provisions shall be canceled into the fund from which appropriated. Except that money so provided and not used for the purchase of provisions because of population decreases may be transferred and used for the purchase of medical and hospital supplies after consultation with the legislative advisory committee, whose opinion shall be advisory only.

Sec. 18. FEDERAL GRANTS. Grants in aid now or hereafter received from the federal government for any welfare, assistance or relief program or for administration under the jurisdiction of the department of public welfare shall, in the first instance, be credited to a federal grant fund and shall be transferred therefrom to the credit of the commissioner of public welfare in the appropriate account upon certification of the commissioner of public welfare that the amounts so requested to be transferred have been earned or are required for the purposes and programs, intended. Moneys received by such federal grant fund need not be budgeted as such, provided transfers from such fund are budgeted for allotment purposes in the appropriate appropriations.

The department of public welfare is authorized and directed to negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or obtaining any grants or aids. Any grants or aids thus secured or received are hereby appropriated to said department of public welfare and made available for the uses and purposes for which it was received but shall be used to reduce the appropriations herein before provided unless federal law prohibits such action or unless the commissioner of public welfare obtains approval of the governor who shall seek the advice of the legislative advisory committee.

Grants now or hereafter received from the federal government for any vocational training program or for administration under the jurisdiction of the department of corrections shall, in the first instance, be credited to a federal grant fund and shall be transferred therefrom to the credit of the commissioner of corrections in the appropriate account upon certification of the commissioner of corrections that the amounts so requested to be transferred have been earned or are required for the purposes and program intended. Moneys received by such federal grant fund need not be budgeted as such provided transfers from such fund are budgeted for allotment purposes in the appropriate appropriation.

Sec. 19. BUDGETARY CONTROL. The budgetary control as provided in Minnesota Statutes, Chapter 16, shall extend to and apply to all appropriations herein made available for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975.

All state departments, bureaus, agencies or divisions, operating under Minnesota Statutes, Chapter 16, financed by funds appropriated or receipts or fees of any nature whatsoever, when making requests or preparing budgets to be submitted to the federal government in support of or in request of funds, equipment, materials, or services, from the federal government shall, upon completion of such request or budget, first submit it to the commissioner of administration. The commission of administration shall have authority to approve, disapprove, modify, or amend any such request or budget before submitting it to the

proper federal authority. When such federal authority has approved such request or budget, the state agency shall resubmit it to the commissioner of administration for recording before any allotment or encumbrance of the federal funds can be made.

Sec. 20. UNOBLIGATED BALANCES. The unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, in the several appropriations and accounts for which an appropriation is herein made out of the general fund, or has heretofore been made, are hereby cancelled into the general fund as of June 30, 1973, June 30, 1974, and June 30, 1975, and the unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1973, June 30, 1974, and June 30, 1975.

The provisions of this section shall not apply to aid, contributions, or reimbursements received from the federal government by the state or boxing tax receipts transferred to the department of public welfare by the authority of Laws 1945, Chapter 245, and all such federal aid, contributions or reimbursements, and boxing tax receipts are hereby reappropriated for the purpose of supplementing the appropriation herein provided and shall be added to the maximums of the several accounts herein designated.

Sec. 21. TRANSFER OF FUNDS. (a) The commissioner of public welfare by direction of the governor after consulting with the legislative advisory committee may transfer unobligated appropriation balances between the various accounts appropriated under section 2, subdivisions 7, 8 and 10, and also between the various accounts appropriated under section 2, subdivisions 6, 12, 14, 18, 20a and 20b. Provided further that if the appropriation under section 2, subdivision 8 should be insufficient for either year, then the appropriation for the other year shall be available therefor by direction of the governor after consulting with the legislative advisory committee.

(b) Unless the 1973 legislature enacts legislation to the contrary, authority is hereby granted to the commissioner of corrections to transfer appropriations between all subdivisions of section 3, except for subdivision 1a in the best interest of the security and rehabilitation programs and for more efficient utilization of personnel and facilities. Of the appropriation provided by section 3, subdivision 1a, funds may be transferred from this appropriation to other appropriations in section 3, but in no case may transfers from the other appropriations in section 3, be made to section 3, subdivision 1a. Such transfers shall be made with the written approval of the governor after consulting with the legislative advisory committee.

Sec. 22. TRANSFER OF PERSONNEL. (a) Notwithstanding any other law to the contrary, the commissioner of public welfare shall transfer authorized positions between institutions under his control in order to properly staff the institu-

tions, taking into account the differences between programs in each institution.

(b) Notwithstanding any other law to the contrary, the commissioner of corrections may transfer authorized positions between programs subject to the restrictions imposed by section 20b.

Sec. 23. [43.051, SUBDIVISION 3.] **COMPULSORY RETIREMENT EXCLUSION.** Notwithstanding any provision of laws to the contrary, a physician in the classified or unclassified state service may, upon reaching the age of 70 years continue to be employed in the department of health, subject to annual certification by the state board of health.

Sec. 24. Every group or individual policy of accident and sickness insurance issued or renewed after the effective date of this section regulated by Minnesota Statutes, Chapter 62A, and every group or individual service plan or subscriber contract issued or renewed after the effective date of this section regulated by Minnesota Statutes, Chapter 62C, providing care or payment for care in this state, shall provide payments for services rendered by a hospital or medical facility owned or operated by, or on behalf of, the state or any unit of local government, or practitioners therein, on the same basis as are made for like care in other facilities. The unit of government concerned may maintain an action for recovery of such payments.

Sec. 25. Notwithstanding any law to the contrary, when institutions of the department of public welfare or the department of corrections are consolidated, the director of civil service and the commissioner of administration shall direct the department incorporating the consolidation and all other departments of the state of Minnesota to employ the affected employees at no loss in salary.

The director of civil service is hereby directed to temporarily suspend any rules, regulations, or laws to accommodate these provisions. Any department which employs any of the affected employees is authorized to temporarily exceed its approved complement. The commissioner of administration shall develop procedures to insure that the moving expenses are reimbursed for those employees who relocate pursuant to the consolidation.

Further amend H. F. 2275 by striking the title and inserting in lieu thereof the following:

"A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, alcohol and drug problems, ombudsman, board of examiners for nursing home administrators, public

assistance programs, old age assistance, aid to dependent children, aid to the blind, aid to the disabled, and public relief."

We request adoption of this report and repassage of the bill in accordance therewith:

Senate Conferees: ROGER D. MOE, GEORGE PERPICH, HARMON OGDahl, WILLIAM G. KIRCHNER, and ROBERT J. TENNESSEN.

House Conferees: DONALD B. SAMUELSON, JAMES I. RICE, WALTER R. HANSON, M. J. McCAULEY, and PAUL MCCARRON.

Samuelson moved that the report of the Conference Committee on H. F. No. 2275 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2275, A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, commission on alcohol problems, board of examiners for nursing home administrators, public assistance programs, old age assistance, aid to dependent children, aid to the blind, aid to the disabled, and public relief.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 4, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clifford	Johnson, J.	Myrah	Pieper
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The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2530

May 19, 1973

Honorable Martin Sabo
Speaker of the House of Representatives

Honorable Alec Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2530, report that we have agreed upon the items in dispute and recommend as follows: Strike everything after the enacting clause, and substitute the following language:

"Section 1. Public buildings; appropriation. Except as otherwise provided in this act, the sums hereinafter set forth, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury or such other funds as designated, for the purposes specified in the following sections of this act.

Sec. 2. Subdivision 1. To the commissioner of administration to be expended for the purposes and in accordance with the provisions of this act.

Subd. 2. Department of Public Welfare:

(1) Demolition of Welfare Institution Buildings \$ 250,000

Notwithstanding any laws to the contrary, the commissioner of public welfare is hereby directed to demolish any old or obsolete buildings immediately from any funds available to the department of public welfare.

Subd. 3. At Minnesota State Prison:

(1) Tuckpointing	36,000
(2) One incinerator (inside prison walls)	40,000
(3) Roof repairs, cordage warehouse	30,000
(4) Replace windows and frames and doors in industry buildings	20,000
(5) Storm sewers	20,000
(6) Fire prevention measures	50,000

Subd. 4. At State Reformatory for Men:

(1) New oven — Food Service	17,000
(2) Miscellaneous reroofing	20,000
(3) Plaster ceiling area in Food Service and laundry	5,250
(4) Tuckpointing—supplies and equipment	\$ 10,000

(5) Resurface institution roads	10,000
Subd. 5. At Minnesota Correctional Institution for Women:	
(1) Install exit lights, sprinkler system for Anthony cottage, administration and security section, and provide second means of egress in basement and second floor of Administration building	50,000
(2) Install new steps and stoop of Sanford cottage	3,500
Subd. 6. At State Training School for Boys:	
(1) Repair, replace and maintain physical plant	45,000
(2) Separation of storm and sanitary sewers, complete repair of roads and parking lots	25,000
(3) Repair and remodel interior of volunteer center	7,500
(4) Install seven drinking fountains and demolish old kitchen	15,000
Subd. 7. At Minnesota Home School:	
(1) Remodel and equip counseling building	15,000
(2) Provide climate control in Senator Popp Building	5,000
(3) Remodel zoned heating in Alcott, Stowe & Evers cottages and replace radiators in Alcott, Stowe, Evers, Richard and Lind cottages	40,000
(4) Replace carpeting in Richard and Lind cottages	3,200
(5) Add combination storms and screens to Alcott, Evers, Stowe, Richard, Lind cottages and Morse Hall	15,000
(6) Demolish Sullivan cottage upon completion of new security facility	-0-
Subd. 8. At Minnesota Reception and Diagnostic Center:	
(1) Modification of Administration Building	\$ 2,000
(2) Area lighting	15,000
(3) Install automatic fire detectors	8,000
Subd. 9. At Saint Croix Forestry Camp:	
(1) Correct foundation water problem at gymnasium corner	3,000
Subd. 10. At Thistledew Forestry Camp:	
(1) Construct Chapel addition and Challenge building from private donation of \$10,600	-0-
Subd. 11. At Willow River Forestry Camp:	

(1) Sewer system\$ 15,000

Sec. 3. Subdivision 1. To the commissioner of public welfare to be expended for the purpose of repairs and replacements:

Subd. 2. At Anoka State Hospital	88,672
Subd. 3. At Fergus Falls Hospital	156,060
Subd. 4. At Hastings State Hospital	71,000
Subd. 5. At Moose Lake State Hospital	79,400
Subd. 6. At Rochester State Hospital	145,650
Subd. 7. At St. Peter State Hospital	134,900
Subd. 8. At Willmar State Hospital	91,000
Subd. 9. At Faribault State Hospital	164,575
Subd. 10. At Cambridge State Hospital	129,800
Subd. 11. At Brainerd State Hospital	96,200
Subd. 12. At Braille and Sight Saving State School	22,875
Subd. 13. At School for the Deaf	48,060
Subd. 14. At Gillette Children's Hospital	35,790
Subd. 15. At Ah-Gwah-Ching Nursing Home ..	45,000
Subd. 16. At Glen Lake State Sanatorium and Oak Terrace Nursing Home	72,500

Sec. 4. Subdivision 1. To the commissioner of corrections for the purpose of repairs and replacements:

Subd. 2. At Minnesota State Prison	\$ 214,000
Subd. 3. At Reformatory for Men	119,795
Subd. 4. At Minnesota Correctional Institution for Women	10,100
Subd. 5. At Training School for Boys	55,250
Subd. 6. At Minnesota Home School	33,250
Subd. 7. At Minnesota Reception and Diagnostic Center	33,990
Subd. 8. At Correctional Camps	10,000

Sec. 5. Subdivision 1. To the state college board for repairs and betterments at the state colleges including preventative maintenance1,100,000

Sec. 6. Subdivision 1. To the state junior college board for repairs and betterments at the state junior colleges503,775

Sec. 7. Subdivision 1. To the Minnesota Veterans Home Board for the purpose of repairs and replacements at Minnesota Veterans Home\$ 15,000

Sec. 8. To the Minnesota Historical Society:

- | | |
|--|---------|
| (1) Improvements to historic sites | 150,000 |
| (2) Archaeological construction | 50,000 |
| (3) Contingent fund | 30,000 |

Sec. 9. Notwithstanding any provision of Minnesota Statutes, Section 16.17, all the money appropriated by section 2 shall be deemed for construction, repairs, or other building improvements and shall be available until the purposes for which the appropriation was made shall have been accomplished or abandoned. The moneys appropriated by sections 3, 4, 5, 6, and 7 not expended or encumbered shall cancel on June 30, 1975.

Sec. 10. If moneys are appropriated during the same or different sessions of the legislature for the same or related projects which appropriations do not lapse until the purposes for which the appropriations were made shall have been accomplished or abandoned, the state auditor shall, upon the certification of the commissioner of administration as to the accounts involved, make such transfers of appropriations as will place in one account all of the moneys appropriated for the same or related projects.

Sec. 11. In the case of appropriations made for construction or other permanent improvement, including acquisition of real estate, equipment, repair, rehabilitation, appurtenances or utility systems, which appropriations do not lapse until the purposes for which the appropriations were made shall have been accomplished or abandoned, the commissioner of administration may dispense with periodic allotment and shall prescribe such regulations as will insure proper application and encumbrance of funds.

Sec. 12. Subdivision 1. Upon the awarding of final contracts for the completion of any projects enumerated in section 2 of this act, the commissioner of administration may transfer any unexpended funds in said project to any other project therein enumerated.

Subd. 2. The balance of each appropriation made by this and any prior act to the commissioner of administration from the general fund for construction, repairs, and other permanent improvements, remaining when the specific purpose of such appropriation is accomplished, as certified by the commissioner to the chairman of the senate finance committee, the chairman of the senate finance committee, and the state auditor, may be transferred to any other account for which such an appropriation is made to the commissioner by this or any prior act; provided that the amount so transferred to the account for any project shall not exceed ten percent of the amount otherwise appropriated for that project, and that before any such transfer

is made the commissioner shall consult and obtain the recommendations of the chairman of the senate finance committee and the chairman of the house appropriations committee, which shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 13. Subdivision 1. The city of Fairmont donated by conveyance to the state of Minnesota for a junior college to be located in Fairmont the following described land lying and being in Martin county:

Government Lot Two (2) and Government Lot Three (3) of Section Seven (7), Township One Hundred Two (102) North, of Range Thirty (30) West, excepting the South Thirty-three (33) feet of the West 578.24 feet of said Government Lot Three (3), and excepting the West Thirty-three (33) feet of said Government Lot Two (2) and said Government Lot Three (3), to be used for future street purposes.

Although such lands are not presently needed for such college purposes, they shall remain in their present status until directed by the legislature, except that if the council of the city of Fairmont by resolution requests transfer of the land to the city the commissioner of administration may convey the land to the city.

Subd. 2. The village of Cambridge donated by conveyance to the state of Minnesota for a junior college to be located in Cambridge the following described land lying and being in Isanti county:

The West 1,400 feet of the Northwest Quarter (NW1/4) of Section Thirty-two (32) Township Thirty-six (36), Range Twenty-three (23), excepting therefrom the West 675 feet of the South 762 feet thereof, and also the East 700 feet of the East Half of the Northeast Quarter (E 1/2 of NE 1/4), Section Thirty-one (31), Township Thirty-six (36), Range Twenty-three (23), excepting therefrom the South 762 feet thereof, and also excepting from the tracts herein conveyed all public roads and easements of record.

Although such lands are not presently needed for such college purposes, they shall remain in their present status until directed by the legislature, except that if the council of the village of Cambridge by resolution requests transfer of the land to the village the commissioner of administration may convey the land to the village.

Sec. 14. The unexpended balances of appropriations as certified by the commissioner of administration to the state auditor heretofore made by the legislature by Laws 1965, Chapter 882, Section 2, Subdivision 12 (1), Section 4, Subdivision 4 (2) and Subdivision 7 (2), and Section 7, Subdivision 2; Extra Session Laws 1967, Chapter 8, Section 2, Subdivision 4 (1), 8 (2), 10 (1), 11 (1), and 13 (1), and Section 4; Extra Session Laws 1967, Chapter 13, Section 2, Subdivision 2 (2), Subdivision 4 (1), Subdivision 6 (1), Subdivision 16 (1), Subdivision 18 (1) and (2), Subdivision 22 (1), and Subdivision 23 (1); Laws 1969, Chapter 1155, Section 2, Subdivision 15 (1) and Subdivision 25 (2); Laws

1969, Chapter 1159, Section 7, Subdivision 1 (5), Section 13 and 14; and Laws 1971, Chapter 963, Section 2, Subdivision 15 (4) and 19 (1), Section 3 (Cambridge and Fairmont State Junior Colleges), and Section 4 (2) (b) are hereby reappropriated to the commissioner of administration as follows:

Laws 1965, Chapter 882, as detailed above	\$ 265,391.69
Extra Session Laws 1967, Chapter 8 as detailed above	95,117.79
Extra Session Laws 1967, Chapter 13, as detailed above	59,262.66
Laws 1969, Chapter 1155, as detailed above	14,887.90
Laws 1969, Chapter 1159, as detailed above	242,868.01
Laws 1971, Chapter 963, as detailed above	5,217,000.00

to be used for the following purposes:

a. to reimburse the general fund for the appropriation made therefrom by Laws 1973, Chapter 99, Section 1, to the university of Minnesota to equip unit A, health sciences \$3,000,000.00

b. to improve grounds at certain junior colleges 1,680,000.00

c. Capitol remodeling: toilet remodeling, east wing-tunnel, first, second, and third floors, \$150,000; remodel Capitol tunnel, \$81,000; replacement of mail chute, \$12,000; replacement of dock and outside freight elevator in Capitol, \$80,000; rewire and reset light standards front of Capitol, \$5,000; four additional fuel storage tanks for heating plant, \$100,000; additional amount needed 308,000.00

d. to supplement the appropriations made by Laws 1969, Chapter 1159, Section 7, Subdivision 1 (4) and Laws 1971, Chapter 963, Section 7, Subdivision 1 (11) for a parking facility, Capitol complex 906,528.05

Sec. 15. [CONVEYANCE OF STATE PROPERTY, COMMISSIONER OF ADMINISTRATION, CITY OF MINNEAPOLIS] The Commissioner of Administration is hereby authorized to convey by quitclaim deed to the City of Minneapolis, Minnesota, the following described state real property, to wit:

All of Lots 7, 8, 9, 10, 11, 16, 17, 18, 19, 20, and 21, of Block 7 of the Washington Yale Addition to the City of Minneapolis, including that part of the Southeasterly one-half of the vacated alley adjoining the Northwesterly line of said Lot 7, and lying between the extensions across said Alley of the Southwesterly and Northeasterly line of said Lot 7; and

Lots 1, 2, 3, 4, 5, 6, 7, and 8 of the Gates Brothers

Rearrangement of Block 7, Washington Yale Addition to the City of Minneapolis; and

The vacated alley lying South of Lot 11, Block 7, said Washington Yale Addition to the City of Minneapolis, being from a line parallel with and ten (10) feet Westerly of the Easterly line of said Lot 11, to the extension of the Westerly line of said Lot 11;

All according to the respective recorded plats or maps thereof, Hennepin County, Minnesota

In consideration of said transfer, the City of Minneapolis, Minnesota shall convey by warranty deed to the State of Minnesota the following described real property, to wit:

All of Block 2 of the Washington Yale Addition to the City of Minneapolis, according to the recorded plat thereof, Hennepin County, Minnesota.

Sec. 16. From the appropriation made in Chapter 963, Section 3, Laws 1971, the commissioner of administration is authorized to expend not more than \$1,000,000 for land acquisition, demolition, and site preparation at Metropolitan Junior College and such funds are appropriated for this purpose.

The junior college board and the state board of education shall report to the chairman of the house appropriations committee and the chairman of the senate finance committee all plans for the proposed developments of this land prior to the implementation of said proposal.

Sec. 17. Lands or sites for public buildings or real estate, the acquisition of which is included in the appropriations made by this act, may be acquired by gift, purchase, or condemnation proceedings by the commissioner of administration. Condemnation proceedings shall be pursuant to Minnesota Statutes, Chapter 117.

Sec. 18. The effective date of this act is July 1, 1973 except for section 14, items c. and d. which are immediately available.”.

Further, strike the title and substitute the following:

“A bill for an act relating to the organization and operation of state government; providing for public buildings of the state of Minnesota; authorizing the alteration, repair, rehabilitation of said buildings, the equipping and the replacement of equipment of certain of said buildings; appropriating and reappropriating money therefor; authorizing reconveyance of real property.”.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: FRED C. NORTON, DON B. SAMUELSON, NEIL S. HAUGERUD, HOWARD E. SMITH, and DELBERT ANDERSON.

Senate Conferees: EDWARD G. NOVAK, NORBERT ARNOLD, JACK T. DAVIES, RICHARD W. FITZSIMONS, and JOHN L. OLSON.

Norton moved that the report of the Conference Committee on H. F. No. 2530 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2530, A bill for an act relating to the organization and operation of state government; providing for public buildings of the state of Minnesota; authorizing the alteration, repair, rehabilitation of said buildings, the equipping and the replacement of equipment of certain of said buildings; appropriating money therefor.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

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

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1436

May 18, 1973

Honorable Martin O. Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 1436, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 1436 be amended as follows:

Page 1, delete lines 22 to 26 and insert in lieu thereof:

"Sec. 3. This act shall be effective for each of the cities of Brooklyn Center, Robbinsdale and Brooklyn Park, separately, upon its approval by the governing body of the particular city and upon compliance with Minnesota Statutes, Section 645.021."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: RICHARD J. PARISH, ERNEE M. MCARTHUR, and JAMES R. CASSERLY.

Senate Conferees: AL KOWALCZYK, HUBERT H. HUMPHREY III, and EUGENE STOKOWSKI.

Parish moved that the report of the Conference Committee on H. F. No. 1436 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1436, A bill for an act relating to the cities of Brooklyn Center, Robbinsdale and Brooklyn Park; creating a housing and redevelopment authority.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

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

The bill was repassed, as amended by Conference, and its title agreed to.

MESSAGES FROM THE SENATE, Continued

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2437, A bill for an act relating to the organization and operations of state government; imposing regulations for junior college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, junior colleges, higher education coordinating commission, and moneys for medical education; providing aid to school districts including those affected by gross earnings taxation and authorizing the power of eminent domain with certain of the funds provided hereby; transferring moneys between accounts and funds in the state treasury; controlling certain treasury receipts; and imposing conditions relative to the expenditure of public moneys.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 2417, A bill for an act relating to the organization and operation of state government; appropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases including conservation, parks, recreational lands and trails, wildlife and spawning areas, and historic sites; fixing and limiting the amount of fees to be collected in certain cases; making funds available for seaway trade promotion; providing penalties for misusing appropriated funds; amending Minnesota Statutes 1971, Sections 3.102, 15.50; repealing Laws 1965, Chapter 810, Section 23, Subdivision 3 as amended by Laws 1967, Chapter 867, Section 9.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2417

May 18, 1973

Honorable Alec G. Olson
President of the Senate

Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 2417, report that we have agreed upon the items in dispute and recommend as follows:

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

"Section 1. EXPENSES OF STATE GOVERNMENT APPROPRIATIONS. Except as herein otherwise specifically provided, the sums hereinafter set forth in the columns designated "APPROPRIATIONS", or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury, or any other fund herein designated, for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1973", "1974", and "1975", wherever used in this act, shall mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1973, June 30, 1974, and June 30, 1975, respectively.

APPROPRIATIONS Available for the Year Ending June 30	
1974	1975
\$	\$

Sec. 2. THE LEGISLATURE

Subdivision 1. For the Senate

Salaries, supplies and expense	3,000,000	3,500,000
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Subd. 2. For the House of Representatives

Salaries, supplies, and expenses	4,400,000	5,900,000
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The above appropriations include funds for the standing committees of the senate and house of representatives.

The above appropriations include funds for printing and binding. The state senate and house of representatives may, as needed, utilize the services of the state printer.

	1974	1975
	\$	\$
<p>In the above appropriations are included amounts for legislators' per diem living expenses (as distinguished from compensation) in the amount paid to members in the 68th session and in such additional amount as may be determined by the 69th session.</p>		
Subd. 3. Legislative Service Commission	177,360	
Subd. 4. State Claims Commission ...	20,000	
Subd. 5. Legislative Building Commission	2,000	
Subd. 6. Indian Affairs Commission ..	62,500	62,500
<p>This appropriation includes funds for payment of the expenses of the delegate to the Indian council meeting.</p>		
<p>Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.</p>		
Subd. 7. Legislative Retirement Study Commission	130,000	
Subd. 8. Mississippi River Parkway Commission	5,000	5,000
<p>These amounts are appropriated from the trunk highway fund.</p>		
Subd. 9. General Contingent Account ..	1,175,000	875,000
<p>Should the appropriations for either year be insufficient, then the appropriation for the other year shall be available therefor.</p>		
Subd. 10. Game and Fish Contingent Account	100,000	
<p>This appropriation is from the game and fish fund for the purpose of supplementing any requirements of the department of natural resources for activities which are financed from the game and fish fund.</p>		
Subd. 11. Motor Vehicle Contingent Account	150,000	

1974

1975

\$

\$

This appropriation is from the highway user tax distribution fund for the purpose of supplementing any requirements of the department of public safety, motor vehicle services section, for salaries, supplies, and expense.

Subd. 12. Criminal Justice

Contingent Account 1,600,000

The legislature shall designate an appropriate committee to study the application of these funds and to recommend to the legislature appropriate future action.

This appropriation is available to provide additional matching funds for the various state agencies and local governments for programs qualifying under the safe streets and omnibus crime control act of 1968, as amended.

The above funds shall not be available until the criminal justice state plan has been reviewed by the senate committee on finance and the house committee on appropriations. At least 30 days before action by the legislative advisory committee, the commission shall submit the individual project requests to the respective committees for review.

Subd. 13. Postage Contingent Account 250,000

To be used by the commissioner of administration in supplementing the appropriations made for supplies and expense to the various state departments and agencies for any postage rate increases during the biennium ending June 30, 1975, where sufficient appropriations have not been made available therefor.

Of the above amount \$125,000 is appropriated from the highway user tax distribution fund to meet the needs of the motor vehicle section of the department of public safety.

Subd. 14. Traffic Safety Contingent Account

50,000

This appropriation is from the trunk highway fund for the purpose of supplementing any requirements of the depart-

	1974	1975
	\$	\$
ment of public safety for traffic safety programs.		
The appropriations in subdivisions 9 through 14 shall be expended with the approval of the governor after consultation with the legislative advisory committee.		
Any unexpended balances remaining in subdivisions 10 through 14 the first year shall not cancel but shall be available for the second year of the biennium.		
Sec. 3. GOVERNOR		
Subdivision 1. Salaries, supplies, and expense	489,500	492,500
If the commissioner of public safety assigns a highway patrol officer as a personal aide to the governor below the rank of sergeant, such officer shall receive the rank and pay of a sergeant while on such assignment.		
Subd. 2. Personal expenses connected with office	15,000	15,000
Subd. 3. Governor's portrait		2,000
Subd. 4. Upper Great Lakes Regional Commission—state share	71,000	71,000
This appropriation shall cancel if the federal support for the regional commission is withdrawn.		
Subd. 5. Great Lakes Basin Commission—state share	26,000	18,000
Subd. 6. Upper Mississippi River Basin Commission—state share	30,000	30,000
Subd. 7. Missouri River Basin Commission—state share	1973 \$3,950	8,200
Sec. 4. STATE PLANNING AGENCY		
Subdivision 1. Salaries, supplies, and expense	634,022	633,281
The amount that may be expended from state funds for each subprogram or activity is as follows:		
State Policy Development Subprogram		
Issue Analysis	\$42,847	\$42,847

1974

1975

\$

\$

State, Local, Regional ... \$22,359 \$22,359

Program Review and Coordination
Subprogram

Federal Aid Review 21,228 21,228

State Program Review .. 13,572 13,572

Planning Technical Assistance
Subprogram

Planning Information .. 16,312 16,312

Planning, Organization
and Manpower

Development 13,572 13,572

Functional Area Planning Subprogram

Comprehensive Health

Planning 78,909 78,909

Developmental

Disabilities 17,531 17,531

Environmental Planning 47,192 47,192

Transportation

Planning 44,065 44,065

Human Resources

Planning 21,184 21,184

Developmental

Disabilities Grants ... -0- -0-

Technical Assistance Subprogram

Planning Grant

Administration 33,930 33,930

Planning and Management

Technical Assistance .. 34,800 34,800

Local/Regional Training

Assistance 57,192 57,192

Administration Activity Subprogram

Administration 166,329 165,588

The state planning director may transfer unexpended balances among the above activities. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

1974 1975

\$

\$

The state auditor shall establish a single control account for the items listed in this section. The state planning agency shall maintain individual control accounts for the items listed in this section.

When instructed by the state planning agency to perform planning work, state agencies will be expected to use existing staff.

Subd. 2. Grants for Regional Development Commissions	400,000	400,000
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Notwithstanding the provisions of Minnesota Statutes 462.396, the state planning officer may make available financial state assistance to regional development commissions for the fiscal years 1974 and 1975.

Not more than \$400,000 the first year shall be expended for state support of regional development commissions. The state planning agency shall distribute such funds on a proportional basis so that no regional development commission receives more funds in one year than the amount would be if all regional development commissions were organized.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 5. GOVERNOR'S COMMISSION ON CRIME PREVENTION AND CONTROL

Salaries, supplies, and expense	50,000	50,000
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Approved Complement—35

Sec. 6. GOVERNOR'S COMMISSION ON EMPLOYMENT OF HANDICAPPED PERSONS

51,513	51,863
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Sec. 7. LIEUTENANT GOVERNOR

Subdivision 1. Salary and expense ...	145,100	145,100
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Subd. 2. Personal expenses connected with office	2,000	2,000
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Sec. 8. STATE AUDITOR

Subdivision 1. Salaries	505,795	505,795
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Approved Complement—49

	1974	1975
	\$	\$
Subd. 2. Supplies and expenses	120,400	122,100
Provided that the auditor's biennial report shall be printed in summary form notwithstanding any law to the contrary.		
Subd. 3. Statewide accounting system	1,016,046	824,206
Subd. 4. Contributory share of public employees retirement association for legislative members		
	1973	
.....	\$204.62	
Sec. 9. STATE TREASURER		
Subdivision 1. Salaries	223,370	223,370
Approved Complement—23		
Subd. 2. Supplies and expense	85,100	81,575
Sec. 10. PUBLIC EXAMINER		
Subdivision 1. Salaries	463,754	463,754
Approved Complement—38		
Subd. 2. Supplies and expense	70,360	74,305
Subd. 3. Public examiner's revolving fund		
	1973	
.....	\$1,866.78	50,000

This deficiency appropriation is to restore to the public examiner's revolving fund the amount not recoverable from an audit made of the Montevideo housing and redevelopment authority.

The appropriation for fiscal year 1974 is provided to finance a study of local government accounting systems, practices, and reporting.

The appropriations in this section provide complement and related expenses to perform for the legislature a post audit function upon request from the legislature.

Sec. 11. DEPARTMENT OF TAXATION

Subdivision 1. Salaries	8,841,000	8,841,000
Approved Complement—920		
Subd. 2. Supplies and expense	3,519,000	3,523,600

	1974	1975
	\$	\$
Subd. 3. Tax assessors or deputies training	60,000	60,000

The above appropriation includes expenses for collection of rural cooperative electric taxes. Taxes retained by department are to be deposited in the general fund.

The appropriations made by this section include sufficient moneys to carry out the ore estimate and classification functions previously performed by the university of Minnesota.

Sec. 12. TAX COURT

Subdivision 1. Salaries	43,361	43,361
Subd. 2. Supplies and expense	8,777	8,483

Sec. 13. ATTORNEY GENERAL

Subdivision 1. Salaries	788,747	811,947
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Approved Complement — 45

Subd. 2. Supplies and expense	167,745	139,820
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Subd. 3. Special contingent appropriation	50,000	
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This appropriation shall not be available for paying the costs of special legal, accounting, and investigative personnel retained in cases arising under Minnesota Statutes 1971, Section 501.12 hereafter filed unless the attorney general shall decide in such a case that all the beneficiaries are not adequately represented, or that there is a likelihood that the purpose of the trust may be frustrated without his intervention and that the state has a substantial interest in carrying out the purpose of the trust.

Subd. 4. Antitrust appropriation	200,000	
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This appropriation is for costs and expenses incurred by the attorney general in enforcing and making claims under state and federal antitrust laws.

The attorney general shall report on an annual basis the purpose for which the moneys appropriated by this subdivision are utilized. Such reports shall be made to

	1974	1975
\$		\$

the committee on finance of the senate and the committee on appropriations of the house of representatives, with the first report due August 15, 1974.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 5. Minnesota Peace Officers Training Board

(a) Salaries	34,000	35,000
Approved Complement — 3		
(b) Supplies and expense	23,715	23,067
(c) Reimbursements to local government	300,000	300,000

The appropriations made in subdivision 5 (c) shall only be expended for the payment of obligations incurred during the 1973-75 biennium.

Reimbursement for costs of substitute local protection while officers attend regular training courses.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Any unexpended balance in the milk and dairy investigation account on June 30, 1973, shall not cancel but shall be available for the biennium beginning July 1, 1973.

Sec. 14. DISTRICT COURT

To be disbursed by the state auditor.

Subdivision 1. Salaries, supplies,

	1973		
and expense	\$54,221	2,100,000	2,100,000

Should the appropriation for either year be insufficient, then the appropriation for the other year shall be available therefor.

Sec. 15. RETIRED SUPREME AND DISTRICT COURT JUDGES AND COMMISSIONERS

To be disbursed by the state auditor.

	1974	1975
	\$	\$
	1973	
Salaries	\$71,436	379,000

Should the appropriation for either year be insufficient, then the appropriation for the other year shall be available therefor.

This appropriation shall be used for the payment of salaries, retirement benefits, and survivorship benefits to retired supreme and district court judges, commissioners and widows of supreme and district court judges.

Sec. 16. SUPREME COURT

Subdivision 1. Salaries	842,214	873,550
Subd. 2. Supplies and expense	233,434	226,737
Subd. 3. Commission on judicial standards	10,000	

Any unexpended balances remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 17. JUDICIAL COUNCIL

4,950

Any unexpended balances remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 18. PUBLIC DEFENDER

Subdivision 1. Salaries, supplies, and expense	230,379	233,323
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Provided however that no portion of the funds appropriated shall be used for the defense of misdemeanors unless the city or county public defender, if any, shall refuse or be unable to defend and then only by order of the court.

Subd. 2. To provide civil legal services and to develop and explain grievance procedures to the prison inmate.	100,000	
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Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

This appropriation shall be reduced by an amount equal to the receipt of any fed-

	1974	1975
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	\$	\$
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eral grant in excess of \$60,000 for the biennium.

Sec. 19. REVISOR OF STATUTES

Subdivision 1. Salaries	217,992	217,992
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Subd. 2. Supplies and expense	50,366	50,331
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Subd. 3. Bill Drafting Salaries and Expenses	600,000	
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Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 4. Printing Regular Session

Laws		75,000
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These laws may be published and printed in the same manner as prescribed by Minnesota Statutes 648.41, Subdivision 2.

Sec. 20. DEPARTMENT OF ADMINISTRATION

There is appropriated to the commissioner of administration the following amounts for the purposes so stipulated in this section and as indicated in the workpapers of the committee on finance of the senate and the committee on appropriations of the house of representatives.

Subdivision 1. General Operations and Management	7,876,625	7,819,450
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Of the amounts herein provided, \$11,424 each year is appropriated from the game and fish fund and \$576 each year is appropriated from the state airports fund for payroll preparation and employee statistics.

The department of administration shall be solely responsible for architectural services for the state college system except for dormitory food service, student union and campus master planning.

The amounts that may be expended from these funds for each program are as follows:

Budget Services .. \$	294,390	\$	320,880
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	1974	1975
	\$	\$
Management		
Services	\$ 687,185	\$ 614,840
General Services . .	6,526,270	6,518,530
General Support . .	368,780	365,200

The commissioner of administration may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

The state auditor shall establish a single control account for the items listed in this subdivision. The department of administration shall maintain individual control accounts for the items listed in this subdivision.

The commissioner of administration shall submit to the senate finance committee and the house appropriations committee, not later than November 1, 1974, a detailed report of each management study made, recommendations made as a result of each study and changes instituted because of each study.

Any moneys appropriated for the salaries of state employees whose duties it is to perform cleaning services in and for state buildings shall be used by the commissioner of administration to contract and pay for such services if he determines that the contract method is more economical than having such services performed by state employees.

The commissioner of administration shall review and analyze fees collected by state departments and agencies. The commissioner shall prepare a report on those fees in which the cost of the collections of the fee appears excessive in relation to the amount of the fee collected. The report shall be submitted on or before November 15, 1974, to the committee on finance of the senate and the committee on appropriations of the house of representatives.

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Notwithstanding any law to the contrary, the department of administration shall appraise and establish rental rates for all living accommodations provided by the state for its employees.

The commissioner of administration shall deposit in the state treasury and credit to the general fund all money collected from private tenants as rent from space in the capitol square building.

The commissioner of administration may lease portions of state owned buildings in the capitol complex, the capitol square building, and at 1246 University Avenue, St. Paul, Minnesota, to state departments and agencies and charge rent therefor on the basis of space occupied, and, notwithstanding the provisions of any law to the contrary, all moneys collected as rents shall be deposited in the state treasury and credited to the general fund.

The position of administrator of the employees merit award system may be in the classified or unclassified service.

In the case of payrolls which are financed in whole or in part with federal funds, that portion of the cost of payroll preparation which is chargeable to federal funds shall be reimbursed to the department of administration from such federal funds, and such amounts as are necessary are hereby appropriated from such funds for that purpose. The cost of preparing payrolls for state departments, agencies, and institutions whose salaries are provided by open, standing, continuing, or revolving appropriations or so called dedicated receipt accounts shall be reimbursed to the department of administration from such appropriations or dedicated receipt accounts and such amounts as are necessary are hereby appropriated from such appropriations and accounts for that purpose.

In the case of state departments, agencies, and institutions which are financed in whole or in part with federal funds, that portion of the cost of collecting social security contributions which is chargeable

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to federal funds shall be reimbursed from federal funds, and such amounts as are necessary are appropriated from such funds for that purpose.

The cost of collecting employees' social security contributions and the state's matching share for reimbursement to the U.S. Secretary of the Treasury for state departments, agencies, and institutions whose salaries are provided by open, standing, continuing, or revolving appropriations or so called dedicated receipt accounts shall be reimbursed to the state agency revolving fund from such appropriations or dedicated receipt accounts, and such amounts as are necessary are appropriated from such appropriations and accounts for that purpose.

Notwithstanding the provisions of any law to the contrary, the commissioner of administration may sell the state-owned property comprising the Owatonna state school in the manner which will realize the greatest return to the state. Such a sale, however, shall be made only after advertising the sale of the property and inviting sealed bids which shall be opened at the time specified and read aloud. The sale shall be made to the best bidder. The advertisement of such sale shall be made in local and national publications including but not limited to such publications as the Wall Street Journal and the New York Times. The state reserves the right to reject any and all bids.

Subd. 2. Ancillary Services Program	108,440	131,090
Subd. 3. University/State		
Information System	350,000	
Sec. 21. BOARD OF INVESTMENT		
Subdivision 1. Salaries, supplies, and expense	367,304	365,559
Approved Complement — 17		

Notwithstanding any other law to the contrary, the board of investment may lease or purchase a duplicating machine.

	1974	1975
	\$	\$
Sec. 22. SECRETARY OF STATE		
Subdivision 1. Salaries	187,672	187,672
Approved Complement — 20		
Subd. 2. Supplies and expense	57,129	50,313
Subd. 3. Printing Legislative Manual		90,922
Notwithstanding any other law to the contrary, the appropriation in this subdivision shall be available until the legislative manual is printed and distributed.		
Subd. 4. Publishing Constitutional Amendments		18,180
Subd. 5. Election Expense and Nomination Fees	36,005	27,180
Sec. 23. DEPARTMENT OF CIVIL SERVICE		
Subdivision 1. Salaries	664,818	664,818
Approved Complement—1974 - 71		
1975 - 64		
The director is requested to report to the committee on finance of the senate and the committee on appropriations of the house the progress made in pilot job clarification projects for the purpose of determining whether the program should be financed in fiscal year 1975.		
Subd. 2. Supplies and expense	166,706	139,839
Subd. 3. Management and Personnel Training Program		
Salaries, supplies, and expense	253,984	248,316
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.		
Sec. 24. MUNICIPAL COMMISSION		
Salaries and supplies	78,616	78,626
Approved Complement—3		
Sec. 25. MILITARY AFFAIRS		
Subdivision 1. Salaries	1,316,520	1,319,830

	1974	1975
	\$	\$
Approved Complement—1974 - 177		
1975 - 178		

Plus such additional personnel as may be financed entirely from federal funds for the period federal funds are available.

Subd. 2. Supplies and expense	811,895	844,285
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Notwithstanding any other provision of this act or any other law, the portion of appropriations made in this section which relate to armory maintenance and repairs shall be available for allotment, encumbrance and expenditure upon passage of this act, for the purpose of financing federal reimbursement contracts.

Sec. 26. DEPARTMENT OF COMMERCE

Subdivision 1. Salaries	2,295,940	2,299,320
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Approved Complement—202

Subdivision 2. Supplies and expense ..	415,440	409,075
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The appropriations in this section include moneys for those activities previously financed from the real estate revolving account, the transfer of the regulation of collection agencies as imposed upon the department by this act, and the duties required of the agency relating to franchise regulation if an act conferring these duties is enacted by the 68th session of the legislature.

Sec. 27. PUBLIC SERVICE

Subdivision 1. Administration

(a) Salaries	1,333,696	1,333,696
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Approved Complement—122

(b) Supplies and expense	331,765	267,565
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Subd. 2. Grain Inspection

(a) Salaries	2,184,088	2,184,088
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(b) Supplies and expense	175,000	175,000
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(c) Overtime	300,000	300,000
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The department of public service is directed to adjust its schedule of fees before the end of each fiscal year to provide that the initial charge made for services to be rendered during the next fiscal year shall be sufficient to provide an income during the latter fiscal year equal to the amount of the expenditures for that year for salaries, overtime, expenses, which shall include without limitation an amount for state retirement and social security contributions. If the income from the fees provided for herein during any fiscal year shall be more than 103 percent of such expenditures for that year, the department in adjusting its schedule of fees for use in the next fiscal year shall fix the fees to produce income in the amount of such expenditure less the amount of such excess over 103 percent of the expenditures first referred to herein. If the income from the fees provided for herein during any fiscal year shall be less than the expenditures for that year, the department in adjusting its schedule of fees for use in the next fiscal year shall fix the fees to produce income in the amount of such expenditure for the latter year plus the amount of the difference between the expenditure for the year first referred to herein and the total income from such fees during that year, and plus 3 percent of the total expenditure for both the latter and the first year referred to herein. Such schedule of fees shall provide that any elevator, mill, or other department business requesting the weighing or inspection service, shall pay a minimum charge per hour for each employee requested or assigned. Any fees earned by such employee shall be credited against the charge made therefor. Such minimum charge shall be assessed only after taking into consideration all fees earned and all hours charged. Excess fees earned over hours charged shall be carried forward from month to month during any one fiscal year. When deemed necessary by the department, a charge for actual overtime costs may be made.

Sec. 28. LABOR AND INDUSTRY

Subdivision 1. Salaries	1,967,781	2,019,992
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	1974	1975
	\$	\$
Approved Complement — 211		
Subd. 2. Supplies and expense	384,198	402,609
Sec. 29. LIQUOR CONTROL		
Subdivision 1. Salaries	315,872	315,872
Approved Complement — 28		
Subd. 2. Supplies and expense	62,823	59,543
Sec. 30. BUREAU OF MEDIATION SERVICES		
Subdivision 1. Salaries	383,898	383,898
Approved Complement — 25		
Subd. 2. Supplies and expense	91,407	86,732
Sec. 31. DEPARTMENT OF ECONOMIC DEVELOPMENT		
Subdivision 1. Salaries, supplies, and expense	950,000	952,000
Approved Complement — 39		
Not more than one research project may be undertaken. The commissioner shall report to the next legislative session specific requests for research projects for the next biennium.		
Subd. 2. Advertising and publications	300,000	300,000
Not more than \$15,000 each year may be expended for promotional expense.		
Subd. 3. Regional matching	190,000	190,000
Subd. 4. Port Authority of Duluth — final state appropriation	80,000	80,000
These amounts are appropriated to the port authority of Duluth, organized under Minnesota Statutes 1971, Section 458.09 to 458.19, and shall be used for the promotion of seaway trade after consultation with the department of economic development.		
The port authority of Duluth shall file a report of activities financed by this appropriation with the legislature on or before November 1, 1974.		
Sec. 32. DEPARTMENT OF AERONAUTICS		

	1974	1975
	\$	\$
Subdivision 1. Salaries	410,000	412,000
Approved Complement — 33		
Subd. 2. Supplies and expense	88,260	92,300
Subd. 3. Aeronautics proceedings	7,500	7,500
This amount is available for the employment of consultants, expert witness fees, preparation of exhibits and other costs pertaining to aeronautics proceedings.		
Subd. 4. Aeronautics safety and education	20,000	20,000
Subd. 5. Airport construction and improvements		
(a) Key system airports	2,850,000	
(b) Secondary system airports	1,142,500	
(c) State landing strips	1,299,430	

The appropriations made in this subdivision shall be expended only for grant-in-aid programs for airports which are not state owned.

These appropriations are to be expended in accordance with Minnesota Statutes 1971, Section 360.305, Subdivision 4 (1), (2), (4), and (5), as amended.

The commissioner of aeronautics may transfer unexpended balances between the above items with the approval of the governor after consultation with the legislative advisory committee.

Subd. 6. Navigational Aids	800,000
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Subd. 7. Stripping airport runways ..	48,150
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Reimbursements from municipalities for striping runways shall be deposited in the state airport fund.

Subd. 8. Construction and operation of state-owned airports	1,310,302
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At state-owned airports at Thief River Falls and Orr, the commissioner of aeronautics is directed to complete construction as proposed; including land acquisition, buildings, security fencing, paving, lighting and electronic aeronautical guid-

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ance systems. The commissioner is further directed to take whatever steps are necessary to return these airports to their respective communities, counties or regions at no cost to the state and report his progress to the finance committee of the senate and the appropriations committee of the house of representatives by January 15, 1974. It is legislative intent that the airports be returned to the respective communities, counties or regions at no cost to the state.

Notwithstanding the provisions of Minnesota Statutes 1971, Section 360.021, Subdivision 1 or any other law to the contrary, the commissioner of aeronautics shall acquire no additional airports, nor shall he establish any additional state-owned airports during the biennium ending June 30, 1975.

No moneys shall be expended by the commissioner of aeronautics under the appropriations made by subdivisions 5, 6, and 7, or any other law, for land acquisition, or for the construction, improvement, maintenance of airports, or for air navigation facilities for an airport, unless the governmental unit involved has or is establishing a zoning authority for that airport, and such authority has made a good faith showing that it is in the process of and will complete with due diligence, an airport zoning ordinance in accordance with Minnesota Statutes 360.061 to 360.074.

The commissioner of aeronautics is directed to make maximum use of zoning and easements to eliminate runway and other potential airport hazards rather than land acquisition in fee.

Any unexpended balance remaining in subdivisions 5 through 8 the first year shall not cancel but shall be available for the second year of the biennium.

The amounts appropriated by this section are from the state airport fund.

Sec. 33. DEPARTMENT OF
AGRICULTURE

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There is appropriated to the commissioner of agriculture the following amounts for the purposes so stipulated in this section and as indicated in the work-papers of the committee on finance of the senate and the committee on appropriations of the house of representatives 2,363,115 2,371,248

The amounts that may be expended from the above appropriations for each program are as follows:

Marketing Services
and Marketing

Development \$317,974 \$319,339

Food and Livestock
Regulation and

Development 735,582 737,350

Development and
Protection of

Agricultural
Resources 752,509 753,709

General

Support 557,050 560,850

The commissioner of agriculture with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

The state auditor shall establish a single control account for the items listed in this section. The department of agriculture shall maintain individual control accounts for the items listed in this section.

The standing appropriation made by Laws 1963, Chapter 832, Section 4, in the sum of \$75,000 per biennium for the administration and enforcement of Minnesota Statutes 1971, Chapter 33, is rescinded and shall no longer be of any force and effect.

The commissioner of administration shall require that the service fees charged

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for fruit and vegetable inspection and certification will be reviewed and, if necessary, adjusted each six months to the end that such fees shall insofar as it is practicable cover the cost of the services rendered. All moneys collected by authority of Minnesota Statutes 1971, Section 21.53, and all balances now on hand received from such source are appropriated for the purpose of carrying out the provisions of Minnesota Statutes 1971, Section 21.47 to 21.58. All moneys collected by authority of Minnesota Statutes 1971, Section 27.07, for services rendered pursuant to written contracts are appropriated for the purpose of carrying out the provisions of Minnesota Statutes 1971, Chapter 27, and the moneys so collected and appropriated shall be in addition to and not in substitution for the sums appropriated in this section. All funds, sums of money or other resources paid or furnished to the department of agriculture, dairy and food, by the federal government shall be credited to and become a part of the various appropriations provided for in this section, and all such funds, sums of money or other resources so credited to the various appropriations shall be in addition to and not in substitution for any sum appropriated or otherwise made available by this section.

Provided that the fees for services performed for poultry breeding and inspection shall be fixed by the commissioner of administration at the beginning of each fiscal year and reviewed and adjusted, if necessary, at the end of each six month period in order that the fees prescribed shall insofar as practicable cover the cost of all services rendered.

The department of agriculture shall submit a semi-annual report on the collection of all license and inspection fees to the committee on finance of the senate and the committee on appropriations of the house of representatives. The first report shall be submitted on or before February 15, 1974.

Any butter purchased may be sold if marketable under the laws of this state.

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Notwithstanding any law to the contrary, the person hired to promote market development shall be in the unclassified service and shall work only at promoting market development.

The commissioner of agriculture shall submit financial reports of the actual and anticipated expenditures of his department to the committee on finance of the senate and the committee on appropriations of the house of representatives. Such reports shall be structured on an activity basis and shall include all moneys under the control of the commissioner and such additional information as may be requested by the committees to which the reports are made. The first report shall be submitted not later than February 15, 1974, and thereafter such reports shall be made on a quarterly basis.

Sec. 34. DEPARTMENT OF PUBLIC SAFETY

There is appropriated to the commissioner of public safety the following amounts for the following purposes, said amounts to be under the control of and to be expended by direction of the commissioner of public safety.

Subdivision 1. Salaries	15,283,864	15,301,959
Approved Complement—1974 - 1,388		
	1975 - 1,389	

Of the amounts provided in subdivision 1, \$11,605,614 for the first year and \$11,611,909 for the second year is appropriated from the trunk highway fund for traffic safety programs, and \$1,456,227 each year is appropriated from the highway user tax distribution fund for administration of motor vehicle laws.

Of the amount provided in subdivision 1, \$2,222,023 for the first year and \$2,233,823 for the second year is appropriated from the general fund.

The above approved complement includes a total of 123 for the bureau of criminal

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apprehension and a total of 504 for all unclassified patrol officers and supervisors of the highway patrol. These respective complements shall not be exceeded during the biennium. Nothing in this provision is intended to limit the authority of the commissioner of public safety to transfer personnel, with the approval of the commissioner of administration, between the various units and divisions within this subdivision, providing that the above complement restrictions are not exceeded in the indicated units. If the personnel in the above restricted complements are transferred to other units or divisions of the department, the above complements shall be reduced accordingly.

No new highway patrol supervisory positions shall be established, with the exception of special duty assigned ranks for the length of assignment only.

The legislature recommends that the commissioner of public safety merge the fire marshal division with the bureau of criminal apprehension if able to reduce administrative costs and to improve the investigational capability in the arson area.

Subd. 2. Weight Scale and Motor Vehicle Inspection

380,000

380,000

The personnel involved in the support of the weight scale and spot motor vehicle inspection programs shall be provided by the department of highways. This appropriation is from the trunk highway fund.

Subd. 3. Supplies and expense

8,541,100

8,704,600

Of the amounts provided in subdivision 3, \$5,914,600 for the first year and \$5,814,550 for the second year are appropriated from the trunk highway fund for traffic safety programs.

Of the amounts provided in subdivision 3, \$1,563,554 for the first year and \$1,479,124 for the second year are appropriated from the highway user tax distribution fund for administration of motor vehicle laws.

1974 1975

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Of the amount provided in subdivision 3, \$1,062,946 for the first year and \$1,410,926 for the second year is appropriated from the general fund.

The state auditor is directed to transfer on a quarterly basis the appropriation made from the trunk highway fund in subdivisions 1, 2, and 3.

Subd. 4. Sheriffs Teletype Operations	325,266	325,266
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Approved Complement—14

Subd. 5. Police Schools

(a) Supplies and expense	120,847	123,868
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Of the amounts provided in subdivision 4, \$12,000 for the first year and \$12,000 for the second year are appropriated from the trunk highway fund for highway safety activities.

Subd. 6. License plates

(a) Salaries	162,412	162,412
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Approved Complement—12

(b) Supplies and expense	1,362,175	1,332,175
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The amounts provided in subdivision 6, items (a) and (b) are appropriated from the highway user tax distribution fund.

Subd. 7. Fire Services—Advisory Council	7,500	7,500
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Subd. 8. State Aids for Air Warning	30,000	30,000
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The department of public safety is authorized to make grants-in-aid to local political subdivisions, to provide for up to 25 percent of the cost of air warning systems.

Sec. 35. DEPARTMENT OF NATURAL RESOURCES

There is appropriated to the commissioner of natural resources the following amounts for the purposes so stipulated in this section and as indicated in the workpapers of the committee on finance of the senate and the committee on appropriations of the house of representatives

	21,939,570	21,981,431
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	1974	1975
	\$	\$
Approved Complement — 1,200		
The amount that may be expended from these funds for each program is as follows:		
Protection and Development of Land, Water and Wildlife Resources		
	\$11,312,289	\$11,408,190
Public Use of Recreational Resources		
	4,172,125	4,165,580
Economic Distribution and Utilization of Public and Private Resources		
	1,966,515	1,943,255
General Support and Management Services		
	4,488,641	4,464,406

The commissioner of natural resources may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

The state auditor shall establish a single control account for the items listed in this section. The department of natural resources shall maintain individual control accounts for the items listed in this section.

Of the amounts herein provided, \$11,548,492 for the first year and \$11,495,157 for the second year are appropriated from the general fund; \$9,846,078 for the first year and \$9,936,274 for the second year are appropriated from the game and fish fund; and \$550,000 each year is appropriated from the wildlife acquisition account.

In addition to the amounts herein appropriated, all moneys credited to the game and fish fund under Minnesota Statutes 1971, Section 296.421, Subdivision 4, are appropriated to the commissioner of natural resources for the acquisition, improvement, development and maintenance of sites for public access to public waters and for lake improvement.

1974

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The appropriations in this section include sufficient moneys for payments in lieu of taxes to local units of government on wetlands for wildlife habitat.

The department may publish not more than six issues of the conservation volunteer during each fiscal year.

The commissioner of natural resources shall submit financial reports of the actual and anticipated expenditures of his department to the committee on finance of the senate and the committee on appropriations of the house of representatives. Such reports shall be structured on an activity basis and shall include all moneys under the control of the commissioner and such additional information as may be requested by the committees to which the reports are made. The first report shall be submitted not later than February 15, 1974, and thereafter such reports shall be made on a quarterly basis.

Sec. 36. MINNESOTA WATER RESOURCES BOARD

Salaries, supplies and expense	55,274	54,726
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All hearings of the water resources board shall be solely in the performance of expressed statutory duties.

Sec. 37. POLLUTION CONTROL AGENCY

Subdivision 1. Salaries, supplies, and expense	1,684,730	1,820,722
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Approved Complement—153

The agency is hereby authorized up to 20 additional positions upon the approval by the commissioner of administration of the agency's work program, priorities, and proposed job assignments. Such financing as may be required shall be from the general contingent account and shall be authorized prior to the employment of any of these additional employees.

Subd. 2. Additional special studies ...	140,000
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The agency is authorized and directed to negotiate with the federal government,

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or any agency, bureau, or department thereof, for the purpose of securing or obtaining any grants of assistance in the completion of these studies.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Health will continue to render such staff services as agency may require from time to time through health's division of environmental health, and health is to be reimbursed from this appropriation for the cost thereof.

On or before June 30, 1973, agency through its executive director will make and submit to the governor for approval an interdepartmental agreement, but if agency and health do not so agree at the time required, the matters to be covered by the agreement will be determined by executive order. The matters so to be covered by agreement or order are: (1) adequate exchange between agency and health of information in the health aspects of the work of each; (2) staff services and facilities required by agency to be furnished by health; (3) basis of reimbursement to health for services and facilities to agency. This agreement may be modified from time to time by agency and health with approval of the governor, and by executive order if the arrangement is effected by order, and the agreement or order, as the case may be, will be followed by the authorities involved in disbursing this appropriation.

The amounts provided in subdivisions 1 and 2 are sufficient to fulfill all duties imposed upon the agency by the 1973 legislature.

Prior to the holding of any public hearings, the purpose for which being the establishment of odor control regulations which would apply to agriculture, the agency shall notify the appropriate committees of the legislature.

Subd. 3. Automobile recycling	800,000	800,000
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1974 1975

\$ \$

Sec. 38. LIVESTOCK SANITARY BOARD

Subdivision 1. Salaries 516,756 541,317

Approved Complement—48

Subd. 2. Supplies and expense 198,438 233,605

Subd. 3. Indemnities 100,000

No payment for less than \$1 for indemnities may be made.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 4. Field Laboratories 67,000 67,000

For the operation of field laboratories for the testing of poultry, including turkeys for pullorum and other diseases.

Subd. 5. Contingent Account 150,000

The funds appropriated in subdivision 5 shall be transferred to the various accounts of the livestock sanitary board at the request of the executive secretary of the board. Upon receipt of the request, the commissioner of administration shall certify to the state auditor the amounts to be transferred and the accounts into which the funds shall be transferred. Funds so transferred are hereby appropriated.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 39. HUMAN RIGHTS

Salaries, supplies, and expense 399,800 381,830

Approved Complement—27

Sec. 40. WAR VETERANS AFFAIRS

Subdivision 1. Salaries 371,931 371,931

Approved Complement—41

Subd. 2. Supplies and expense 67,072 68,783

Subd. 3. Veterans relief fund 910,000 960,000

	1974	1975
	\$	\$
The Minnesota public relief advisory committee is hereby continued for the purposes of this subdivision.		
None of the funds appropriated in this subdivision shall be transferred for the use of veterans' rest camps.		
Subd. 4. War veterans and war orphans education aid	40,000	45,000
To be expended pursuant to Minnesota Statutes 1971, Section 197.75.		
Subd. 5. Headstones, markers, and sockets for soldiers and sailors graves	10,000	
Any unexpended balances remaining in subdivisions 3 through 5 the first year shall not cancel but shall be available for the second year of the biennium.		
Sec. 41. STATE LAW LIBRARY		
Subdivision 1. Salaries	88,624	88,624
Approved Complement — 8		
Subd. 2. Supplies and expense	57,945	60,558
Subd. 3. Books and binding	120,000	
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.		
Sec. 52. STATE ZOOLOGICAL BOARD		
Subdivision 1. Salaries, supplies, and expense	168,179	324,006
Sec. 43. NATURAL RESOURCES ACCELERATION		
Subdivision 1. Minnesota Resources Commission together with any sums received as grants-in-aid from federal sources and any sums granted by private sources to carry out the purposes of the commission. Such moneys shall be available to the commission until expended	150,000	
The commission during the 1973-75 biennium shall review the work programs and progress reports required under subdivi-		

1974 1975

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sion 14 of this section and report their findings and recommendations to the committee on finance for the senate and the committee on appropriations for the house of representatives. The commission may prepare in cooperation with the committee on taxes a report to the 69th session of the legislature regarding payment in lieu of taxes on state and federally owned lands. The commission may also prepare a report to the 69th session of the legislature pertaining to the recodification and simplification of the laws and statutes pertaining to the Minnesota outdoor recreation and resource commission and the Minnesota resources commission.

Subd. 2. Department of Administration

a. Acquisition of state recreation lands and trails 2,000,000

To be expended in accordance with the purposes and criteria of the Minnesota outdoor recreation act of 1973 if approved by the legislature and/or according to the priorities established in project 80. These funds shall only be expended for lands within the authorized or designated boundaries of state parks, state recreation areas, state monuments, state waysides, state trails, state wild, scenic and recreational rivers, state scientific and natural areas, and the Sand Dunes state forest.

b. Acquisition of land—memorial hardwood forest 350,000

c. Acquisition of scenic easements—Lower St. Croix recreational riverway 275,000

d. Acquisition of spawning areas 50,000

e. Acquisition of key deer yards 30,000

f. Topographic mapping—final appropriation 1,060,000

g. Grants-in-aid to local units of government 2,750,000

This appropriation is to pay up to 50 percent of the total cost or 50 percent of the local share if federal matching funds are used, of long term lease, acquisition and

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development for recreational projects for the purposes described in Laws 1965, Chapter 810, Section 23 as amended by Laws 1969, Chapter 1139, subdivision 7, g.

Notwithstanding any other law to the contrary these grants are not contingent upon the matching of federal grants.

The state office of local and urban affairs will administer the natural resources and land and water grants-in-aid to local units of government.

This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory committee.

h. Grants-in-aid for regional recreational and natural areas 6,000,000

The state office of local and urban affairs will administer the natural resources and land and water grants-in-aid programs to local units of government and public educational institutions.

\$2,000,000 of this appropriation shall be reserved for projects outside of the jurisdiction of the metropolitan council.

This appropriation is available to pay up to 100 percent of the local share for development, acquisition and lease of land for recreation areas, natural areas and open space serving a regional need to counties, local units of government, special units of government and public educational institutions authorized to acquire, maintain and operate recreational and natural areas; provided that the state share shall not exceed 75 percent of the total acquisition for any project.

Priorities for use of funds will be given to projects eligible for federal funding and which are consistent with priorities established by regional recreation and open space plans.

i. Iron range interpretive center 500,000

This money is available when there is evidence that other financing shall be available to complete the project.

	1974	1975
	\$	\$
j. Minneapolis public library—Environmental information center	100,000	
Subject to the conditions of Laws 1971, Chapter 864, Section 3.		
k. Rainy River junior college—Voyageurs national park seminar	5,000	
Subd. 3. Department of Economic Development		
Innovative program funding	50,200	
Subd. 4. Department of Education		
a. FFA stocking of upland game birds	60,000	
b. Minnesota Environmental Education Council	100,000	
Subd. 5 Governor	200,000	
For the Minnesota bicentennial committee		
Subd. 6. Department of Health		
a. Abandoned well location and sealing	10,600	
b. Ground water quality program	86,240	
Subd. 7. Minnesota Historical Society		
a. Fort Snelling restoration	1,071,500	
b. Historic sites program	345,000	
Site engineering	\$ 35,000	
Historic site interpretation	100,000	
Historic archaeology	60,000	
Regional research libraries	50,000	
Curriculum materials on Minnesota history	25,000	
Traveling historical exhibits	50,000	
Map restoration	25,000	
c. Grand Mound interpretive center ..	150,000	

The Minnesota historical society is hereby authorized to establish and collect such fees as it may deem reasonable for admission to the state-owned sites under its control. All such fees that are collected from

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the operation of these state-owned sites shall be deposited in and for the benefit of the general fund.

The Minnesota historical society is exempted from the competitive bidding procedures of Minnesota Statutes 1971, Chapter 16.07, in its completion of these projects.

The appropriations made in subdivision 7 of this section shall be subject to the allotment and encumbrance provisions of Minnesota Statutes 1971, Chapter 16.

Subd. 8. Department of Natural Resources

a. State land recreation development . . . 3,400,000

To be expended in accordance with the provisions of the Minnesota outdoor recreation act of 1973 if approved by the legislature and/or in accordance with the recommendations of project 80. These funds shall only be expended for development within the authorized or designated boundaries of state parks, state recreation areas, state monuments, state waysides, state trails, state wild, scenic and recreational rivers and state scientific and natural areas.

Of the above amount, \$1,900,000 is appropriated from the state parks development account.

The commissioner of natural resources will review the proposed expenditures from this appropriation against priorities established by project 80 in consultation with the legislative buildings commission or its successor.

b. Interpretive services program	134,800
c. Spawning land development	50,000
d. Operation pheasant	200,000
e. Stream improvement	50,000
f. Development of artificial spawning reefs for walleyes	40,000
g. Watershed studies and reports	150,000

1974 1975

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h. Ground water surveys, sand plains areas 50,000

Of the amount appropriated not less than \$40,000 shall be for grants-in-aid.

i. Environmental review 37,500

j. Remote Sensing Program 25,000

k. Lower St. Croix river resource management plan 40,000

l. Melrose dam repair project 100,000

This appropriation is available to pay up to 50 percent of the total cost of repair or reconstruction.

m. Clearwater County—First and second-lake recreation project 10,000

n. Planning, protection and development of scenic rivers and trails 100,000

o. Forest roads 100,000

Subd. 9. State Planning Agency

a. State land use planning 380,000

The study is to be done in cooperation with the affected state agencies and coordinated with local units of government and regional development commissions.

b. Voyageurs park peripheral plan ... 75,000

c. Voyageurs area soils survey 40,000

d. Land use control and protection—St. Louis and Koochiching counties 60,000

e. Soils, surficial and subsurface data collection and mapping 100,000

The university of Minnesota, the Minnesota geologic survey, the department of natural resources and the state planning agency are required to develop a coordinated system of priorities and assignment agency responsibilities before these funds are obligated.

f. Copper nickel study 100,000

The department of natural resources, the university of Minnesota, and the state

	1974	1975
	\$	\$
<p>planning agency will report to the legislature on the economic needs and problems related to the development of a copper nickel industry in Minnesota and environmental impact of the various development proposals.</p>		
Subd. 10. State College Board		
Southwest college regional environmental program	50,000	
Subd. 11. Regents of the University of Minnesota		
a. Prehistoric archaeology	45,600	
b. Limnological research—final appropriation	35,000	
c. Energy extraction from solid wastes	90,000	
Subd. 12. Professional Services		
a. Department of natural resources ...	534,500	
b. State planning agency	80,000	
c. Department of administration—land acquisition	315,000	

Subd. 13. It shall be a condition of acceptance of the appropriations made by this section and specified by this subdivision that the agency or entity receiving the appropriation shall submit work programs and semi-annual progress reports in such form as may be determined by the Minnesota resources commission for the following projects: for the projects authorized in subd. 2b, subd. 2c, subd. 2h, subd. 3, subd. 4, subd. 6b, subd. 7b, provided that no reports shall be required for site engineering or map restoration, subd. 8b, subd. 8d, subd. 8h, subd. 8j, subd. 8k, subd. 8n, subd. 9, subd. 10, subd. 11b, and subd. 11c.

Any unexpended balance remaining in the first year from appropriations made in this section shall not cancel but shall be available for the second year of the biennium.

Subd. 14. Natural Resource Federal Reimbursement Account

Reimbursements and matching funds received from the federal government for

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expenditures of appropriations made for the purposes described in Minnesota Statutes 1971, Chapter 86, shall in the first instance be credited to a federal receipt account by the state agency receiving such reimbursement and matching funds.

Any state department or agency, including the Minnesota historical society and the university of Minnesota, who receive reimbursements for expenditures made under appropriations in this section; from Laws 1971, Section 48; from Laws 1969, Chapter 879, Section 4, Subdivisions 2, 3, 4, and 5; or from Laws 1969, Chapter 1139, Section 48, shall transfer such reimbursements to the natural resources reimbursement account. Funds so transferred are appropriated for the purpose of that account. This provision shall not apply to federal aid reimbursements received under Minnesota Statutes 6.40.

Any and all federal reimbursements earned under expenditures made from appropriations for natural resources acceleration for the period from July 1, 1963 through June 30, 1969, shall be deposited to the general fund, provided that the state appropriation was used initially to finance the federal share of project costs.

There is established a maximum balance of \$1,000,000 to be retained for expenditure from this account. At any time that the undisbursed balance of the account exceeds the established maximum by an amount equal to or greater than \$100,000, the state auditor is directed to cancel the full amount of the excess to the general fund.

This appropriation is available for the purposes of land acquisition as described in subdivision 2 of this section, state land recreation development as described in subdivision 8 of this section, and acquisition and development of historic sites by the state of Minnesota, the Minnesota historical society, or the university of Minnesota, when such acquisition or development is deemed to be of an emergency or critical nature.

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All requests for allocation from the account must be accompanied by a certification signed jointly by the state planning officer and the bureau of planning of the department of natural resources, showing a review of the application against the state recreation plan or project 80. Copies of such certification must be submitted to the appropriate legislative committees and commissions.

The appropriations made under the above paragraphs shall be expended with the approval of the governor after consultation with the legislative advisory committee.

Sec. 44. WORKMEN'S

1973

COMPENSATION \$229,794.92

To be transferred by the state auditor to the department of labor and industry compensation revolving fund, in payment of obligations incurred by the following agencies in the amounts as indicated:

Administration	\$ 26,377.48
Agriculture	4,514.02
Auditor	260.50
Civil Service	196.32
Commerce	186.67
Economic Development ...	2,285.61
Governor's Committee on the Employment of Handi- capped Persons	15.90
Judicial	6,255.55
Labor and Industry	5,647.87
Legislature	250.81
Military Affairs	7,034.40
Natural Resources	150,233.61
Public Defender	5,399.60
Public Examiner	935.53

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Public Safety \$15,436.11

Public Service 4,764.94

Of the amount appropriated \$30,965.85
shall be paid from the game and fish fund.

Sec. 45. UNEMPLOYMENT

1973

COMPENSATION \$476,555.09

In reimbursement of unemployment
compensation benefits paid for former em-
ployees of the following:

Agriculture \$ 17,543.74

Commerce 8,814.44

Economic Development ... 2,994.09

Indian Affairs 1,664.00

Natural Resources 441,496.64

Public Service 4,042.18

Of the amount appropriated \$120,743.70
shall be paid from the game and fish fund.

Sec. 46. UNOBLIGATED BALANCES. The unobligated balance on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, in the several appropriations and accounts for each of the state departments or divisions for which an appropriation is made herein out of the general fund are hereby cancelled into said general fund as of June 30, 1973, June 30, 1974, and June 30, 1975, and the unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1973, June 30, 1974, and June 30, 1975. The provisions of this section shall not apply where otherwise indicated in this act or to aid, contributions, or reimbursements received from the federal government by the state; and all such federal aid, contributions, or reimbursements are hereby reappropriated for the purpose of supplementing the appropriations herein provided.

Sec. 47. MISAPPROPRIATION OF FUNDS. It shall be illegal for any state officer or head of any state department or any employee thereof to use moneys appropriated by this act, or fees collected, for any other purpose than the purpose for which such moneys have been appropriated and any such act by any such person shall be cause for immediate removal from the office or position he holds with the government of the state, pro-

vided, however, that funds may be transferred to the credit of the state employees retirement fund and used for the purposes thereof as provided by law.

Sec. 48. TRANSFER OF FUNDS, STATE AUDITOR. The state auditor is hereby authorized and directed to transfer to the general fund in the state treasury, all moneys credited to any fund established in connection with the payment of certificates of indebtedness when the purposes for which the act authorizing such certificates have been accomplished.

Subdivision 1. There is hereby transferred to the general fund, from the highway user tax distribution fund, the sum of \$1,289,916.86 to reimburse the general fund for the cost of collecting the tax on gasoline and gasoline substitutes and the cost of bond premiums during the 1971-73 biennium.

There is hereby transferred to the general fund, from the highway user tax distribution fund, the sum of \$4,989.77 to correct an underestimate in the cost of collecting the tax on gasoline and gasoline substitutes during the 1969-71 biennium.

There is hereby transferred to the general fund, from the highway user tax distribution fund, the sum of \$46,246.71 to reimburse the general fund for functions performed by the office of the state treasurer in mailing gas tax refunds during the 1971-73 biennium.

There is hereby transferred from the general fund to the highway user tax distribution fund, the sum of \$882.74 to correct an over-estimate in the cost of mailing gas tax refunds during the 1969-71 biennium.

There is hereby transferred to the general fund, from the computer services revolving fund, the sum of \$710,000.00 to reimburse the general fund for the costs of remodeling.

There is hereby transferred to the general fund the following sums to reimburse the general fund for amounts transferred out of the general contingent account for the following purposes:

(a) From the state airports fund for the department of aeronautics, supplies and expense, for the year ending June 30, 1973 \$ 3,600.00

(b) From the state airports fund for the department of aeronautics, striping airport runways, for the year ending June 30, 1973 10,000.00

(c) From the state airports fund for the department of aeronautics, salaries, for the year ending June 30, 1973 \$ 8,750.00

Sec. 49. Any moneys made available to any state department or agency by this act of appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes 1971, Sections 355.50 and 352.04, Subdivision 5.

Sec. 50. Notwithstanding the provisions of any other law, state departments and agencies may, with the approval of the commissioner of administration, eliminate authorized positions and use the moneys for purchase of interdepartmental tabulating services from the department of administration, information systems division, or for the leasing or purchase of equipment if such is found to be more economical than filling of authorized positions. Such moneys are hereby authorized to be transferred to the supplies and expense account of the department. Such moneys transferred are hereby appropriated for this purpose.

The commissioner of administration, in reviewing the proposals, shall also review the documentation presented indicating the analysis of the cost benefit and reduction of personnel or other savings or benefit that will occur with the computerization or further computerization of the systems involved in the proposal. Upon implementation of the proposal, the complement shall be reduced and the indicated savings reserved and cancelled.

Sec. 51. The commissioner of administration shall endeavor to make maximum utilization of available space in state institutions by not renewing the leases of departments renting space from non-public property owners near state institutions which have available space. He shall encourage departments to lease such space from the institution at a rate to be determined by the commissioner of administration. Any remodeling required shall be performed by the maintenance forces of the institution providing the space if at all possible. Receipts from such rentals or leases are hereby reappropriated to the department providing the space. The commissioner shall report to the 69th legislature concerning these instructions.

Sec. 52. [15.16 subd. 5] No control of state-owned lands shall be transferred between state departments without first consulting the legislative buildings commission, or other appropriate legislative committee or committees and obtaining a recommendation thereon. The recommendation shall be advisory only. Failure to obtain a prompt recommendation shall be deemed a negative recommendation.

Sec. 53. Notwithstanding any provisions of Minnesota Statutes 1971, Section 16.17, or Extra Session Laws 1971, Chapter 3, Section 53, or any other law to the contrary, the unencumbered balance remaining on June 30, 1973, of the \$3,480,000 appropriated by Extra Session Laws 1971, Chapter 3, Section 48, subdivision 6 (a) (1), shall not lapse but shall remain available for expenditure for the projects specified below:

- (a) Gooseberry Falls State Park, sewage disposal
- (b) Helmer Myre, visitor center and water chlorination system
- (c) Interstate Park, sewer system
- (d) Itasca State Park, Douglas Lodge sewer system rehabilitation

- (e) Jay Cooke State Park, sewer system and water system
- (f) Lake Carlos State Park, sewer system
- (g) William O'Brien State Park, sewer lagoon

Sec. 54. Subdivision 1. The powers, duties, and responsibilities of the department of labor and industry under Minnesota Statutes, Section 332.31 to 332.45 relating to collection agencies are hereby transferred to and imposed upon the section of consumer services in the department of commerce.

Subd. 2. In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall make such changes in terminology as may be required to record the powers, duties, and responsibilities which are transferred by this section.

Sec. 55. Minnesota Statutes 1971, Section 3.102, is amended to read:

3.102 [INTERIM LIVING EXPENSES.] Each member of the legislature shall be reimbursed for his expenses when he is required to attend meetings of standing committees, commissions, or is engaged in other legislative activity when the legislature is not in session. The amount of such reimbursement shall not exceed (\$25) ~~\$33~~ per day as a per diem expense allowance for all expenses incurred except travel. He shall also be reimbursed for his travel expenses in the same amount as state employees are reimbursed for such travel.

Reimbursements to members of the legislature for out-of-state meetings or other legislative activity shall be in the same amounts as state employees are reimbursed for such out-of-state expenses.

Expenses for members of the legislature are payable in the manner and in the amount designated by the senate committee on rules and administration as to members of the senate and by the committee on rules and legislative administration as to members of the house of representatives.

The expense allowances provided for herein to the persons designated are in lieu of any other expenses authorized by law or resolution for the same purposes.

Sec. 56. Coded in part. [15.50] Subdivision 1. The capitol area architectural and planning commission is hereby authorized and directed to conduct a study, prepare a written report, and make recommendations to the legislature, not later than January 1, 1974, on the location of the offices and functions of state government within the capitol area as defined by Minnesota Statutes, Section 15.50, including, but not limited to, the following questions:

- (a) Which offices and functions must be located within the capitol area to ensure the orderly functioning of state government;

(b) Which offices and functions may be located outside of the capitol area without impairing the orderly functioning of state government; In conducting its study and making its reports and recommendations, the commission shall also consider the effect of the location of the offices and functions of state government on

(1) The accessibility of the offices and functions of state government to members of the public; and

(2) The convenience of the employees of state government. The commission may hire such additional employees and consultants as may be necessary to complete the study and prepare the report and recommendations.

Subd. 2. Notwithstanding the provisions of Minnesota Statutes 1971, Section 15.50, Subdivision 3, the full cost of the study and report required by this section shall be the responsibility of the state.

Subd. 3. There is hereby appropriated \$100,000 from the general fund for the purposes of this section for the biennium ending June 30, 1975.

Sec. 57. Laws 1965, Chapter 810, Section 23, Subdivision 3, as amended by Laws 1967, Chapter 867, Section 9, is repealed.

Sec. 58. Subdivision 1. There is appropriated to the commissioner of administration from the appropriate funds in the state treasury such sums as may be necessary to pay increases in compensation of officers, department heads and other individuals in the judicial and executive branches of the state government, all in the unclassified service, if such salary increases are otherwise authorized by law during the 1973 session of the legislature.

Subd. 2. There is appropriated to the commissioner of administration from the appropriate funds in the state treasury such sums as may be necessary to pay increases in compensation of officers, department heads and other individuals in the judicial and executive branches of the state government, all in the unclassified service, if such salary increases are authorized under the provisions of Minnesota Statutes, Sections 15A.021 and 15A.12.

Subd. 3. There is appropriated to the commissioner of administration from the appropriate funds in the state treasury such sums as may be necessary to pay increases in compensation of officers and employees of the executive branch of state government all in the classified service, members of the state highway patrol, and non-academic employees of the university of Minnesota who are paid from state funds, if such salary increases are authorized by law during the 1973 session of the legislature.

Subd. 4. There is appropriated to the commissioner of administration from the appropriate funds in the state treasury

such sums as may be necessary to pay shift differential and severance pay to employees of the state classified service, members of the highway patrol and unclassified employees of the junior college system, if such payments are authorized by law during the 1973 session of the legislature.

Subd. 5. The commissioner shall certify the necessary amounts to the state auditor, who shall transfer such amounts to the appropriate accounts. Sums so certified and transferred are hereby appropriated. The appropriations made by this section are for the biennium beginning July 1, 1973.

Subd. 6. Any sums certified and transferred to the university of Minnesota under the provisions of subdivision 3 of this section or Minnesota Statutes, Sections 43.50, 352.04, Subdivision 5, and 355.50 shall only be used for the purpose certified. Any sum transferred that exceeds the increased cost above the amount appropriated for that purpose shall be returned and deposited in the state treasury.

Sec. 59. Minnesota Statutes 1971, Section 326.52, is amended to read:

326.52 [DEPOSIT OF FEES.] All fees received under sections 326.46 to 326.52 shall be (PAID) *deposited* by the department of labor and industry (TO THE STATE TREASURER, AND AN AMOUNT OF MONEY EQUAL TO THE AMOUNT SO PAID OVER BY THE DEPARTMENT TO THE TREASURER IS HEREBY APPROPRIATED, OUT OF ANY FUNDS) *to the credit of the general fund* in the state treasury (NOT OTHERWISE APPROPRIATED, TO THE DEPARTMENT FOR THE PURPOSE OF CARRYING OUT THE PROVISIONS OF SECTIONS 326.46 TO 326.52). The salaries and per diem of the inspectors and examiners hereinbefore provided, their expenses, and all incidental expenses of the department in carrying out the provisions of sections 326.46 to 326.52 shall be paid (ON ORDER OF THE DEPARTMENT FROM SUCH APPROPRIATION, BUT NO EXPENSE OR CLAIM SHALL BE INCURRED OR PAID IN EXCESS OF THE AMOUNT RECEIVED FROM THE FEES HEREIN PROVIDED) *from the appropriations made to the department of labor and industry.*

Sec. 60. [15.161]. The head of a state department or agency shall consult with the chairman of the house appropriations committee and the chairman of the senate finance committee before accepting any federal land or buildings thereon or any interest therein which is declared surplus by federal authorities and obtaining a recommendation thereon which shall be advisory only. Failure to obtain a recommendation thereon promptly shall be deemed a negative recommendation.

Sec. 61. Subdivision 1. Notwithstanding any provision of law to the contrary, no contract shall be awarded for the removal of rough fish except in accordance with requirements of law regarding the awarding of a contract after competitive bidding. A contractor of rough fish pursuant to this subdivision may sell

or otherwise dispose of the rough fish which he acquires from the state.

Subd. 2. Minnesota Statutes 1971, Section 97.486 is repealed.

Sec. 62. The sum of \$40,000 is appropriated for the biennium ending June 30, 1975, to the department of military affairs for the St. Cloud national guard armory to be expended for black-topping the parking lot, installing curbs, gutters, and catch basins, and providing security lighting.

Sec. 63. [] APPLICATIONS FOR NONSTATE FUNDS. Subdivision 1. Every department or agency of the executive branch of state government shall, prior to the submission of any application for nonstate funds, submit the original of the application to the commissioner of administration. The commissioner shall promptly return the application indicating his approval or disapproval. No application for funds shall be submitted without the prior approval of the commissioner of administration. The commissioner of administration may promulgate rules, regulations, and directives to implement the provisions of this section.

Subd. 2. The provisions of this section shall not apply to the Minnesota historical society.

Subd. 3. Minnesota Statutes 1971, Section 16.165 is repealed.

Sec. 64. Subdivision 1. [16.141] [Subd. 3a] Notwithstanding any other law to the contrary, the commissioner of administration after consulting the committee on appropriations of the house of representatives and the committee on finance of the senate may waive the requirements for submitting a budget by object of expenditure for agencies and departments which are, at his direction, requesting programmatic appropriations.

Subd. 2. Subdivision 1 takes the place of Minnesota Statutes 1971, Section 16.141, Subdivision 3, which subdivision is repealed.

Sec. 65. [] DEPOSIT OF TAX RECEIPTS. Subdivision 1. Notwithstanding the provisions of Minnesota Statutes, Sections 290.361, 291.33, 297.13, 298.17, 298.281, 298.282, 298.32, 298.39, 298.396, 298.51, 298.64, 298.65, 340.60 and similar laws to the contrary relating to the depositing, disposition, or apportionment of tax receipts, the state auditor may provide for a single depository account for each tax or kind of taxes providing adequate information is available to determine the source and disposition or apportionment of the tax to meet statutory requirements. The auditor shall request such transfers and certifications as are necessary to meet such statutory requirements. The state auditor may issue directives to implement the provisions of this section.

Sec. 66. [] Any moneys heretofore or hereafter received from federal general revenue sharing funds and any interest earned on such moneys shall be transferred to the general

fund in order to comply with United States Department of Treasury regulations that such federal general revenue sharing funds be appropriated and expended in the same manner as the state's own revenues. Upon transfer such federal general revenue sharing funds shall be appropriated and expended in the same manner as all other moneys in the general fund. Provided, however, that such federal general revenue sharing funds shall not be appropriated or considered to be appropriated to any local unit of government, including school districts, the university of Minnesota, or for any purpose that is contrary to the provisions of Public Law 92-512 or the regulations of the United States Department of the Treasury. The state auditor shall make such transfers, and the sums so transferred are then a part of the general fund and available for appropriation and expenditure.

Sec. 67. The balance remaining from the amount appropriated for lake and channel improvement by Laws of 1971, Extra Session, Chapter 3, Section 36, Subdivision 2, item (d), shall not cancel on June 30, 1973, but shall be available until expended.

Sec. 68. Minnesota Statutes 1971, Section 8.02, is amended to read:

8.02 [DEPUTIES, ASSISTANTS.] The attorney general may appoint, and at his pleasure remove, two deputy attorneys general and (SIX) *nine* assistant attorneys general, who shall render such aid as he may require of them in the discharge of his official duty. He shall keep a record of his official correspondence and of all matters placed in his hands by the governor, auditor, secretary of state, or treasurer, or any officer or board in charge of any of the business of the state upon which any official action is necessary; he shall also keep a record of all legal proceedings instituted by him or in which he appears, and of the several steps taken therein. All official opinions shall be in writing and copies thereof made and filed in his office. The deputy attorneys general and each of such assistants shall, to the extent authorized in writing by the attorney general, have authority to appear before grand juries or in any court of this state, as the attorney general himself might do.

The attorney general shall have power to employ such assistance, whether lay, legal, or expert, as he may deem necessary for the protection of the interests of the state through the proper conduct of its legal business.

Sec. 69. Minnesota Statutes 1971, Section 3.921, is amended to read:

3.921 [STANDING COMMITTEES AS INTERIM STUDY COMMITTEES.] Subdivision 1. Each standing committee or subcommittee existing in the senate and house of representatives is continued during the intervals between sessions of the legislature to make studies and investigations within the general jurisdiction of each such committee, *as directed by the committee on rules and administration of the senate and the committee on rules and legislative administration of the house of representa-*

tives, or as otherwise prescribed by resolution (, EXISTING AT THE TIME THE LEGISLATURE LAST ADJOURNED IN REGULAR SESSION.) duly adopted or by law.

Subd. 2. Vacancies in any such committee or subcommittee during such intervals shall be filled by the last elected speaker of the house of representatives as to house committees and by the last elected senate committee on committees as to senate committees.

Subd. 3. Any standing committee of the senate that requires an appropriation of funds to defray expenses of its operations during the interim shall prepare a budget, which budget shall be submitted to the senate committee on rules and (LEGISLATIVE EXPENSE) *administration* for its approval. No funds shall be expended by such standing committee without prior approval of the senate committee on rules and (LEGISLATIVE EXPENSE.) *administration*. Any standing committee of the house of representatives that requires an appropriation of funds to defray expenses of its operations during the interim shall prepare a budget, which budget shall be submitted to the rules committee of the house of representatives for its approval. No funds shall be expended by such standing committee without prior approval of the rules committee of the house of representatives.

Subd. 4. The expenses of any such committee shall be paid upon the certification to the state auditor of the amount thereof. Payment of such expenses is hereby directed from any direct appropriation therefor to the legislature or either branch thereof.

Sec. 70. Minnesota Statutes, Section 16.02, Subdivision 5, shall not apply to the construction of the Minnesota Zoological Gardens except with respect to the letting of competitive bids.

Sec. 71. Subdivision 1. The appropriation made in Laws 1973, Chapter 143, Section 1, Subdivision 12, in the sum of \$1,385.03 is cancelled.

Subd. 2. There is hereby appropriated to the state auditor for the biennium ending June 30, 1973, \$1,385.03 for payment to Webb Publishing Company for printing of Minnesota Liability Study Commission report.

Sec. 72. No part time special attorney assigned to any professional or occupational licensing board of state government, after having received \$10,000 for his official duties in any fiscal year, regardless of the fund from which he is paid, shall be paid an hourly amount exceeding the equivalent amount paid full time special assistant attorneys general, plus reasonable office expenses, as approved by the attorney general.

Sec. 73. Subdivision 1. Minnesota Statutes 1971, Section 268.15, Subdivision 3, is amended to read:

Subd. 3. [INTEREST AND PENALTIES.] (THERE IS HEREBY CREATED IN THE STATE TREASURY A SPECIAL FUND, TO BE KNOWN AS THE MANPOWER SER-

VICES CONTINGENT FUND, WHICH SHALL NOT LAPSE NOR REVERT TO ANY OTHER FUND. SUCH FUND SHALL CONSIST OF ALL MONEYS APPROPRIATED THEREFOR BY THE LEGISLATURE.) All moneys in the form of interest and penalties collected pursuant to section 268.16 (AND ALL MONEYS RECEIVED IN THE FORM OF VOLUNTARY CONTRIBUTIONS TO THIS FUND. ALL MONEYS IN SUCH FUND SHALL BE SUPPLEMENTAL TO ALL FEDERAL MONEYS THAT WOULD BE AVAILABLE TO THE COMMISSIONER BUT FOR THE EXISTENCE OF THIS FUND. SUCH FUND SHALL BE AVAILABLE TO THE COMMISSIONER FOR SUCH EXPENDITURES AS HE MAY DEEM NECESSARY IN CONNECTION WITH THE ADMINISTRATION OF SECTIONS 268.03 TO 268.24. WHENEVER THE COMMISSIONER EXPENDS MONEYS FROM SAID CONTINGENT FUND FOR THE PROPER AND EFFICIENT ADMINISTRATION OF THE MINNESOTA MANPOWER SERVICES LAW FOR WHICH FUNDS HAVE NOT YET BEEN MADE AVAILABLE BY THE FEDERAL GOVERNMENT, SUCH MONEYS SO WITHDRAWN FROM THE CONTINGENT FUND SHALL BE REPLACED AS HEREINAFTER PROVIDED. UPON THE DEPOSIT IN THE MANPOWER SERVICES ADMINISTRATION FUND OF MONEYS WHICH ARE RECEIVED IN REIMBURSEMENT OF PAYMENTS MADE AS ABOVE PROVIDED FROM SAID CONTINGENT FUND, THE COMMISSIONER SHALL CERTIFY TO THE STATE TREASURER THE AMOUNT OF SUCH REIMBURSEMENT AND THEREUPON THE STATE TREASURER SHALL TRANSFER SUCH AMOUNT FROM THE MANPOWER SERVICES ADMINISTRATION FUND TO SAID CONTINGENT FUND. ALL MONEYS IN THIS FUND SHALL BE DEPOSITED, ADMINISTERED, AND DISBURSED IN THE SAME MANNER AND UNDER THE SAME CONDITIONS AND REQUIREMENTS AS IS PROVIDED BY LAW FOR THE OTHER SPECIAL FUNDS IN THE STATE TREASURY EXCEPT THAT MONEYS IN THIS FUND SHALL NOT BE COMMINGLED WITH OTHER STATE FUNDS, BUT SHALL BE MAINTAINED IN A SEPARATE ACCOUNT ON THE BOOKS OF A DEPOSITORY BANK. THE STATE TREASURER SHALL BE LIABLE ON HIS OFFICIAL BOND FOR THE FAITHFUL PERFORMANCE OF HIS DUTIES IN CONNECTION WITH THE MANPOWER SERVICES CONTINGENT FUND PROVIDED FOR HEREIN) *shall be paid into the general fund.*

Subd. 2. Minnesota Statutes 1971, Section 268.16, Subdivision 1, is amended to read:

268.16 [COLLECTION OF CONTRIBUTIONS.] Subdivision 1. [INTEREST ON PAST DUE CONTRIBUTIONS.] If contributions are not paid on the date on which they are due and payable, as prescribed by the commissioner, the whole or part thereafter remaining unpaid shall bear interest at the rate of one percent per month from and after such date until the first day of the calendar month during which payment is made to the

department of manpower services; provided, however, that during the first month of delinquency interest shall be computed on the basis of one-thirtieth of one percent per month for each and every day of such delinquency. After any contribution has become delinquent for a period of 12 months thereafter interest thereon shall be computed at the rate of six percent per annum. Contributions, if mailed, shall be deemed to have been paid on the date of mailing as indicated by the postmark on the cover thereof; provided, however, that after January 1, 1949, contributions received by mail postmarked on a day following the date on which the law requires such contributions to be paid shall be deemed to have been paid on the due date if there is substantial evidence by affidavit or otherwise reasonably tending to prove that said report or contribution was actually deposited in the United States mails properly addressed to the department with postage prepaid thereon on or before the due date. (INTEREST COLLECTED PURSUANT TO THIS SUBDIVISION SHALL BE PAID INTO THE CONTINGENT FUND.)

Subd. 3. Minnesota Statutes 1971, Section 268.16, Subdivision 2, is amended to read:

Subd. 2. [REPORTS; DELINQUENCIES; PENALTIES.]

(1) Any employer who knowingly fails to make and submit to the department of manpower services any report of wages paid by or due from him for insured work in the manner and at the time such report is required by regulations prescribed by the commissioner shall pay to the department of manpower services (FOR THE CONTINGENT FUND) an amount equal to one percent of contributions accrued during the period for which such report is required, for each month from and after such date until such report is properly made and submitted to the department of manpower services. In no case shall the amount of the penalty imposed hereby be less than \$5 except that in cases where the contribution is less than \$10 and the commissioner finds that the employer does not habitually fail to report on time the penalty shall be \$1. Any employing unit which fails to make and submit to the commissioner any report, other than one of wages paid or payable for insured work, as and when required by the regulations of the commissioner, shall be subject to a penalty in the sum of \$10 payable to the department of manpower services (FOR THE CONTINGENT FUND). All such penalties shall be in addition to interest and any other penalties provided for by sections 268.03 to 268.24 and shall be collected by civil action as hereinafter provided.

(2) If any employing unit required by sections 268.03 to 268.24 to make and submit contribution reports shall fail to do so within the time prescribed by these sections or by regulations under the authority thereof, or shall make, wilfully or otherwise, an incorrect, false or fraudulent contribution report, he shall, on the written demand of the commissioner, make such contribution report, or corrected report, within ten days after the mailing of such written demand and at the same time pay the whole contribution, or additional contribution, due on the basis thereof.

If such employer shall fail within that time to make such report, or corrected report, the commissioner shall make for him a report, or corrected report, from his own knowledge and from such information as he can obtain through testimony, or otherwise, and assess a contribution on the basis thereof, which contribution, plus penalties and interest which thereafter accrued (less any payments theretofore made) shall be paid within ten days after the commissioner has mailed to such employer a written notice of the amount thereof and demand for its payment. Any such contribution report or assessment made by the commissioner on account of the failure of the employer to make a report or corrected report shall be prima facie correct and valid, and the employer shall have the burden of establishing its incorrectness or invalidity in any action or proceeding in respect thereto. Whenever such delinquent employer shall file a report or corrected report, the commissioner may, if he finds it substantially correct, substitute it for the commissioner's report. If an employer has failed to submit any report of wages paid, or has filed an incorrect report, and the commissioner finds that such non-compliance with the terms of sections 268.03 to 268.24 was not wilful and that such employer was free from fraudulent intent, the commissioner shall limit the charge against such employer to the period of the year in which such condition has been found to exist and for the preceding calendar year.

Sec. 74. [6.221] Notwithstanding the provisions of any other law to the contrary, neither the judicial nor legislative branches of state government are required to participate in the statewide accounting system or in a computerized payroll system.

Sec. 75. Notwithstanding any other law to the contrary, if a law is passed in the 68th session of the legislature creating a TV cable commission and appropriating money for such commission, the appropriation shall be available until June 30, 1975.

Sec. 76. Subdivision 1. The term "president pro-tempore" as used in the law creating the legislative audit commission means the "president of the senate".

Subdivision 2. The revisor of statutes shall make the appropriate change in terminology in the next edition of Minnesota Statutes or any supplement thereof.

Sec. 77. Minnesota Statutes 1971, Section 16.17, is amended to read:

16.17 APPROPRIATIONS TO REVERT TO STATE TREASURY. Except as specifically provided for in appropriation acts, every appropriation or part thereof of any kind hereafter made subject to the provisions of this section remaining unexpended and unencumbered at the close of any fiscal year shall lapse and be returned to the (GENERAL FUND) *fund from which such appropriation was made*; provided, that an appropriation for construction or other permanent improvement shall not lapse until the purposes for which the appropriation was made shall have been accomplished or abandoned unless such ap-

appropriation has stood during the entire fiscal biennium without any expenditure therefrom or encumbrances thereon.

Except as otherwise expressly provided by law, the provisions of this section shall apply to every appropriation of a stated sum for a specified purpose or purposes heretofore or hereafter made from the general fund, but shall not, unless expressly so provided by law, apply to any fund or balance of a fund derived wholly or partly from special taxes, fees, earnings, fines, federal grants, or other sources which are by law appropriated for special purposes by standing, continuing, or revolving appropriations.

Sec. 78. [TRAVEL EXPENSES, BOARDS AND COMMISSIONS.] Notwithstanding the provisions of any other law, the members and staff of all state boards, councils, and commissions in the executive branch, established by state law or otherwise, shall only be reimbursed for travel expenses both in-state and out-of-state in accordance with the rules and regulations promulgated by the commissioner of administration governing the travel of state officers and employees.

Sec. 79. Minnesota Statutes 1971, Section 15A.21 is repealed.

Sec. 80. The mills referred to in a law enacted in the 1973 session and identified as H. F. No. 715, authorizing the metropolitan transit commission to levy taxes, are mills prior to the adoption of Minnesota Statutes, Section 273.1102.

Sec. 81. [COUNTY OF WRIGHT; ABATEMENT OF CERTAIN REAL ESTATE TAXES.] The county auditor of the county of Wright is hereby directed to remove from that county's tax rolls and to forthwith abate all real estate taxes currently levied and assessed against Lots 1, 2, 3, 4, 5, 6 and 7, Guilfoyle's Addition to the Village of Delano, County of Wright, State of Minnesota.

Sec. 82. The commissioner of taxation is authorized to pay from the department appropriations, the per diem and expenses of the public member of the levy limitations review board in the event that such board is established by act of the 1973 session of the legislature.

Sec. 83. [STATE; CONVEYANCE OF CERTAIN REAL PROPERTY.] Subdivision 1. The commissioner of taxation shall convey and quit claim to Clarence R. Berthiaume, in such form as may be prescribed by the attorney general and for the consideration of \$40, the lands described in subdivision 2, such conveyance to be made without recourse.

Subd. 2. The lands to be conveyed pursuant to subdivision 1, being situated in the state of Minnesota, county of Hennepin, are further described as follows: the westerly four (4) feet of Lot 5, Block 2, in the village of Loretto.

Subd. 3. The provisions of this section shall take effect on the day following final enactment.

Sec. 84. There is hereby appropriated to the commissioner of natural resources the sum of \$1,658,000 from the game and fish fund for the remodeling and reconstruction of the French River and Lanesboro hatchery facilities. The department is authorized and directed to negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or obtaining any grants of assistance in the completion of those projects. The department is authorized to implement a commissioner's order for a two dollar additional fee or license surcharge to take lake trout, brook trout, salmon, and other trout from the public waters of the state. This appropriation shall be available until expended or the projects are completed or abandoned. Any and all revenues which may be raised by the license surcharge herein authorized, shall be deposited to the game and fish fund.

Sec. 85. Notwithstanding the provisions of any other law to the contrary, all personnel employed by the adjutant general and assigned to an armory shall be in the unclassified service."

Further amend by striking the title in its entirety and substituting in lieu thereof the following:

"A bill for an act relating to the organization and operation of state government; appropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; making funds available for seaway trade promotion; providing penalties for misusing appropriated moneys; amending Minnesota Statutes 1971, Sections 3.102; 3.921; 6.221; 8.02; 15.16; 15.50; 16.17; 268.15, Subdivision 3; 268.16, Subdivision 1; 268.16, Subdivision 2; 326.52; repealing Minnesota Statutes 1971, Sections 15A.21; 16.141, Subdivision 3; 16.165; 97.486; and Laws 1965, Chapter 810, Section 23, Subdivision 3, as amended."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: JOHN C. CHENOWETH, GERALD L. WILLET, EDWARD G. NOVAK, J. A. JOSEFSON, and RICHARD W. FITZSIMONS.

House Conferees: NEIL S. HAUGERUD, WILLIS EKEN, GORDON O. VOSS, RICHARD A. ANDERSEN, and DALE E. ERDAHL.

Haugerud moved that the report of the Conference Committee on S. F. No. 2417 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2417, A bill for an act relating to the organization and operation of state government; appropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases including conservation, parks, recreational land and trails, wildlife and spawning areas, and historic sites; fixing and limiting the amount of fees to be collected in certain

cases; making funds available for seaway trade promotion; providing penalties for misusing appropriated funds; amending Minnesota Statutes 1971, Sections 3.102, 15.50; repealing Laws 1965, Chapter 810, Section 23, Subdivision 3 as amended by Laws 1967, Chapter 867, Section 9.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 110, and nays 23, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adams, S.	Ferderer	Johnson, J.	Lindstrom, E.	Pleasant
Belisle	Fjoslien	Jopp	Lombardi	Weaver
Carlson, A.	Graw	Kvam	Myrah	Wigley
Cleary	Heinitz	Laidig	Ohnstad	
Clifford	Hook	Larson	Pieper	

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 2047, A bill for an act relating to state government; establishing salaries for certain unclassified employees in the executive and judicial branch of government; amending Minnesota Statutes 1971, Sections 15A.081; 15A.083; 15A.084; 15A.085; and 15A.101.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2047

May 18, 1973

Honorable Alec G. Olson
President of the Senate

Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 2047, report that we have agreed upon the items in dispute and recommend as follows:

That S. F. No. 2047 be amended as follows:

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

"Section 1. Minnesota Statutes 1971, Section 15A.081, is amended to read:

15A.081 [SALARIES AND SALARY RANGES FOR CERTAIN OFFICERS AND EMPLOYEES.] Subdivision 1. The following salaries or salary ranges are provided for the below listed officers and employees in the executive branch of government:

Base Salary or Range

Administration, department of commissioner	(\$32,500)	\$36,000
Deputy commissioner		28,800
(STATE BUILDING INSPECTOR	(13,000	24,000)
Aeronautics, department of commissioner	(20,100)	20,400
Agriculture, department of commissioner	(21,000)	22,000
deputy commissioner	(16,600 - 20,300)	17,600
(ALCOHOL PROBLEMS, COMMISSION ON) (EXECUTIVE DIRECTOR	13,000)	
Attorney general, office of attorney general	(30,900)	36,500
chief deputy attorney general	24,500 - (28,000)	31,500
deputy attorney general	19,100 - (23,300)	27,500
solicitor general	21,300 - (26,000)	28,000
assistant attorney general	12,000 - (22,500)	26,000
Special assistant attorney general	(10,000 - 19,500)	12,600 - 22,600

Auditor, office of auditor	(\$21,000)	\$26,000
deputy auditor	(14,600 - 17,700)	20,800

Civil service, department of director	(21,300 - 26,000)	25,700 - 28,200
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This salary is authorized only until the department of civil service is abolished by other law.

Commerce, department of commissioner of banks	(21,000)	22,000
commissioner of insurance	(21,000)	22,000
commissioner of securities	(21,000)	22,000

Corrections, department of commissioner	(26,100)	28,000
deputy commissioner	(19,400 - 23,700)	22,400

(CRIME CONTROL AND PREVENTION,
COMMISSIONER ON)

(EXECUTIVE DIRECTOR	17,500)
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Economic development, department of		
commissioner	(21,000)	22,000
deputy commissioner	(14,800 - 18,100)	17,600
(DIRECTOR OF FINANCE		13,300 - 18,000)
(DIRECTOR OF TOURISM		13,300 - 17,500)
(DIRECTOR OF PUBLICITY AND PROMOTION		13,300 - 17,500)
(DIRECTOR OF RESEARCH		13,300 - 17,500)
(DIRECTOR OF INDUSTRIAL DEVELOPMENT		13,300 - 17,500)

(AREA REDEVELOPMENT ADMINISTRATOR	13,300 - 17,500)
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Education, department of commissioner	(24,000 - 29,400)	29,800
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(EMPLOYMENT OF HANDICAPPED,
COMMISSION ON)

(EXECUTIVE SECRETARY	12,200 - 14,900)
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Finance, department of commissioner	35,500
deputy commissioner	28,400

Governor, office of governor	(35,000)	41,000
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Health, department of

(EXECUTIVE OFFICER\$24,500 -\$29,900)

commissioner 30,300Higher education coordinating
commission

executive director (19,200 - 28,800) 26,100

assistant executive director (15,600 - 23,400) 20,900

(DIRECTOR OF RESEARCH 13,700 - 20,600)

(DIRECTOR OF COMMUNITY
SERVICES 13,100 - 19,700)(DIRECTOR OF EDUCATIONAL
RESOURCES 12,200 - 18,300)

(BUDGET DIRECTOR 11,500 - 17,300)

Highways, department of
commissioner

(31,500) 33,600

Human rights, department of
commissioner

(18,300) 20,000

Indian affairs commission
executive director

(15,400 - 18,900) 17,500

Investment, board of
executive secretary

(29,900) 35,000

(IRON RANGE RESOURCES AND
REHABILITATION COMMISSION)

(COMMISSIONER 16,900)

Labor and industry, department of
commissioner

(21,000) 26,400

deputy commissioner 21,100

workmen's compensation commissioner (21,000) 22,000

(WORKMEN'S COMPENSATION
JUDGE

16,100 - 19,700)

director, mediation services 21,000

*Lieutenant governor, office of
lieutenant governor*

30,000

Liquor control, department of
commissioner

(18,000) 19,000

(LIVESTOCK SANITARY BOARD)

(EXECUTIVE OFFICER 16,100 - 19,700)

Manpower services, department of
commissioner

(25,200) 26,400

(MINNESOTA STATE RETIREMENT
SYSTEM)

(EXECUTIVE SECRETARY \$14,500 - \$17,700)
 (MUNICIPAL COMMISSION)
 (SECRETARY 12,900 - 15,800)

Natural resources, department of
 commissioner (26,700) 28,300

deputy commissioner (20,700 - 25,300) 22,600

(ASSISTANT COMMISSIONER,
 ADMINISTRATION 17,500 - 21,400)

(ASSISTANT COMMISSIONER,
 PLANNING 17,300 - 21,000)

(DIRECTOR, DIVISION OF
 GAME AND FISH 19,100 - 23,100)

(DIRECTOR, DIVISION OF
 WATER, SOIL AND MINERALS 18,300 - 22,200)

(DIRECTOR, DIVISION OF
 LANDS AND FORESTRY 17,300 - 21,000)

(DIRECTOR, DIVISION OF
 PARKS AND RECREATION 17,300 - 21,000)

(DIRECTOR, DIVISION OF
 ENFORCEMENT AND
 FIELD SERVICE 16,400 - 20,000)

(OFFICE OF ECONOMIC OPPORTUNITY)
 (DIRECTOR 18,300)

(PEACE OFFICERS TRAINING BOARD)
 (EXECUTIVE SECRETARY 15,100 - 18,500)

Personnel, department of
 commissioner 31,000

deputy commissioner 24,800

*(These salaries are authorized only upon the effective date of
 any law authorizing the creation of a department of personnel.)*

Planning agency
 director (26,300) 27,000

Pollution control agency
 director (23,200) 24,000

Public examiner, department of
 public examiner (23,300) 25,100

(This salary is authorized only until August 31, 1973.)

Public safety, department of
 commissioner (26,000) 26,900

deputy commissioner (\$18,700 - \$22,900) 21,500

(SUPERINTENDENT,
CRIME BUREAU 18,700 - 22,900)

(DIRECTOR, CIVIL DEFENSE 17,000 - 20,700)

(FIRE MARSHAL 16,400 - 20,000)

(DIRECTOR, DRIVERS LICENSE
DIVISION 16,100 - 19,600)

(DIRECTOR, MOTOR VEHICLE
DIVISION 13,100 - 15,900)

(DIRECTOR, MOTOR VEHICLE
SERVICES 18,700 - 22,900)

((THE SALARY FOR THIS POSITION IS AUTHORIZED
ONLY IF THE DIVISIONS OF DRIVERS LICENSES AND
OF MOTOR VEHICLES ARE CONSOLIDATED AND THE
POSITIONS OF THE TWO DIRECTORS OF THE FORMER
DIVISIONS ARE ELIMINATED.))

(CHIEF OF HIGHWAY PATROL 18,700 - 22,900)

Public service, department of
commissioner, public service commission (21,000) 22,000

director (21,000) 20,700

Public welfare, department of
commissioner (30,300) 33,600

deputy commissioner 26,900

Secretary of state, office of
secretary of state (21,000) 25,000

deputy secretary of state (13,200 - 16,200) 17,500

(SOIL AND WATER CONSERVATION COMMISSION)

(EXECUTIVE SECRETARY 10,400 - 12,800)

State college system
chancellor (22,200 - 34,200) 32,500

(STATE COLLEGE PRESIDENT 19,100 - 29,600)

(VICE CHANCELLOR FOR
ACADEMIC AFFAIRS 18,500 - 28,000)

(VICE CHANCELLOR FOR
ADMINISTRATION 17,600 - 27,000)

(VICE CHANCELLOR FOR PLANS
AND DEVELOPMENT 14,100 - 22,000)

(VICE CHANCELLOR FOR
EDUCATIONAL RELATIONS . . . \$12,300 - \$19,200)

(VICE PRESIDENT OF
STATE COLLEGE . . . 15,400 - 24,000)

State junior college system
chancellor . . . (19,800 - 30,200) 27,500

(STATE JUNIOR COLLEGE
PRESIDENT . . . 15,800 - 24,200)

(ASSISTANT TO CHANCELLOR,
PLANNING . . . 15,100 - 23,000)

(ASSISTANT TO CHANCELLOR,
FISCAL AFFAIRS . . . 14,900 - 22,800)

(ASSISTANT TO CHANCELLOR,
CURRICULUM AND INSERVICE . . . 14,900 - 22,000)

(ASSISTANT TO CHANCELLOR,
PERSONNEL . . . 14,200 - 22,000)

(ASSISTANT TO CHANCELLOR,
STUDENT SERVICES . . . 11,700 - 18,000)

(ASSISTANT TO CHANCELLOR,
PLANT SERVICES . . . 10,400 - 15,900)

(DEAN OF STATE JUNIOR
COLLEGE . . . 15,100 - 23,000)

Taxation, department of
commissioner . . . (28,000) 28,900

(TEACHERS RETIREMENT ASSOCIATION)
(EXECUTIVE SECRETARY AND
CONSULTANT . . . 16,500 - 23,000)

Treasury, state
treasurer . . . (21,000) 25,000

deputy treasurer . . . (13,300 - 17,500) 17,500

Veterans affairs, department of
commissioner . . . (14,700) 16,000

(VETERANS HOME)
(COMMANDANT . . . 18,100 - 22,100)

(WATER RESOURCES BOARD)
(ADMINISTRATIVE SECRETARY . . . 9,800 - 12,000)

Subd. 2. The appointing authority of any of the positions listed in subdivision 1, for which ranges *and no base salaries* are provided, shall fix the individual salary within the prescribed range, considering experience and quality of perform-

ance of the officer or employee. (APPOINTMENTS TO FILL VACANCIES SHALL NOT BE MADE ABOVE THE MID-POINT OF THE SALARY RANGE PRESCRIBED FOR THE POSITION UNLESS THE COMPENSATION REVIEW BOARD HAS BEEN CONSULTED AND ITS CONCURRENCE OBTAINED.)

Subd. 3. Members of the Minnesota national guard shall receive the pay and allowances prescribed by the armed forces of the United States for similar rank and time in service.

Subd. 4. *The salary of any individual incumbent of any position listed in subdivision 1, for which only a base salary, but no range is listed, may be increased to an aggregate of 25 percent of the base salary under the provisions of section 15A.085.*

Sec. 2. Minnesota Statutes 1971, Section 15A.083, is amended to read:

15A.083 [SALARIES FOR POSITIONS IN THE JUDICIAL BRANCH.] Subdivision 1. [ELECTIVE JUDICIAL OFFICERS.] The following salaries shall be paid annually to the enumerated elective judicial officers of the state:

Chief Justice of the supreme court	(\$35,000)	\$40,000
Associate justice of the supreme court	(32,500)	36,500
District judge	(29,000)	32,000

Each district judge shall receive \$1,500 additional annually from each county in his district having a population of 200,000 or more. When any district judge shall preside upon the trial or hearing of any cause outside of his resident district wherein the district judge receives a larger salary he shall receive an additional compensation during the period of such trial or hearing the difference between his fixed compensation and the compensation of the district judge of the district where he has been so engaged, to be paid by the county where the trial or hearing was held upon certification of the senior resident district judge thereof.

Subd. 2. [COUNTY COURT AND COUNTY MUNICIPAL JUDGES.] Notwithstanding any other provision of the law, the following salaries shall be paid annually to the enumerated judicial officers:

(1) Judge of a county court (learned in the law)	(\$24,000)	25,000
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Judge of a county court (not learned in the law)	(20,000)	21,000
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(THESE SALARIES ARE IN EFFECT ON THE EFFECTIVE DATE OF ANY LAW ESTABLISHING A SYSTEM OF COUNTY COURTS ENACTED AT THE 1971 SESSION OF THE LEGISLATURE.)

(2) JUDGE OF THE COUNTY MUNICIPAL COURT IN HENNEPIN COUNTY	(\$26,000)	
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(THIS SALARY IS IN EFFECT ON THE EFFECTIVE DATE OF EXTRA SESSION LAWS 1971, CHAPTER 32.)

(2) Notwithstanding any other law to the contrary, the salary paid to a judge of a county court shall also be paid to judges of the probate court of St. Louis county and to judges of the Duluth municipal court.

(3) Judges of the county municipal courts, the municipal court of the city of St. Paul, and county courts in the counties of Hennepin, Ramsey, Washington, Anoka, Scott, Carver and Dakota \$29,000.

((3)) (4) If any judge enumerated in this subdivision dies while which his death occurs, shall be paid to his estate.

Subd. 3. [RANGES FOR OTHER JUDICIAL POSITIONS.] Salaries or salary ranges are provided for the following positions in the judicial branch of government. The appointing authority of (EACH POSITION) positions for which ranges have been provided shall fix individual salaries under the provisions of section 15A.081, subdivision 2.

Public defender (\$18,000 - 27,500) 24,000 - 30,000

(DEPUTY PUBLIC DEFENDER 14,000 - 21,000)

Court administrator (18,000 - 26,500) 25,000 - 32,000

Revisor of statutes (18,000 - 27,500) 32,000

(ASSISTANT) Deputy revisor of statutes (15,600 - 23,400) 18,000 - 27,000

(SPECIAL) assistant (TO THE) revisor of statutes (12,000 - 22,000) 15,000 - 25,000

(LAW LIBRARIAN 10,500 - 15,500)

Sec. 3. The chief justice may temporarily assign for good cause a judge of a county court to another county court district or to a municipal court in a county having a city of the first class. The county court judge so assigned shall be reimbursed by the county court district or the governmental subdivision responsible for the expenses of the municipal court for his reasonable expenses in the amount and in the manner otherwise provided for by law. The county court district shall also be reimbursed by the county court district to which he is temporarily assigned at the rate of \$100 per day for each day the judge is on temporary assignment.

Each county court judge temporarily assigned shall furnish the chief justice with such reports as he may require concerning the temporary assignment.

Sec. 4. Minnesota Statutes 1971, Section 15A.084, is amended to read:

15A.084 [NO DECREASE IN PRESENT SALARIES.] The salary of any state officer and employee whose salary (ON

JULY 1, 1971) at the beginning of the first pay period in fiscal year 1973/74, was above the limit set in sections 15A.081 and 15A.083 shall not be decreased, but shall remain at the level as of (JULY 1, 1971) the beginning of the first pay period in fiscal year 1973/74, until a vacancy in the position occurs or until the salary falls below a newly established limit. New appointments shall be made at the (FIXED) base salary or within the salary range prescribed in sections 15A.081 and 15A.083.

Sec. 5. Minnesota Statutes 1971, Section 15A.085, is amended to read:

15A.085 [BOARD MAY LIFT SALARY.] *Subdivision 1.* The (COMPENSATION REVIEW BOARD) *personnel board* may raise the (UPPER) salary (LIMIT) for any *individual incumbent* of a position whose (FIXED) base salary (, OR WHOSE RANGE MIDPOINT) is established in (THIS CHAPTER) *section 15A.081 (TO BE \$19,500 ANNUALLY OR MORE. THE ACTION MAY BE TAKEN BY THE COMPENSATION REVIEW BOARD ONLY IF THE APPOINTING AUTHORITY, WITH THE CONCURRENCE OF THE CIVIL SERVICE BOARD AND THE COMMISSIONER OF ADMINISTRATION, HAS APPLIED FOR THE INCREASE, AND THE INCREASE IS CLEARLY IN THE BEST INTEREST OF THE STATE OF MINNESOTA. IN NO CASE MAY THE INCREASES EXCEED TEN PERCENT OF THE SALARY ESTABLISHED IN THIS CHAPTER.)*

(THE APPOINTING AUTHORITY SHALL FURNISH THE INFORMATION REQUIRED BY THE COMPENSATION REVIEW BOARD. THE COMPENSATION REVIEW BOARD SHALL REPORT EACH INDIVIDUAL ACTION TAKEN UNDER THE PROVISIONS OF THIS SECTION TO THE HOUSE APPROPRIATIONS COMMITTEE AND TO THE SENATE FINANCE COMMITTEE AND SHALL STATE THE REASONS FOR THE ACTION.) *and which has not been provided with a salary range, provided:*

(a) *The incumbent of such position has, in the opinion of the board, challenging written objectives which are specific as to amount and time and which have been agreed upon in advance by the appointing authority;*

(b) *The appointing authority of the incumbent applies to the board for such salary increase and simultaneously certifies to the board that the incumbent has fulfilled, or is fulfilling, his agreed upon objectives.*

Subd. 2. *The board may require the appointing authority or the incumbent to submit additional information as it may deem necessary.*

Subd. 3. *The appointing authority may apply for, and the board may approve salary raises for any such incumbent by any increment, or more than once, provided that the aggregate of all such increases may not increase the individual salary beyond*

25 percent of the base salary established for the position in section 15A.081.

Subd. 4. Any achievement award granted to individuals under the provisions of this section shall remain in effect for 12 months from the date of approval, unless the appointing authority requests, and the board approves, a lesser effective period of time.

Subd. 5. Constitutional officers, the executive secretary of the board of investment, workmen's compensation commissioners and public service commissioners shall be exempted from the provisions of this section and shall not be eligible for any achievement award.

Sec. 6. Minnesota Statutes 1971, Section 15A.031, Subdivision 2, is amended to read:

Subd. 2. The base salary of the head of any state department or agency shall serve as the upper limit of compensation in his organization unless the (COMPENSATION REVIEW) personnel board has been consulted and its concurrence obtained. Salaries of medical doctors paid under the provisions of Minnesota Statutes, Section 43.126, shall be exempted from the provisions of this subdivision.

Sec. 7. Minnesota Statutes 1971, Section 15A.101, is amended to read:

15A.101 [DEPARTMENT HEAD EXPENSES.] (THE CHANCELLOR OF THE STATE COLLEGE SYSTEM AND THE PRESIDENTS OF THE STATE COLLEGES ARE AUTHORIZED TO EXPEND ANNUALLY A SUM NOT TO EXCEED \$3,000,) Heads of departments in the executive branch who receive a fixed salary of, or whose range midpoint is, (\$21,000) \$23,000 annually or more, and constitutional officers, are authorized to expend annually a sum not to exceed (\$1,000) \$2,000; and the heads of all other state departments are authorized to expend a sum not to exceed (\$500) \$1,000 annually from their supply and expense funds for expenses necessary for the normal performance of their duties for which no other reimbursement is provided. The expenditures are subject to the statutes and rules and regulations of the state governing budgeting, allotment and encumbrance, preaudit, and post audit.

The commissioner of (ADMINISTRATION) finance may promulgate rules and regulations as necessary to assure the proper expenditure of these funds, and to provide for reimbursement.

Sec. 8. *This act is effective the beginning of the first pay period in fiscal year 1973-1974.*

Further amend the title in line 7 after "sections" and before "15A.081" by inserting "15A.031, Subdivision 2;".

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: EDWARD J. GEARTY, DAVID D. SCHAAF, and HARMON T. OGDahl.

House Conferees: E. W. QUIRIN, NEIL S. HAUGERUD, and ROBERT C. BELL.

Quirin moved that the report of the Conference Committee on S. F. No. 2047 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2047, A bill for an act relating to state government; establishing salaries for certain unclassified employees in the executive and judicial branch of government; amending Minnesota Statutes 1971, Sections 15A.081; 15A.083; 15A.084; 15A.085; and 15A.101.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 73, and nays 57, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Jopp	Munger	Schulz
Anderson, I.	Dieterich	Jude	Nelson	Sieben, H.
Bell	Enebo	Kahn	Newcome	Sieben, M.
Bennett	Faricy	Kelly	Norton	Smith
Berg	Flakne	Kempe	Parish	Stanton
Berglin	Fudro	Klaus	Pavlak, R.	Swanson
Boland	Fugina	LaVoy	Pavlak, R. L.	Tomlinson
Braun	Graba	Lemke	Quirin	Vanasek
Brinkman	Growe	Lindstrom, J.	Resner	Vento
Carlson, A.	Hanson	McCarron	Rice	Voss
Carlson, B.	Haugerud	McEachern	Ryan	Weaver
Carlson, L.	Jacobs	McMillan	St. Onge	Wenzel
Cassery	Johnson, C.	Menke	Salchert	Mr. Speaker
Connors	Johnson, D.	Miller, D.	Samuelson	
Cummiskey	Johnson, R.	Moe	Sarna	

Those who voted in the negative were:

Adams, S.	Dirlam	Hook	Miller, M.	Schreiber
Andersen, R.	Eckstein	Johnson, J.	Myrah	Searle
Anderson, D.	Eken	Knickerbocker	Niehaus	Sherwood
Anderson, G.	Erdahl	Kvam	Ohnstad	Skaar
Becklin	Erickson	Laidig	Ojala	Spanish
Belisle	Esau	Larson	Patton	Stangeland
Biersdorf	Ferderer	Lindstrom, E.	Pehler	Ulland
Carlson, D.	Fjoslien	Lombardi	Peterson	Wigley
Cleary	Forsythe	Long	Pieper	Wohlwend
Clifford	Graw	Mann	Pleasant	
Culhane	Hagedorn	McCauley	Prahl	
DeGroat	Heinitz	McFarlin	Savelkoul	

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has moved to return the report of the Conference Committee on the following House File:

H. F. No. 835, A bill for an act relating to divorce; abolishing

the action and substituting proceedings for dissolution; amending Minnesota Statutes 1971, Sections 518.001; 518.01; 518.03; 518.06; 518.07; 518.09; 518.10; 518.11; 518.12; 518.13; 518.14; 518.15; 518.16; 518.17; 518.175, Subdivision 1; 518.25; 518.27; 518.54; 518.55; 518.551; 518.57; 518.58; 518.59; 518.62; 518.63; 518.64 and 518.66; repealing Minnesota Statutes 1971, Sections 518.08; 518.26 and 518.28.

And respectfully requests that the House reconsider the vote whereby the Conference Committee Report on H. F. No. 835 was adopted and H. F. No. 835 was repassed.

And further requests the House re-refer the subject matter of said bill to the Conference Committee, as formerly constituted, for further consideration.

Said House File and Conference Committee Report are herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kahn moved that the House accede to the request of the Senate regarding H. F. No. 835, that the vote whereby the bill was repassed as amended by the Conference Committee be reconsidered, that the vote whereby the Conference Committee report was adopted be reconsidered, and that the bill be returned to the Conference Committee as formerly constituted.

The question was taken on the Kahn motion to reconsider the vote whereby H. F. No. 835 was repassed, as amended by Conference. The motion prevailed.

The question was taken on the Kahn motion to reconsider the vote whereby the Conference Committee Report on H. F. No. 835 was adopted. The motion prevailed.

The question was taken on the Kahn motion to return H. F. No. 835 to the Conference Committee as formerly constituted. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate has refused to adopt the recommendations and the Conference Committee report on H. No. 9, and respectfully requests the House reconsider the vote whereby the Conference Committee report on H. F. No. 9 was adopted and H. F. No. 9 was repassed.

H. F. No. 9, A bill for an act relating to labor; creating a division of labor standards; providing for minimum wage and overtime standards; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 175.38; 175.39; and 177.01 to 177.20.

And requests the House re-refer the subject matter of said bill to the Conference Committee, as formerly constituted, for further consideration.

Said House File and Conference Committee Report are herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Faricy moved that the House accede to the request of the Senate regarding H. F. No. 9, that the vote whereby the bill was repassed as amended by the Conference Committee be reconsidered, that the vote whereby the Conference Committee report was adopted be reconsidered, and that the bill be returned to the Conference Committee as formerly constituted.

The question was taken on the Faricy motion to reconsider the vote whereby H. F. No. 9 was repassed, as amended by Conference. The motion prevailed.

The question was taken on the Faricy motion to reconsider the vote whereby the Conference Committee Report on H. F. No. 9 was adopted. The motion prevailed.

The question was taken on the Faricy motion to return H. F. No. 9 to the Conference Committee as formerly constituted. The motion prevailed.

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. 377, A bill for an act relating to the department of human rights; unfair discriminatory practices; amending Minnesota Statutes 1971, Sections 363.01 by adding subdivisions; 363.02, Subdivisions 2 and 3 by adding subdivisions; 363.03; 363.04, Subdivision 8; 363.05, Subdivision 1; 363.06, Subdivisions 2, 4 and 7; 363.071, Subdivision 2; 363.072, Subdivision 1; 363.091; 363.11; 363.115; 363.12, Subdivisions 1 and 2; 363.13; and Chapter 363, by adding sections.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Norton moved that the House concur in the Senate amendments to H. F. No. 377 and that the bill be repassed as amended by the Senate.

A roll call was requested and properly seconded.

The question was taken on the Norton motion and the roll being called, there were yeas 44, and nays 75, as follows:

Those who voted in the affirmative were:

Adams, J.	Bennett	Carlson, A.	Dahl	Fugina
Adams, S.	Berg	Carlson, L.	Dieterich	Grove
Andersen, R.	Berglin	Casserly	Faricy	Haugerud
Bell	Boland	Cummiskey	Flakne	Jaros

Johnson, D.	LaVoy	Norton	Samuelson	Ulland
Johnson, J.	McMillan	Ojala	Sieben, M.	Vanasek
Jude	Moe	Parish	Stangeland	Vento
Kahn	Munger	Quirin	Stanton	Mr. Speaker
Kelly	Nelson	Rice	Tomlinson	

Those who voted in the negative were:

Anderson, D.	Enebo	Johnson, R.	McFarlin	Ryan
Anderson, G.	Erdahl	Jopp	Menke	St. Onge
Becklin	Erickson	Klaus	Miller, D.	Salchert
Belisle	Esau	Knickerbocker	Miller, M.	Sarna
Biersdorf	Ferderer	Kyam	Myrah	Savelkoul
Braun	Fjoslien	Laidig	Newcome	Searle
Brinkman	Forsythe	Larson	Niehaus	Skaar
Carlson, B.	Fudro	Lemke	Ohnstad	Smith
Carlson, D.	Graba	Lindstrom, E.	Patton	Spanish
Cleary	Graw	Lombardi	Pavlak, R.	Swanson
Connors	Hagedorn	Long	Pavlak, R. L.	Weaver
DeGroat	Hanson	Mann	Pehler	Wenzel
Dirlam	Hook	McCarron	Peterson	Wigley
Eckstein	Jacobs	McCauley	Pieper	Wohlwend
Eken	Johnson, C.	McEachern	Prahl	Wolcott

The motion to concur did not prevail.

Norton moved that the House refuse to concur in the Senate amendments to H. F. No. 377, that the Speaker appoint a Conference Committee of 3 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.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 1964, A bill for an act relating to watershed districts; prescribing additional powers and duties of managers thereof; authorizing the managers to institute works by resolution; providing procedures for consolidation of districts; amending Minnesota Statutes 1971, Sections 112.35, Subdivision 19; 112.38; 112.42, Subdivision 3; 112.44; 112.47; 112.48, Subdivisions 1 and 3 and by adding a subdivision; 112.52; 112.53, Subdivision 1; 112.54; 112.55; 112.64, Subdivision 4; 112.69, Subdivision 1; and Chapter 112, by adding a section; repealing Minnesota Statutes 1971, Section 112.75; and Laws 1965, Chapter 873, Section 2.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1964

Honorable Alec G. Olson
President of the Senate

Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 1964, report that we have agreed upon the items in dispute and recommend as follows: That the House recede from its amendments and that S. F. No. 1964 be amended as follows:

Page 8, line 24, after "board of managers" insert ", provided, the engineers' preliminary estimate of costs is not over \$125,000 for any project in any calendar year, and that no such resolution shall be used for the establishment of a project, the essential nature and purpose of which is for drainage".

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: WINSTON BORDEN, JOHN OLSON, and ROGER MOE.

House Conferees: WILLIAM KELLY, VINCE LOMBARDI, JR., and GLEN SHERWOOD.

Kelly moved that the report of the Conference Committee on S. F. No. 1964 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1964, A bill for an act relating to watershed districts; prescribing additional powers and duties of managers thereof; authorizing the managers to institute works by resolution providing for consolidation procedures.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 110, and nays 14, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Grove	Kvam	Moe
Adams, S.	Dahl	Hagedorn	Laidig	Munger
Andersen, R.	Dieterich	Hanson	Larson	Myrah
Anderson, I.	Dirlam	Heinitz	LaVoy	Nelson
Belisle	Eckstein	Hook	Lemke	Newcome
Bennett	Eken	Jacobs	Lindstrom, E.	Niehaus
Berg	Enebo	Jaros	Lindstrom, J.	Norton
Berglin	Erdahl	Johnson, D.	Lombardi	Ojala
Boland	Erickson	Johnson, J.	Long	Parish
Braun	Farley	Johnson, R.	Mann	Patton
Brinkman	Ferderer	Jopp	McArthur	Pavlak, R.
Carlson, A.	Fjoslien	Jude	McCarron	Pavlak, R. L.
Carlson, L.	Flakne	Kahn	McEachern	Pehler
Casserly	Forsythe	Kelly	McFarlin	Peterson
Cleary	Fudro	Kempe	McMillan	Pieper
Clifford	Fugina	Klaus	Menke	Pleasant
Connors	Graba	Knickerbocker	Miller, D.	Prahl

Quirin	Salchert	Skaar	Tomlinson	Wenzel
Resner	Sarna	Smith	Ulland	Wigley
Rice	Savelkoul	Stangeland	Vanasek	Wohlwend
Ryan	Sieben, H.	Stanton	Vento	Wolcott
St. Onge	Sieben, M.	Swanson	Voss	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Biersdorf	DeGroat	Johnson, C.	Searle
Becklin	Carlson, D.	Esau	Ohnstad	Spanish
Bell	Culhane	Haugerud	Schulz	

The bill was repassed, as amended by Conference, and its title agreed to.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 377:

Norton, Bell, and Faricy.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 1247, A bill for an act relating to elections; providing for applications for and acknowledgement of absentee ballots; amending Minnesota Statutes 1971, Sections 207.03 and 207.08.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1247

May 17, 1973

Honorable Alec G. Olson
President of the Senate

Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 1247, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 1247 be amended as follows:

Page 6, line 16, after "voter" insert "or address of residence from which the witness voted if he resides where there was no permanent registration".

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: STEPHEN KEEFE, MEL HANSEN, and DAVID D. SCHAAF.

House Conferees: JOHN D. TOMLINSON, JOHN J. SARNA, and DAVID CLEARY.

Tomlinson moved that the report of the Conference Committee on S. F. No. 1247 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1247, A bill for an act relating to elections; providing for applications for and acknowledgement of absentee ballots; amending Minnesota Statutes 1971, Sections 207.03 and 207.08.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 107, and nays 15, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Andersen, R.	DeGroat	Hagedorn	McArthur	Pieper
Anderson, D.	Fjoslien	Johnson, J.	Myrah	Pleasant
Belisle	Forsythe	Kvam	Niehaus	Stangeland

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 452, A bill for an act relating to city of St. Paul; providing for a change in the election of members of the council.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 452

May 17, 1973

Honorable Alec G. Olson
President of the Senate

Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 452, report that we have agreed upon the items in dispute and recommend as follows: That S. F. No. 452 be amended as follows:

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

"Section 1. [ST. PAUL, CITY OF; COUNCIL ELECTION; DISTRICTS.] Subdivision 1. The council of the city of St. Paul shall divide the city into four districts equal so far as possible in population at least 60 days prior to the first day for filing for the city elections. In the city general election next following the effective date of this section and thereafter four councilmen who shall be residents of the district shall be elected, one from each district, and three councilmen shall be elected at-large. Each person desiring to have his name placed on the primary ballot shall state in his affidavit of candidacy which office he is a candidate for specifying the district or specifying one of the three at-large positions. Incumbency shall not be indicated on election ballots. After the 1980 federal census and each federal census every ten years thereafter, the city council shall reapportion as necessary the four council districts provided herein. Except as provided herein the laws relating to the election of the council of the city of St. Paul shall continue to apply.

Subd. 2. This section takes effect when approved by a majority of the governing body of the city of St. Paul and upon compliance with Minnesota Statutes, Section 645.021; provided that notwithstanding the provisions of Minnesota Statutes, Section 645.021, Subdivision 1, relating to expiration of special laws, this section shall also take effect if approved at a special election by the voters of the city of St. Paul which election shall be held on the uniform municipal election day specified in Minnesota Statutes, Section 205.20, Subdivision 2, next following the presentation of a petition to the city clerk of the city of St. Paul signed by 2,000 or more qualified voters.

Sec. 2. [ST. PAUL, CITY OF; ALLEY SYSTEM OF ELECTING COUNCIL.] Subdivision 1. Sixty days after this

section becomes effective the city council of the city of St. Paul shall designate each council seat, whether occupied or not, by a separate letter of the alphabet. Each so designated council seat shall be deemed a separate office for the city election of 1974 and thereafter. Any incumbent member of the city council running for election or re-election to the city council shall be a candidate for that office only of which he was an incumbent. Each person desiring to have his name placed on the primary ballot shall state in his affidavit of candidacy which designated council seat he is a candidate for. The names of the candidates for each council seat shall be rotated on the ballots to avoid any appearance of preference for incumbents. Incumbency shall not be indicated on the ballots. Except as herein provided the laws relating to the election of the council of the city of St. Paul shall continue to apply.

Subd. 2. This section takes effect when approved by a majority of the governing body of the city of St. Paul and upon compliance with Minnesota Statutes, Section 645.021; provided that notwithstanding the provisions of Minnesota Statutes, Section 645.021, Subdivision 1, relating to expiration of special laws, this section shall also take effect if approved at a special election by the voters of the city of St. Paul which election shall be held on the uniform municipal election day specified in Minnesota Statutes, Section 205.20, Subdivision 2, next following the presentation of a petition to the city clerk of the city of St. Paul signed by 2,000 or more qualified voters.

Sec. 3. [ST. PAUL, CITY OF; ELECTION DATE; TERM OF OFFICE.] Subdivision 1. Notwithstanding any provision of the charter of the city of St. Paul to the contrary, commencing November 4, 1975, the election of St. Paul city officers and such other officers as are required to be elected at a city election in the city of St. Paul shall be held on the first Tuesday after the first Monday in November of odd-numbered years. A primary election shall be held on a date set by the council which shall be no less than 14 days before the city election day.

Subd. 2. Notwithstanding any provision of the charter of the city of St. Paul to the contrary, commencing with the election of city officers on November 4, 1975, the mayor and each councilman of the city of St. Paul shall hold office for a term of two years commencing on the first business day in January next succeeding their election and until a successor is elected and qualified. Further, notwithstanding any provision of the charter of the city of St. Paul to the contrary, the term of office of the mayor and each councilman elected in 1974 shall begin on the first Tuesday of June of 1974 and end as of the first business day of January, 1976.

Subd. 3. This section takes effect when approved by a majority of the governing body of the city of St. Paul and upon compliance with Minnesota Statutes, Section 645.021; provided that notwithstanding the provisions of Minnesota Statutes, Section 645.021, Subdivision 1, relating to expiration of special laws, this

section shall also take effect if approved at a special election by the voters of the city of St. Paul which election shall be held on the uniform municipal election day specified in Minnesota Statutes, Section 205.20, Subdivision 2, next following the presentation of a petition to the city clerk of the city of St. Paul signed by 2,000 or more qualified voters.

Sec. 4. [ST. PAUL, CITY OF; OFFICERS' COMPENSATION.] Subdivision 1. Notwithstanding any provision of law or the St. Paul city charter to the contrary, the city of St. Paul shall have the power, from and after the effective date of this section, to fix in term and refix from time to time the compensation of all duly elected officers under its charter. Such compensation shall be fixed by ordinance passed upon in the manner provided for by the charter of the city of St. Paul, provided that no ordinance increasing compensation of elected officials may be passed during the last three months of any term of office. Except for the initial fixing of compensation authorized herein, no subsequent fixing of compensation shall be prescribed to take effect during the term of office for which the elected officials shall have been elected.

Subd. 2. [REFERENDUM.] Nothing contained in this section shall prohibit a referendum by petition of the registered voters of the city of St. Paul upon any ordinance adopted hereunder.

Subd. 3. [FEES.] No elected official shall receive any other compensation than that provided for pursuant to this section for the performance of his official duties and such compensation shall include compensation for all services rendered in any office or employment for said city. All fees, moneys or remuneration of whatever kind that accrue to any official in his elected capacity shall be reported to the city council and paid monthly into the treasury of the city.

Subd. 4. [REPEALER.] Laws 1971, Chapter 473, is hereby repealed.

Subd. 5. [EFFECTIVE DATE.] This section takes effect when approved by a majority of the governing body of the city of St. Paul and upon compliance with Minnesota Statutes, Section 645.021; provided that notwithstanding the provisions of Minnesota Statutes, Section 645.021, Subdivision 1, relating to expiration of special laws, this section shall also take effect if approved at a special election by the voters of the city of St. Paul which election shall be held on the uniform municipal election day specified in Minnesota Statutes, Section 205.20, Subdivision 2, next following the presentation of a petition to the city clerk of the city of St. Paul signed by 2,000 or more qualified voters."

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

"A bill for an act relating to the city of St. Paul; providing for the division of the city into districts for election of the city council; providing for an alley system of electing the city council; changing the election day for election of city officers and chang-

ing the term of office of the mayor and councilmen; providing a method for fixing compensation of elected officials; repealing Laws 1971, Chapter 473."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: ROBERT D. NORTH, JOHN C. CHENOWETH, and WILLIAM MCCUTCHEON.

House Conferees: BRUCE F. VENTO, RAY W. FARICY, and ROBERT L. PAVLAK.

Vento moved that the report of the Conference Committee on S. F. No. 452 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 452, A bill for an act relating to city of St. Paul; providing for a change in the election of members of the council.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 88, and nays 39, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Munger	Sarna
Adams, S.	Eckstein	Kahn	Nelson	Sherwood
Anderson, G.	Eken	Kelly	Newcome	Sieben, H.
Anderson, I.	Enebo	Kempe	Norton	Sieben, M.
Becklin	Faricy	Klaus	Ojala	Smith
Bennett	Forsythe	LaVoy	Parish	Spanish
Berg	Fudro	Lemke	Patton	Stanton
Berglin	Fugina	Lombardi	Pavlak, R.	Swanson
Boland	Graba	Mann	Pehler	Tomlinson
Braun	Graw	McCarron	Peterson	Ulland
Brinkman	Growe	McCauley	Prahl	Vanasek
Carlson, B.	Hanson	McEachern	Quirin	Vento
Carlson, L.	Haugerud	McFarlin	Resner	Wenzel
Cassery	Hook	McMillan	Rice	Wigley
Connors	Jacobs	Menke	Ryan	Wolcott
Cummiskey	Jaros	Miller, D.	St. Onge	Mr. Speaker
Dahl	Johnson, C.	Miller, M.	Salchert	
Dieterich	Johnson, D.	Moe	Samuelson	

Those who voted in the negative were:

Andersen, R.	DeGroat	Heinitz	Lindstrom, E.	Pleasant
Anderson, D.	Erdahl	Johnson, J.	Long	Savelkoul
Belisle	Erickson	Johnson, R.	McArthur	Schreiber
Bell	Esau	Jopp	Myrah	Skaar
Biersdorf	Ferderer	Knickerbocker	Niehaus	Stangeland
Carlson, A.	Fjoslien	Kvam	Ohnstad	Weaver
Cleary	Flakne	Laidig	Pavlak, R. L.	Wohlwend
Clifford	Hagedorn	Larson	Pieper	

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 1824, A bill for an act relating to motor carriers; permit carriers; providing that permits may be assigned or transferred under certain conditions; amending Minnesota Statutes 1971, Section 221.151, Subdivision 1; and repealing Minnesota Statutes 1971, Section 221.151, Subdivision 2.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1824

May 18, 1973

Honorable Alec G. Olson
President of the Senate

Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 1824, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments. Further, at page 3, line 4, strike "two" and insert in lieu thereof "five".

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: FLORIAN CHMIELEWSKI, ROGER A. LAUFENBURGER, and CARL A. JENSEN.

House Conferees: A. J. ECKSTEIN, M. J. MCCAULEY, and GLEN H. ANDERSON.

Eckstein moved that the report of the Conference Committee on S. F. No. 1824 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1824, A bill for an act relating to motor carriers; permit carriers; providing that permits may be assigned or transferred under certain conditions; amending Minnesota Statutes 1971, Section 221.151, Subdivision 1; and repealing Minnesota Statutes 1971, Section 221.151, Subdivision 2.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 128, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, G.	Bennett	Boland	Carlson, B.
Adams, S.	Anderson, I.	Berg	Braun	Carlson, D.
Andersen, R.	Becklin	Berglin	Brinkman	Carlson, L.
Anderson, D.	Bell	Biersdorf	Carlson, A.	Casserly

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

Those who voted in the negative were:

Belisle Clifford Johnson, J.

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 1302, A bill for an act relating to health; organization of public health nursing services; amending Minnesota Statutes 1971, Sections 145.12, Subdivision 1; and 393.07, Subdivisions 2 and 3.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1302

May 18, 1973

Honorable Alec G. Olson
President of the Senate

Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 1302, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments, and that S. F. No. 1302 be amended as follows:

Page 1, line 14, after "more," and before "(MAY)" insert "*and except Cook, Isanti, and Kanabec counties,*".

Page 3, line 5, after "personnel" and before "but" insert "*other than homemaker-home help aides,*".

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: WINSTON W. BORDEN, J. ROBERT STASSEN, and JOHN MILTON.

House Conferees: E. WILLIAM QUIRIN, DOUGLAS ST. ONGE, and WENDELL O. ERICKSON.

Quirin moved that the report of the Conference Committee on S. F. No. 1302 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1302, A bill for an act relating to health; organization of public health nursing services; amending Minnesota Statutes 1971, Sections 145.12, Subdivision 1; and 393.07, Subdivisions 2 and 3.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 108, and nays 11, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Hook	McCarron	Quirin
Adams, S.	DeGroat	Jacobs	McCauley	Resner
Andersen, R.	Dieterich	Johnson, C.	McEachern	Rice
Anderson, D.	Dirlam	Johnson, D.	McFarlin	Ryan
Anderson, G.	Eckstein	Johnson, J.	Menke	St. Onge
Anderson, I.	Eken	Johnson, R.	Miller, D.	Salchert
Bell	Enebo	Jopp	Miller, M.	Savelkoul
Bennett	Erdahl	Jude	Moe	Schreiber
Berg	Erickson	Kelly	Myrah	Searle
Berglin	Esau	Kempe	Newcome	Sieben, H.
Biersdorf	Faricy	Klaus	Niehaus	Sieben, M.
Boland	Ferderer	Knickerbocker	Norton	Skaar
Brinkman	Fjoslien	Kvam	Ohnstad	Stangeland
Carlson, A.	Flakne	Laidig	Parish	Stanton
Carlson, B.	Forsythe	Larson	Patton	Ulland
Carlson, L.	Graba	Lemke	Pavlak, R.	Weaver
Casserly	Graw	Lindstrom, E.	Pavlak, R. L.	Wigley
Cleary	Grove	Lindstrom, J.	Pehler	Wohlwend
Clifford	Hagedorn	Lombardi	Peterson	Wolcott
Connors	Hanson	Long	Pieper	Mr. Speaker
Culhane	Haugerud	Mann	Pleasant	
Cummiskey	Heinitz	McArthur	Prahl	

Those who voted in the negative were:

Becklin	Carlson, D.	Smith	Voss	Wenzel
Belisle	McMillan	Spanish		
Braun	Munger	Swanson		

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 160, A bill for an act relating to public health; dating of perishable foods; providing a penalty.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 160

May 17, 1973

Honorable Alec G. Olson
President of the Senate

Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 160, report that we have agreed upon the items in dispute and recommend as follows:

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

"Section 1. [DECLARATION OF POLICY.] The legislature recognizes the entire food industry in the nation as leaders in the world in providing wholesome, nutritious, fresh and clean food to its citizens and to others. The Minnesota department of agriculture is hereby authorized and directed to promulgate rules and regulations which provide for a quality assurance date on perishable foods, to assure this industry's continuation and the degree of improvement reasonable and feasible, so as to provide people with wholesome, nutritious, fresh and clean food.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in this act, the following terms shall have the meanings ascribed to them.

Subd. 2. "Commissioner" means the commissioner of agriculture or designee.

Subd. 3. "Perishable food" means any food intended for human consumption (other than meat and poultry, frozen food, or fresh fruit or vegetables), which has a quality assurance date.

Subd. 4. "Quality assurance date" means any date after which the manufacturer or processor reasonably determines that the product may, by spoilage, wiltage, drying or any other foreseeable and normal natural phenomenon, lose its palatability or its desired or nutritive properties. The date shall include the day, month, and, if appropriate, the year.

Sec. 3. [REGULATIONS, SCOPE.] Subdivision 1. The commissioner shall administer and enforce the provisions of this act by regulations adopted prior to October 1, 1973 pursuant to the administrative procedures act.

Subd. 2. Perishable foods which bear a quality assurance date of 90 days or less from the date of packaging shall be dated in accordance with the regulations adopted pursuant to this act.

Subd. 3. Perishable foods which bear a quality assurance date of more than 90 days from the date of packaging may require dating in accordance with regulations adopted pursuant to this act.

Subd. 4. Whenever the commissioner has reason to believe that any regulation adopted pursuant to this act is inappropriate or unsuitable to any particular perishable food product or products, the commissioner may, in accordance with the administrative procedures act, waive the application of such regulations as to such product or products.

Sec. 4. [EXPIRATION OF QUALITY ASSURANCE DATE.] Nothing contained in this act or any regulation adopted pursuant hereto shall require the removal from sale of a perishable food product after the expiration of the quality assurance date on the product nor imply that after the expiration of the quality assurance date on the product, the product is not wholesome or safe for human consumption.

Sec. 5. [REGULATIONS OF OTHER STATES AND THE FEDERAL GOVERNMENT.] If any other state, or the federal government, adopts an open dating statute or regulation which provides for information and enforcement equal to or greater than that of this act, the commissioner may, by regulation, exempt any product from the provisions of this act if it is in compliance with such other statute or regulation.

Sec. 6. [LOCAL ORDINANCES PRE-EMPTED.] No subordinate unit of government may adopt or enforce any rule or ordinance regarding open dating of perishable foods other than this act.

Sec. 7. [ENFORCEMENT.] In enforcing the provisions of this act, the commissioner may receive complaints and investigate possible violations. The commissioner and his employees shall have reasonable access to all places wherein any item of perishable food regulated pursuant to this act is sold or held or offered for sale, and may take samples of perishable food for analysis. The attorney general, acting for the commissioner, or any municipal or county official responsible for the enforcement of rules or ordinances, may bring an action to restrain violations of this act.

Sec. 8. [PENALTIES.] Any person injured by a violation of this act may bring a civil action and recover damages, together with costs and disbursements.

Sec. 9. [EXEMPTION.] Nothing in this act shall apply to any sale exempt from a license by the Minnesota Constitution, Article I, Section 18.

Sec. 10. [EFFECTIVE DATE.] This act shall be effective as to all perishable food manufactured or processed on or after January 1, 1974."

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

"A bill for an act relating to food; requiring open dating of perishable food; directing the commissioner of agriculture to promulgate rules and regulations governing the dating, handling and labeling of perishable food; providing penalties."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: ROBERT D. NORTH, STEPHEN KEEFE, and HOWARD A. KNUTSON.

House Conferees: L. JOSEPH CONNORS, BRUCE F. VENTO, and ROBERT J. FERDERER.

Connors moved that the report of the Conference Committee on S. F. No. 160 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 160, A bill for an act relating to public health; dating of perishable foods; providing a penalty.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 106, and nays 25, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Johnson, J.	Miller, M.	Savelkoul
Adams, S.	Dahl	Jopp	Moe	Schreiber
Andersen, R.	Dieterich	Jude	Munger	Sherwood
Anderson, G.	Dirlam	Kahn	Nelson	Sieben, H.
Anderson, I.	Eckstein	Kelly	Newcome	Sieben, M.
Becklin	Enebo	Kempe	Norton	Smith
Belisle	Faricy	Knickerbocker	Ojala	Spanish
Bell	Ferderer	Laidig	Parish	Stanton
Bennett	Flakne	LaVoy	Pavlak, R.	Swanson
Berg	Forsythe	Lemke	Pehler	Tomlinson
Berglin	Fudro	Lindstrom, E.	Peterson	Ulland
Biersdorf	Fugina	Lindstrom, J.	Pieper	Vanasek
Boland	Graba	Lombardi	Pleasant	Vento
Braun	Growe	Mann	Prahl	Voss
Carlson, A.	Hanson	McArthur	Quirin	Wenzel
Carlson, B.	Haugerud	McCarron	Resner	Wohlwend
Carlson, D.	Heinitz	McCauley	Rice	Wolcott
Carlson, L.	Hook	McEachern	Ryan	Mr. Speaker
Casserly	Jacobs	McFarlin	St. Onge	
Cleary	Jaros	McMillan	Salchert	
Clifford	Johnson, C.	Menke	Samuelson	
Connors	Johnson, D.	Miller, D.	Sarna	

Those who voted in the negative were:

Anderson, D.	Erickson	Johnson, R.	Niehaus	Searle
Culhane	Esau	Klaus	Ohnstad	Skaar
DeGroat	Fjoslien	Kvam	Patton	Stangeland
Eken	Graw	Larson	Paviak, R. L.	Weaver
Erdahl	Hagedorn	Long	Schulz	Wigley

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 384, A bill for an act relating to hospital, boarding care homes, and nursing homes; providing for the regulation thereof; imposing certain duties on the state board of health and the commissioner of public welfare; establishing rights of patients and residents of nursing homes; requiring reports of maltreatment of nursing home patients; prescribing penalties; amending Minnesota Statutes 1971, Chapters 144, by adding sections; 154, by adding a section; 256B, by adding a section; 609, by adding a section; and 626, by adding a section; repealing Minnesota Statutes 1971, Section 144.583.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 384

May 17, 1973

Honorable Alec G. Olson
President of the Senate

Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 384, report that we have agreed upon the items in dispute and recommend as follows:

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

"Section 1. [PUBLIC POLICY.] It is the intent of the legislature and the purpose of this act to promote the interests and well being of the patients and residents of health care facilities. It is declared to be the public policy of this state that the interests of the patient be protected by a declaration of a patients bill of rights which shall include but not be limited to the following:

(1) *Every patient and resident shall have the right to considerate and respectful care;*

(2) *Every patient can reasonably expect to obtain from his physician or the resident physician of the facility complete and current information concerning his diagnosis, treatment and prognosis in terms and language the patient can reasonably be expected to understand. In such cases that it is not medically advisable to give such information to the patient the information may be made available to the appropriate person in his behalf;*

(3) *Every patient and resident shall have the right to know by name and specialty, if any, the physician responsible for coordination of his care;*

(4) *Every patient and resident shall have the right to every consideration of his privacy and individuality as it relates to his social, religious, and psychological well being;*

(5) *Every patient and resident shall have the right to respectfulness and privacy as it relates to his medical care program. Case discussion, consultation, examination, and treatment are confidential and should be conducted discreetly.*

(6) *Every patient and resident shall have the right to expect the facility to make a reasonable response to the requests of the patient;*

(7) *Every patient and resident shall have the right to obtain information as to any relationship of the facility to other health care and related institutions insofar as his care is concerned, and:*

(8) *The patient and resident have the right to expect reasonable continuity of care which shall include but not be limited to what appointment times and physicians are available.*

Sec. 2. [NOTICE TO PATIENT.] *The policy statement contained in section 1 of this act shall be posted conspicuously in a public place in all facilities licensed under the provisions of Minnesota Statutes, Sections 144.50 to 144.58. Copies of the policy statement shall be furnished the patient and resident upon admittance to the facility.*

Sec. 3. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.541] [HEALTH CARE FACILITIES; REGULATIONS; INSPECTIONS.] *Subdivision 1. [RULES AND REGULATIONS.] The state board of health is the exclusive state agency charged with the responsibility and duty of inspecting all facilities required to be licensed under the provisions of Minnesota Statutes 1971, Sections 144.50 to 144.58. The state board of health shall enforce such rules, regulations and standards subject only to the authority of the department of public safety respecting the enforcement of fire and safety standards in nursing homes and other licensed health care facilities and the responsi-*

bility of the commissioner of public welfare pursuant to Minnesota Statutes 1971, Sections 245.78; 252.28; and 257.081 to 257.123.

Subd. 2. [PERIODIC INSPECTION.] All facilities required to be licensed under the provisions of sections 144.50 to 144.58 shall be periodically inspected by the state board of health to insure compliance with its rules, regulations and standards. The state board of health may enter into agreements with political subdivisions providing for the inspection of such facilities by locally employed inspectors.

Subd. 3. [ENFORCEMENT.] With the exception of the department of public safety which has the exclusive jurisdiction to enforce state fire and safety standards, the state board of health is the exclusive state agency charged with the responsibility and duty of inspecting facilities required to be licensed under the provisions of sections 144.50 to 144.58 and enforcing the rules, regulations and standards prescribed by it.

Subd. 4. [WITHOUT NOTICE.] One or more unannounced inspections of each facility required to be licensed under the provisions of sections 144.50 to 144.58 shall be made annually.

Subd. 5. [CORRECTION ORDERS.] Whenever a duly authorized representative of the state board of health finds upon inspection of a facility required to be licensed under the provisions of sections 144.50 to 144.58 that the licensee of such facility is not in compliance with an applicable regulation promulgated under the administrative procedures act by the state board of health pursuant to section 144.56, a correction order shall be issued to the licensee. The correction order shall state the deficiency, cite the specific regulation violated, and specify the time allowed for correction.

Subd. 6. [REINSPECTIONS; FINES.] If upon reinspection it is found that the licensee of a facility required to be licensed under the provisions of sections 144.50 to 144.58 has not corrected the deficiency or deficiencies specified in the correction order, the licensee shall forfeit to the state within 15 days a sum of up to \$250 for each such deficiency not corrected. For each subsequent reinspection, the licensee may be fined an additional amount for each deficiency which has not been corrected. All forfeitures shall be paid into the state treasury and credited to the general fund.

Subd. 7. [RECOVERY.] Any unpaid forfeitures may be recovered by the attorney general.

Subd. 8. [HEARINGS.] A licensee of a facility required to be licensed under the provisions of sections 144.50 to 144.58 is entitled to a hearing on any correction order issued to him, provided that he makes a written request therefor within 15 days of receipt by him of the correction order. Such request shall operate as a stay during the hearing and review process of the payment of any forfeiture provided for in this section. Upon

receipt of the request for a hearing, a hearing officer, who shall not be an employee of the state board of health shall be appointed by the state board of health, and the hearing officer shall promptly schedule a hearing on the matter, giving at least ten days notice of the date, time, and place of such hearing to the licensee. The hearing and review thereof shall be in accordance with the relevant provisions of the administrative procedures act.

Subd. 9. [NONLIMITING.] Nothing in this section shall be construed to limit the powers granted to the state board of health in section 144.55.

Sec. 4. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.542] [EXPERTS MAY BE EMPLOYED.] The state board of health may employ experts in the field of health care to assist the staffs of facilities required to be licensed under the provisions of sections 144.50 to 144.58 in programming and providing adequate care of the patients and residents of the facility. Alternate methods of care for patients and residents of such facilities shall be researched by the state board of health using the knowledge and experience of experts employed therefor.

Sec. 5. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.543] [PROGRAM FOR VOLUNTARY MEDICAL AID.] Licensed physicians may visit a facility required to be licensed under the provisions of sections 144.50 to 144.58 and examine patients and residents thereof under a program which shall be established by the state board of health and regulated and governed by rules and regulations promulgated by the state board of health pursuant to the administrative procedures act. Such rules and regulations shall protect the privacy of patients and residents of facilities. No patient or resident of any facility shall be required to submit to an examination under such program. The state board of health shall consult with medical schools and other experts for the purpose of establishing the program. The state board of health shall encourage the active participation of all licensed physicians on a voluntary basis in such program.

Sec. 6. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.555] [EMPLOYEES TO BE COMPENSATED.] All employees of facilities required to be licensed under the provisions of sections 144.50 to 144.58 participating in orientation programs or in inservice training provided by the facility shall be compensated therefor at their regular rate of pay, provided, however, that this section will be effective only to the extent that facilities are reimbursed for such compensation by the commissioner of public welfare in the proportion of welfare to total residents and patients in the facility.

Sec. 7. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.556] [VOLUNTEER EFFORTS ENCOURAGED.] *The state board of health, through the dissemination of information to appropriate organizations, shall encourage citizens to promote improved care in facilities required to be licensed under the provisions of sections 144.50 to 144.58 throughout the state.*

Sec. 8. Minnesota Statutes 1971, Chapter 256B, is amended by adding a section to read:

[256B.30] [HEALTH CARE FACILITY REPORT.] *Every facility required to be licensed under the provisions of sections 144.50 to 144.58 shall provide annually to the commissioner of public welfare such reports as may be required under law and under regulations adopted by the commissioner of public welfare under the administrative procedures act. Such regulations shall provide for the submission of a full and complete financial report of a facility's operations including:*

- (1) *An annual statement of income and expenditures;*
- (2) *A complete statement of fees and charges;*
- (3) *The names of all persons other than mortgage companies owning any interest in the facility including stockholders with an ownership interest of ten percent or more of the facility.*

The financial reports and supporting data of the facility shall be available for inspection and audit by the commissioner of public welfare.

Sec. 9. Minnesota Statutes 1971, Chapter 609, is amended by adding a section to read:

[609.23] [MISTREATMENT OF RESIDENTS OR PATIENTS.] *Whoever, being in charge of or employed in any facility required to be licensed under the provisions of Minnesota Statutes, Sections 144.50 to 144.58 intentionally abuses, ill-treats, or culpably neglects any patient or resident therein to his physical detriment may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$1,000, or both.*

Sec. 10. Minnesota Statutes 1971, Chapter 626, is amended by adding a section to read:

[626.555] [REPORTING OF MALTREATMENT OF PATIENTS.] *Subdivision 1. [DECLARATION OF PURPOSE.] The purpose of this section is to provide for the protection of persons being cared for in hospitals, nursing homes or other related institutions licensed pursuant to Minnesota Statutes, Sections 144.50 to 144.58, who have had physical injury inflicted upon them, by other than accidental means, when the injury appears to have been caused as a result of physical abuse or neglect.*

Subd. 2. [WHO MAKES REPORT AND TO WHOM MADE.] Whether licensed or not, any physician, surgeon, per-

son authorized to engage in the practice of healing, administrator of a hospital or nursing home, nurse or pharmacist, shall immediately report all cases of physical injury to persons being cared for in hospitals, nursing homes or other related institutions licensed pursuant to Minnesota Statutes, Sections 144.50 to 144.58, inflicted by other than accidental means which come to their attention, when the injury appears to have been caused as a result of physical abuse or neglect. Cases shall be reported to the state board of health.

Subd. 3. [NATURE AND CONTENT OF REPORT.] *The report described in subdivision 2 may be made immediately by telephone or other means. The state department of health may require a supplementary written report which shall contain such information as the department shall request.*

Subd. 4. [RESPONSIBILITY OF LOCAL POLICE AUTHORITY AND OF THE COUNTY WELFARE AGENCY.] *The local police authority and county welfare agency shall cooperate with the state department of health and shall investigate claims of neglect and abuse when requested by the state department of health. The county welfare agency shall offer protective social services in an effort to protect the health and welfare of these persons and to prevent further abuses.*

Subd. 5. [IMMUNITY FROM LIABILITY.] *Anyone participating in good faith in the making of a report pursuant to this section shall have immunity from any liability, civil, or criminal, that might otherwise be incurred or imposed. A participant shall have the same immunity with respect to participation in any judicial proceeding resulting from the report.*

Subd. 6. [EVIDENCE NOT PRIVILEGED.] *The physician-patient privilege shall not be a ground for excluding evidence regarding the injuries or the cause thereof, in any judicial proceeding concerning a physical injury to any person protected by this act, which injury appears to have been caused as a result of physical abuse or neglect.*

Subd. 7. [RETALIATION PROHIBITED.] *No person who directs or exercises any authority in a facility required to be licensed under the provisions of sections 144.50 to 144.58 shall evict, harass, dismiss or retaliate against a patient, resident or employee because he or any member of his family has reported in good faith any violation or suspected violation of laws, ordinances or regulations applying to the facility.*

Subd. 8. [PENALTY.] *Any person knowingly and willingly violating this section is guilty of a misdemeanor."*

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

"A bill for an act relating to nursing homes; providing for the regulation thereof; imposing certain duties on the state board of health and the commissioner of public welfare; establishing

rights of patients and residents of nursing homes; establishing certain boards and prescribing their powers and duties; requiring reports of maltreatment of nursing home patients; prescribing penalties; amending Minnesota Statutes 1971, Chapters 144, by adding a section; 256B, by adding sections; 609, by adding a section; and 626, by adding a section."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: HARMON T. OGDahl, B. ROBERT LEWIS, and ROBERT J. TENNESSEN.

House Conferees: GARY W. FLAKNE, JOHN J. SALCHERT, and JAMES C. SWANSON.

Flakne moved that the report of the Conference Committee on S. F. No. 384 be adopted and the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 384, A bill for an act relating to hospital, boarding care homes, and nursing homes; providing for the regulation thereof; imposing certain duties on the state board of health and the commissioner of public welfare; establishing rights of patients and residents of nursing homes; requiring reports of maltreatment of nursing home patients; prescribing penalties; amending Minnesota Statutes 1971, Chapters 144, by adding sections; 154, by adding a section; 256B, by adding a section; 609, by adding a section; and 626, by adding a section; repealing Minnesota Statutes 1971, Section 144.583.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 120, and nays 11, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D.	Erdahl	Fjoslien	Niehaus	Skaar
Culhane	Erickson	Klaus		
DeGroat	Esau	Long		

The bill was repassed, as amended by Conference, and its title agreed to.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 835

May 16, 1973

Honorable Martin O. Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 835, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 835 be amended as follows:

Page 4, delete lines 19 and 20.

Page 4, line 21, delete "(3)" and insert in lieu thereof "(1)".

Page 4, line 22, delete "*of the party seeking the dissolution*".

Page 4, line 23, delete "(4)" and insert in lieu thereof "(2)".

Page 4, delete lines 27 and 28, and insert in lieu thereof "(3) *Habitual alcoholism or chemical dependency*;"

Page 5, delete lines 1 and 2.

Page 5, line 3, delete "(7) *Three years under*" and insert in lieu thereof "(4)".

Page 5, line 6, delete "*the*".

Page 5, line 7, delete "*three years need not be continuous; (c)*".

Page 5, line 15, delete "(d)" and insert in lieu thereof "(c)".

Page 5, line 17, delete "(e)" and insert in lieu thereof "(d)".

Page 5, line 20, delete "(f)" and insert in lieu thereof "(e)".

Page 5, line 22, delete "(g)" and insert in lieu thereof "(f)".

Page 5, delete lines 24 and 25.

Page 5, line 26, delete "*commencement of the action, and*" and insert in lieu thereof "(5)".

Page 5, line 28, delete "*two years*" and insert in lieu thereof "*one year*".

Page 6, line 1, delete "*action*" and insert in lieu thereof "*proceeding*".

Page 6, line 4, delete "*aforementioned grounds*" and insert in lieu thereof "*foregoing*".

Page 8, line 18, delete "*without enumerating the*".

Page 8, line 19, delete "*amounts thereof*".

Page 8, line 25, delete "*and that the maintenance of the*" and insert in lieu thereof a period.

Page 8, delete lines 26 and 27.

Page 14, line 5, after "OF" insert "DISSOLUTION".

Page 14, line 20, insert before the stricken language "18", restore the stricken language, and delete "*the age of majority*".

Page 20, after line 15, insert a new section to read:

"Sec. 28. *Wherever the word "divorce" is used in the statutes, it has the same meaning as "dissolution" or "dissolution of marriage".*

Page 20, line 16, after "518.08" delete the comma and insert in lieu thereof a semicolon.

Page 20, line 17, after "518.26" delete the comma and insert in lieu thereof a semicolon and after "518.28" delete the semicolon.

Renumber the remaining sections in sequence.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: PHYLLIS KAHN, CHARLES R. WEAVER, and ROBERT C. BELL.

Senate Conferees: ALLAN H. SPEAR, ROBERT J. TENNESSEN, and JOHN B. KEEFE.

Kahn moved that the report of the Conference Committee on H. F. No. 835 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 835, A bill for an act relating to divorce; abolishing the action and substituting proceedings for dissolution; amending Minnesota Statutes 1971, Sections 518.001; 518.01; 518.03; 518.06; 518.07; 518.09; 518.10; 518.11; 518.12; 518.13; 518.14; 518.15; 518.16; 518.17; 518.25; 518.27; 518.29; 518.54; 518.55; 518.57; 518.58; 518.59; 518.62; 518.63; 518.64 and 518.66; and Chapter 518, by adding a section; repealing Minnesota Statutes 1971, Section 518.08; 518.26 and 518.28.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 75, and nays 52, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Haugerud	McMillan	Salchert
Adams, S.	Dahl	Heinitz	Menke	Sarna
Andersen, R.	Dieterich	Jaros	Miller, D.	Schreiber
Anderson, I.	Eckstein	Johnson, D.	Moe	Sherwood
Becklin	Eken	Johnson, J.	Munger	Sieben, H.
Bell	Enebo	Jude	Nelson	Sieben, M.
Berg	Faricy	Kahn	Norton	Stanton
Berglin	Ferderer	Kelly	Ojala	Swanson
Boland	Flakne	Laidig	Parish	Tomlinson
Carlson, A.	Forsythe	LaVoy	Pehler	Ulland
Carlson, L.	Fugina	Lemke	Pleasant	Vanasek
Casserly	Graba	Lindstrom, E.	Quirin	Vento
Cleary	Graw	Lindstrom, J.	Resner	Voss
Clifford	Growe	McArthur	Rice	Weaver
Connors	Hagedorn	McCarron	Ryan	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Erdahl	Knickerbocker	Niehaus	Searle
Anderson, G.	Erickson	Kvam	Ohnstad	Skaar
Belisle	Esau	Larson	Patton	Spanish
Bennett	Fjoslien	Lombardi	Pavlak, R.	Stangeland
Biersdorf	Fudro	Long	Pavlak, R. L.	Wenzel
Braun	Hook	Mann	Peterson	Wigley
Brinkman	Johnson, C.	McEachern	Pieper	Wohlwend
Carlson, D.	Johnson, R.	McFarlin	St. Onge	Wolcott
Culhane	Jopp	Miller, M.	Samuelson	
DeGroat	Kempe	Myrah	Savelkoul	
Dirlam	Klaus	Newcome	Schulz	

The bill was repassed, as amended by Conference, and its title agreed to.

MESSAGES FROM THE SENATE, Continued

The following message was 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. 1410, A bill for an act relating to workmen's compensation for farm laborers; amending Minnesota Statutes 1971, Sections 176.011, by adding a subdivision; 176.041, Subdivision 1, and 176.051.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Cummiskey moved that the House concur in the Senate amendments to H. F. No. 1410 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1410, A bill for an act relating to workmen's compensation for farm laborers; amending Minnesota Statutes 1971, Sections 176.011, by adding a subdivision; 176.041, Subdivision 1, and 176.051.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 89, and nays 34, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Moe	Samuelson
Adams, S.	Eken	Jude	Munger	Sarna
Andersen, R.	Enebo	Kahn	Nelson	Savelkoul
Anderson, I.	Faricy	Kelly	Newcome	Schreiber
Becklin	Ferderer	Kempe	Norton	Sherwood
Bell	Forsythe	LaVoy	Ojala	Sieben, H.
Bennett	Fudro	Lemke	Parish	Sieben, M.
Berg	Fugina	Lindstrom, J.	Pavlak, R.	Skaar
Berglin	Graw	Lombardi	Pavlak, R. L.	Smith
Biersdorf	Growe	Mann	Pehler	Swanson
Boland	Hanson	McArthur	Peterson	Tomlinson
Brinkman	Haugerud	McCarron	Prahl	Vanasek
Carlson, D.	Heinitz	McCauley	Quirin	Vento
Carlson, L.	Hook	McEachern	Resner	Voss
Casserly	Jacobs	McFarlin	Rice	Wenzel
Clifford	Jarós	McMillan	Ryan	Wolcott
Connors	Johnson, C.	Menke	St. Onge	Mr. Speaker
Cummiskey	Johnson, D.	Miller, D.	Salchert	

Those who voted in the negative were:

Anderson, D.	Dirlam	Hagedorn	Long	Searle
Anderson, G.	Eckstein	Jopp	Myrah	Stangeland
Belisle	Erdahl	Klaus	Niehaus	Stanton
Braun	Erickson	Kvam	Ohnstad	Weaver
Cleary	Esau	Laidig	Patton	Wigley
Culhane	Fjoslien	Larson	Pieper	Wohlwend
DeGroat	Graba	Lindstrom, E.	Schulz	

The bill was repassed, as amended by the Senate, and its title agreed to.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of S. F. No. 1633.

S. F. No. 1633, A bill for an act relating to the Minnesota-Wisconsin boundary compact commission; appointment, compensation and reimbursement for Minnesota legislative advisory committee members; amending Minnesota Statutes 1971, Sections 1.34, Subdivision 1, and 1.36.

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.	Anderson, I.	Berg	Brinkman	Casserly
Adams, S.	Becklin	Berglin	Carlson, A.	Cleary
Andersen, R.	Belisle	Biersdorf	Carlson, B.	Clifford
Anderson, D.	Bell	Boland	Carlson, D.	Connors
Anderson, G.	Bennett	Braun	Carlson, L.	Culhane

Cummiskey	Haugerud	Lindstrom, J.	Parish	Sieben, M.
Dahl	Heinitz	Lombardi	Patton	Skaar
DeGroat	Hook	Long	Pavlak, R.	Smith
Dieterich	Jacobs	Mann	Pavlak, R. L.	Spanish
Dirlam	Jaros	McArthur	Pehler	Stangeland
Eckstein	Johnson, C.	McCarron	Peterson	Stanton
Eken	Johnson, D.	McCauley	Pieper	Swanson
Enebo	Johnson, J.	McEachern	Prahl	Tomlinson
Erdahl	Johnson, R.	McFarlin	Quirin	Ulland
Erickson	Jopp	McMillan	Resner	Vanasek
Esau	Jude	Menke	Rice	Vento
Faricy	Kahn	Miller, D.	Ryan	Voss
Ferderer	Kelly	Miller, M.	St. Onge	Weaver
Fjoslien	Kempe	Moe	Salchert	Wenzel
Forsythe	Klaus	Munger	Samuelson	Wigley
Fudro	Knickerbocker	Myrah	Sarna	Wohlwend
Fugina	Kvam	Nelson	Savelkoul	Wolcott
Graba	Laidig	Newcome	Schreiber	Mr. Speaker
Graw	Larson	Niehaus	Schulz	
Grove	LaVoy	Norton	Searle	
Hagedorn	Lemke	Ohnstad	Sherwood	
Hanson	Lindstrom, E.	Ojala	Sieben, H.	

The bill was passed and its title agreed to.

Pursuant to Rule 72, Pavlak, R., requested immediate consideration of S. F. No. 877.

S. F. No. 877, A bill for an act relating to taxation; tax forfeited lands; purchase by veterans; extending application to Vietnam veterans; amending Minnesota Statutes 1971, Section 282.031.

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 132, and nays 0, as follows:

Those who voted in the affirmative were:

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

Swanson	Vanasek	Weaver	Wohlwend	Mr. Speaker
Tomlinson	Vento	Wenzel	Wolcott	
Ulland	Voss	Wigley		

The bill was passed and its title agreed to.

SPECIAL ORDERS

H. F. No. 2235 was reported to the House.

There being no objection, H. F. No. 2235 was returned to General Orders.

S. F. No. 485, A bill for an act relating to elections; regulating the location of polling places; requiring that they be accessible to physically disabled persons; amending Minnesota Statutes 1971, Section 203.08; and 204.13, Subdivision 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 128, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 582, A bill for an act relating to public welfare; permitting the county attorney to initiate civil action for collection; amending Minnesota Statutes 1971, Section 252.27, by adding a subdivision.

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

The bill was passed and its title agreed to.

S. F. No. 464, A bill for an act relating to controlled substances; defining terms; scheduling substances and establishing rescheduling procedures; rights to prescribe and possess; penalties and forfeitures for illegal possession, sale, manufacture or distribution of prohibited drugs; amending Minnesota Statutes 1971, Sections 152.01, by adding a subdivision; 152.02, Subdivisions 11, 12, and 13; 152.09, Subdivision 2; 152.101, Subdivision 2; 152.11; 152.12, Subdivisions 1 and 4; 152.15, Subdivisions 1, 2, 4, and 5; 152.18, Subdivision 1; 152.19, Subdivisions 1, 3, 5, and 7; and 153.01, Subdivision 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 99, and nays 27, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, L.	Flakne	Johnson, D.	Menke
Adams, S.	Casserly	Forsythe	Johnson, J.	Miller, D.
Andersen, R.	Cleary	Fudro	Jude	Moe
Anderson, G.	Clifford	Fugina	Kahn	Munger
Anderson, I.	Connors	Graba	Kelly	Myrah
Bell	Culhane	Grove	Klaus	Nelson
Berg	Cummiskey	Hagedorn	Knickerbocker	Newcome
Berglin	Dahl	Hanson	Laidig	Norton
Biersdorf	Dieterich	Haugerud	Lemke	Ohnstad
Boland	Eckstein	Heinitz	Lindstrom, E.	Ojala
Brinkman	Eken	Hook	Lindstrom, J.	Parish
Carlson, A.	Enebo	Jacobs	McCarron	Patton
Carlson, B.	Faricy	Jaros	McEachern	Pavlak, R.
Carlson, D.	Ferderer	Johnson, C.	McMillan	Pehler

Peterson	Ryan	Searle	Stangeland	Voss
Pleasant	Salchert	Sherwood	Stanton	Wenzel
Prahl	Samuelson	Sieben, H.	Swanson	Wohlwend
Quirin	Sarna	Sieben, M.	Tomlinson	Wolcott
Resner	Savelkoul	Smith	Ulland	Mr. Speaker
Rice	Schulz	Spanish	Vanasek	

Those who voted in the negative were:

Anderson, D.	Esau	Lombardi	Niehaus	Vento
Belisle	Fjoslien	Long	Pavlak, R. L.	Weaver
DeGroat	Graw	Mann	Pieper	Wigley
Dirlam	Jopp	McArthur	St. Onge	
Erdahl	Kvam	McFarlin	Schreiber	
Erickson	Larson	Miller, M.	Skaar	

The bill was passed and its title agreed to.

S. F. No. 386 was reported to the House.

Anderson, I., moved that S. F. No. 386 be continued on Special Orders for Monday, May 21, 1973, immediately following the reading of the Journal. The motion prevailed.

S. F. No. 2058, A bill for an act relating to Special School District No. 1; restoring employees salary and retirement benefits withheld under law.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill.

Carlson, L., and Vento requested that they be excused from voting. The request was granted.

Graba moved that those not voting be excused from voting. The motion prevailed.

The roll being called, there were yeas 58, and nays 68, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Jude	Norton	Samuelson
Andersen, R.	Dahl	Kahn	Parish	Sarna
Anderson, I.	Dieterich	Kelly	Patton	Sieben, H.
Bell	Enebo	LaVoy	Pavlak, R.	Sieben, M.
Berg	Faricy	Lindstrom, J.	Pehler	Stanton
Berglin	Flakne	McCarron	Prahl	Swanson
Boland	Fudro	McMillan	Quirin	Tomlinson
Brinkman	Fugina	Menke	Resner	Voss
Carlson, A.	Graba	Miller, D.	Rice	Wolcott
Carlson, B.	Jacobs	Moe	Ryan	Mr. Speaker
Cassery	Jaros	Munger	St. Onge	
Connors	Johnson, D.	Nelson	Salchert	

Those who voted in the negative were:

Adams, S.	Biersdorf	DeGroat	Esau	Hagedorn
Anderson, D.	Braun	Dirlam	Ferderer	Haugerud
Anderson, G.	Carlson, D.	Eckstein	Fjoslien	Heinitz
Becklin	Cleary	Eken	Forsythe	Hook
Belisle	Clifford	Erdahl	Graw	Johnson, C.
Bennett	Culhane	Erickson	Growe	Johnson, J.

Johnson, R.	Lindstrom, E.	Myrah	Pleasant	Stangeland
Jopp	Lombardi	Newcome	Savelkoul	Ulland
Kempe	Long	Niehaus	Schreiber	Vanasek
Klaus	Mann	Ohnstad	Schulz	Weaver
Knickerbocker	McArthur	Ojala	Searle	Wigley
Kvam	McCauley	Paviak, R. L.	Sherwood	Wohlwend
Laidig	McFarlin	Peterson	Skaar	
Larson	Miller, M.	Pieper	Smith	

The bill was not passed.

The following Conference Committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 9

May 19, 1973

Honorable Martin O. Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 9, report that we have agreed upon the items in dispute and recommend as follows:

That H. F. No. 9 be amended as follows:

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

"Section 1. [CITATION.] This act may be cited as the Minnesota fair labor standards act.

Sec. 2. [STATEMENT OF POLICY.] It is declared to be the policy of the Minnesota fair labor standards act (1) to establish minimum wage and overtime compensation standards for workers at levels consistent with their health, efficiency, and general well-being; (2) to safeguard existing minimum wage and overtime compensation standards which are adequate to maintain the health, efficiency, and general well-being of workers against the unfair competition of wage and hour standards which do not provide such adequate standards of living; and (3) to sustain purchasing power and increase employment opportunities.

Sec. 3. [DEFINITIONS.] Subdivision 1. Unless the language or context clearly indicates that a different meaning is intended, the following terms, for the purposes of this act, shall have the meanings given to them in this section.

Subd. 2. "Department" means the Minnesota department of labor and industry.

Subd. 3. "Commissioner" means the commissioner of labor and industry of Minnesota or his authorized designee.

Subd. 4. "Wage" means compensation due to an employee by reason of his employment, payable in legal tender of the

United States or check on banks convertible into cash on demand at full face value, subject to such allowances as may be permitted by regulations of the department under section 8.

Subd. 5. "Employ" means to suffer or permit to work.

Subd. 6. "Employer" means any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee.

Subd. 7. "Employee" means any individual employed by an employer but shall not include

(1) any individual employed in agriculture on a farming unit or operation employing less than the equivalent of two full time workers and on any given day employing no more than four employees. For the purpose of this clause, equivalent of a full time worker means 40 weeks of employment in a calendar year;

(2) an individual who has not attained the age of 18 who is employed in agriculture on a farm;

(3) any individual employed as a counselor to work with programs and campers in an organized resident or day camp;

(4) any individual employed in a bona fide executive, administrative, or professional capacity, or a salesman who conducts no more than 20 percent of his sales on the premises of the employer, as such terms are defined and delimited by regulations of the department;

(5) any individual who renders service gratuitously for a nonprofit organization as such terms are defined by regulations of the department;

(6) any individual who serves as an elected official for a political subdivision or who serves on any governmental board, commission, committee or other similar body, or who renders service gratuitously for a political subdivision;

(7) any individual employed by a political subdivision to provide police or fire protection services or who is employed by an entity whose principal purpose is to provide police or fire protection services to a political subdivision;

(8) any individual employed by a political subdivision who is ineligible for membership in the public employees retirement association by reason of the provisions of Minnesota Statutes, Section 353.01, Subdivision 2, Paragraph (2), Clauses (a), (b), (d), and (h);

(9) any driver employed by an employer engaged in the business of operating taxicabs.

(10) any individual engaged in babysitting as a sole practitioner;

(11) any individual employed on a part-time basis in a carnival, circus or fair;

(12) any individual under the age of 18 employed part-time by a municipality as part of a recreational program.

Subd. 8. "Occupation" means any occupation, service, trade, business, industry, or branch or group of industries or employment or class of employment in which employees are gainfully employed.

Subd. 9. "Gratuities" means voluntary monetary contributions received by an employee from a guest, patron, or customer for services rendered.

Sec. 4. [PAYMENT OF MINIMUM WAGES.] Except as may otherwise be provided in this act, or by regulation issued pursuant thereto, every employer shall pay to each of his employees wages at a rate of not less than \$1.80 an hour.

Sec. 5. [OVERTIME.] Subdivision 1. No employer shall employ any of his employees for a workweek longer than 48 hours, unless such employee receives compensation for his employment in excess of 48 hours in a workweek at a rate of not less than one and one-half times the regular rate at which he is employed; provided, however, that an employer if it is the State of Minnesota or a political subdivision may grant time off at the rate of one and one half hours for each hour worked in excess of 48 hours in any week in lieu of monetary compensation; and, provided, however, that no employer shall be deemed to have violated the overtime pay provisions of this section by employing any employees for a workweek in excess of that specified in this section without paying the compensation for overtime employment prescribed herein if such employee is so employed under an agreement meeting the requirement of section 7 (b) (2) of the Fair Labor Standards Act of 1938, as amended.

Subd. 2. No employer engaged in the operation of a health care facility shall be deemed to have violated subdivision 1 if pursuant to an agreement or understanding arrived at between the employer and employee before performance of the work, a work period of 14 consecutive days is accepted in lieu of the work week of 7 consecutive days for the purpose of overtime compensation and if for his employment in excess of 8 hours in any work day and in excess of 80 hours in such 14 day period the employee receives compensation at a rate not less than one and one half times the regular rate at which he is employed.

Subd. 3. The provisions of subdivision 1 shall not apply with respect to any salesman, parts man, or mechanic primarily engaged in selling or servicing automobiles, trailers, trucks, or farm implements and paid on a commission or incentive basis, if employed by a nonmanufacturing establishment primarily engaged in the business of selling such vehicles to ultimate purchasers.

Sec. 6. [DIVISION OF LABOR STANDARDS IS CREATED.] Subdivision 1. A division of labor standards is hereby created in the department of labor and industry under the

supervision and control of the commissioner of labor and industry.

Subd. 2. [POWERS AND DUTIES.] The powers, duties, and functions vested in, or imposed upon, the division of women and children of the department of labor and industry by Minnesota Statutes, Chapter 177, and other applicable laws relating to wages, hours, and working conditions, are transferred, vested in, and imposed upon the division of labor standards. In addition, the division of labor standards shall administer the provisions of this act and chapter 184.

Subd. 3. [EMPLOYEES; TRANSFER FROM DIVISION OF WOMEN AND CHILDREN.] All persons employed by the department of labor and industry in the division of women and children shall be transferred to the division of labor standards without loss to the person of any rights acquired by reason of his employment at the time of transfer.

Sec. 7. [POWERS AND DUTIES OF THE COMMISSIONER.] Subdivision 1. The commissioner or his authorized representative may enter during reasonable office hours or upon request and inspect the place of business or employment of any employer of employees in any occupation in the state, for the purpose of examining and inspecting any or all books, registers, payrolls, and other records of any such employer that in any way relate to or have a bearing upon the question of wages, hours, and other conditions of employment of any such employees; transcribe any or all of such books, registers, payrolls, and other records as he or his authorized representative may deem necessary or appropriate; and question such employees for the purpose of ascertaining whether the provisions of this act and the regulations issued pursuant thereto have been and are being complied with.

Subd. 2. The commissioner or his authorized representative may require from any employer of employees in any occupation in the state full and correct statements in writing, including sworn statements, with respect to wages, hours, name, addresses, and such other information pertaining to his employees and their employment as the commissioner or his authorized representative may deem necessary or appropriate.

Subd. 3. The commissioner or his authorized representative may issue any order requiring an employer to comply with the provisions of this act or with any regulation promulgated under the provisions of section 8. Any order shall be served by the department upon the employer or his authorized representative in person or by certified mail at the employer's place of business. If an employer wishes to contest the order for any reason, he shall file written notice of his objection to the order with the commissioner within 10 days after service of said order upon said employer. Thereafter, a public hearing shall be held in accordance with the provisions of Minnesota Statutes, Sections

15.0418 to 15.0426, and such regulations consistent therewith as the commissioner may make.

Subd. 4. The commissioner may investigate, mediate, and settle wage claims by an employee against an employer if the failure to pay any such wage may violate Minnesota laws or any order or regulation of the department thereunder.

Subd. 5. The commissioner may commence a civil action in any court of competent jurisdiction for the benefit of any employee for appropriate relief with respect to any wage claim which the commissioner deems to be valid, upon a written request being filed with the commissioner by such employee, provided: (1) the failure to pay such wage would constitute a violation of Minnesota laws or any order or regulation of the department thereunder, and (2) the wage claim does not exceed \$300. The employer shall pay all costs and disbursements as may be allowed by the court, and shall further pay an assessment of ten percent of the amount of any awarded wage claim to the treasurer of the state of Minnesota. In any action herein no security for payment of costs shall be required. Nothing herein shall be construed to prevent an employee from prosecuting his own claim for wages.

Subd. 6. Upon the written request of the commissioner, the attorney general of the state of Minnesota shall commence a civil action for appropriate relief against the employer as provided in subdivision 5.

Sec. 8. [POWER TO MAKE REGULATIONS.] Subdivision 1. The commissioner shall make and revise such regulations, including definitions of terms, as he shall deem appropriate to carry out the purposes of this act, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage and overtime rates established by sections 4 and 5.

Subd. 2. The commissioner shall appoint an advisory committee composed of an equal number of not more than three representatives each of employers and employees and of not more than three disinterested persons representing the public, which he shall consult concerning the making and revising of administrative regulations.

Subd. 3. The commissioner shall establish regulations which define and govern this act with respect to, salesmen who conduct no more than 20 percent of their sales on the premises of the employer; allowances as part of the wage rates for board, lodging and other facilities or services furnished by the employer and used by the employees. Regulations issued by the department pursuant to this section shall include, but are not limited to, bonuses; special rates for employees under the age of 18, which rate shall not be more than 90 percent of the minimum wage established in section 4; part-time rates; special pay for special or extra work; procedures in contested cases; other facilities or services furnished by employers and used by employees; and

other special items usual in a particular employer-employee relationship. Regulations required by this subdivision shall be established by November 1, 1973.

Subd. 4. An employee who receives \$20 or more per month in gratuities is a tipped employee. His employer is entitled to a credit in an amount up to 25 percent of the minimum wage which a tipped employee receives. Said credit against the wages due for gratuities received by a tipped employee may not be taken unless a signed statement from each tipped employee states that he did receive during the pay period an amount equal to or greater than the credit applied against the wages due by his employer. Such statements shall be maintained by the employer as a part of his business records.

Subd. 5. In order to prevent curtailment of opportunities for employment, avoid undue hardship, and safeguard the minimum wage rates under sections 4 and 5, the department shall also issue regulations providing for the employment of handicapped workers at wages lower than the wage rates applicable under sections 4 and 5, under permits and for such periods of time as specified therein; and providing for the employment of learners and apprentices at wages lower than the wage rates applicable under sections 4 and 5, under permits and subject to such limitations on number, proportion, length of learning period, occupations, and other conditions as the department may prescribe. The regulations issued by the department shall provide that where a handicapped person is now performing or is being considered for employment where he will perform work which is equal to work performed by a non-handicapped person, such handicapped person shall be paid the same wage as a non-handicapped person with similar experience and skill.

Subd. 6. Regulations shall be adopted by the department only after a public hearing held upon due publication of notice, at which any interested person may be heard and of which a record shall be made. Regulations shall be published by the department and shall take effect upon publication and filing with the secretary of state and the department of administration. Such regulations shall have the force and effect of law upon filing as provided herein.

Sec. 9. [JUDICIAL REVIEW.] Subdivision 1. Any person who may be aggrieved by any administrative regulation issued pursuant to section 8 may obtain a review thereof in the district court for Ramsey county, by filing in such court a written petition for declaratory judgment praying that the regulation be modified or set aside. A copy of such petition shall be served upon the department. The department's findings of fact, if any, shall be conclusive upon the court if supported by substantial evidence. The court shall determine whether the regulation is in accordance with law.

If the court determines that such regulation is not in accordance with law, it shall remand the case to the department with directions to modify or revoke such regulation. If application is

made to the court by any aggrieved party for leave to adduce additional evidence, such party shall show to the satisfaction of the court that such additional evidence is material, and that there were reasonable grounds for the failure to adduce such evidence before the department. If the court finds that such evidence is material and that reasonable grounds exist for the failure of the aggrieved party to adduce such evidence in prior proceedings, the court may remand the case to the department with directions that such additional evidence be taken by the department. The department may modify its findings and conclusions, in whole or in part, by reason of such additional evidence.

Subd. 2. Hearings in the district court on all appeals taken under subdivision 1 shall be privileged and take precedence over all matters, except matters of the same character. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final except that the same shall be subject to review on appeal to the supreme court.

Subd. 3. The commencement of proceedings under subdivision 1 shall not, unless specifically ordered by the court, operate as a stay of an administrative regulation issued pursuant to section 8. The court shall not grant any stay of an administrative regulation unless the person complaining of such regulation shall file in the court an undertaking with a surety or sureties satisfactory to the court for the payment to the employees affected by the regulation, in the event such regulation is affirmed, of the amount by which the compensation such employees are entitled to receive under the regulation exceeds the compensation they actually receive while such stay is in effect.

Sec. 10. [KEEPING RECORDS.] Every employer subject to any provision of this act or of any regulation issued pursuant thereto shall make and keep, for a period of not less than three years in or about the premises wherein any employee is employed, a record of the name, address and occupation of each of his employees, the rate of pay, and the amount paid each pay period to each such employee, the hours worked each day and each workweek by such employee, and such other information as the department shall prescribe by regulation as necessary or appropriate for the enforcement of the provisions of this act or of the regulations issued pursuant thereto.

Sec. 11. [POSTING OF LAW AND REGULATIONS.] Every employer subject to any provision of this act shall keep a summary thereof, approved by the department, and copies of any applicable regulations issued pursuant thereto, or a summary of such regulations, posted in a conspicuous and accessible place in or about the premises wherein any person subject thereto is employed. The department shall furnish copies of such summaries and regulations to employers without charge.

Sec. 12. [PENALTIES.] Subdivision 1. Any employer who hinders or delays the department or its authorized representative in the performance of its duties under this act or refuses to admit the commissioner or his authorized representative to any place of employment as required by section 7, subdivision 1; or

fails to make, keep, and preserve records as required by section 10; or falsifies any such record; or refuses to make any such record accessible, or to furnish a sworn statement of such record or any other information as required by section 7; or fails to post a summary of this act or a copy of any applicable regulation as required by section 11; or pays or agrees to pay wages at a rate less than the rate applicable under or pursuant to this act; or otherwise violates any provision of this act or of any regulation issued pursuant thereto; is guilty of a misdemeanor.

Subd. 2. Any employer who discharges or in any other manner discriminates against any employee because such employee has complained to his employer, to the department, or to an authorized representative of the department that he has not been paid wages in accordance with this act or regulations issued pursuant thereto or because such employee has caused to be instituted or is about to cause to be instituted any proceeding under or related to this act, or because such employee has testified or is about to testify in any proceeding shall, upon conviction therefor, be fined not less than \$500 nor more than \$1000.

Sec. 13. [EMPLOYEES' REMEDIES.] Any employer who pays any employee less than the wages and overtime compensation to which such employee is entitled under this act and regulations issued pursuant thereto shall be liable to such employee for the full amount of such wages and overtime compensation, less any amount actually paid to such employee by the employer, for an additional equal amount as liquidated damages, and for costs and such reasonable attorney's fees as may be allowed by the court. Any agreement between such employee and the employer to work for less than the applicable wage rate shall be no defense to such action. Such action may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves.

Sec. 14. [RELATION TO OTHER LAWS.] Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other law of this state on the effective date of this act which are more favorable to employees than those applicable hereunder shall not be deemed to be amended, rescinded, or otherwise affected by this act but shall continue in full force and effect until they are specifically superseded by standards more favorable to such employees by operation of or in accordance with this act or regulations issued pursuant thereto.

Sec. 15. [RIGHT OF COLLECTIVE BARGAINING.] Nothing in this act shall be deemed to interfere with, impede, or in any way diminish the right of employees to bargain collectively with their employers through representatives of their own choosing in order to establish wages or other conditions of work more favorable to the employees than those required by this act and regulations issued pursuant thereto.

Sec. 16. Minnesota Statutes 1971, Sections 175.38, 175.39, 177.01, 177.02, 177.03, 177.04, 177.05, 177.06, 177.07, 177.075,

177.08, 177.09, 177.10, 177.11, 177.12, 177.121, 177.122, 177.13, 177.14, 177.15, 177.16, 177.17, 177.19, and 177.20, are repealed.

Sec. 17. [EFFECTIVE DATE.] This act shall become effective January 1, 1974."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: RAY W. FARICY, ROBERT J. FERDERER, and JACK H. LAVOY.

Senate Conferees: JOHN MILTON, AL KOWALCZYK, and HOWARD D. OLSON.

Faricy moved that the report of the Conference Committee on H. F. No. 9 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 9, A bill for an act relating to labor; creating a division of labor standards; providing for minimum wage and overtime standards; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 175.38; 175.39; and 177.01 to 177.20.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 102, and nays 25, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Johnson, J.	Munger	Savelkoul
Andersen, R.	Dahl	Jude	Nelson	Schreiber
Anderson, G.	Dieterich	Kahn	Newcome	Schulz
Anderson, I.	Eckstein	Kempe	Norton	Sherwood
Becklin	Enebo	Knickerbocker	Ojala	Sieben, H.
Belisle	Faricy	Laidig	Parish	Sieben, M.
Bell	Ferderer	LaVoy	Patton	Smith
Bennett	Flakne	Lindstrom, E.	Pavlak, R.	Stanton
Berg	Forsythe	Lindstrom, J.	Pavlak, R. L.	Swanson
Berglin	Fudro	Lombardi	Pehler	Tomlinson
Biersdorf	Fugina	Mann	Peterson	Ulland
Boland	Graw	McArthur	Pleasant	Vanasek
Braun	Growe	McCarron	Prahl	Vento
Carlson, A.	Hanson	McCauley	Quirin	Voss
Carlson, B.	Haugerud	McEachern	Resner	Wenzel
Carlson, D.	Heinitz	McFarlin	Rice	Wohlwend
Carlson, L.	Hook	McMillan	Ryan	Wolcott
Cassery	Jacobs	Menke	St. Onge	Mr. Speaker
Cleary	Jaros	Miller, D.	Salchert	
Clifford	Johnson, C.	Miller, M.	Samuelson	
Connors	Johnson, D.	Moe	Sarna	

Those who voted in the negative were:

Anderson, D.	Erickson	Johnson, R.	Long	Searle
Brinkman	Esau	Kelly	Myrah	Skaar
Dirlam	Fjoslien	Klaus	Niehaus	Stangeland
Eken	Graba	Kvam	Ohnstad	Weaver
Erdahl	Hagedorn	Larson	Pieper	Wigley

The bill was repassed, as amended by Conference, and its title agreed to.

Anderson, I., moved that the House recess until 9:30 p.m. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

There being no objection the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2121, A bill for an act relating to taxation; providing for imposition of certain excise and ad valorem taxes; distribution of revenue derived; appropriating money; amending Minnesota Statutes 1971, Chapters 272, by adding a section; 273; 275; and 290, by adding sections; and Sections 93.52, Subdivision 2; 93.55; 93.58; 124.03, Subdivision 3; 124.212, Subdivision 3; 272.04, Subdivision 1; 273.13, Subdivisions 6 and 7, and by adding a subdivision; 273.17, Subdivision 1; 273.41; 275.50, Subdivisions 2, 4 and 5; 275.51, Subdivisions 1, 2, 3 and 4, and by adding a subdivision; 275.52, Subdivisions 2 and 3; 275.53, Subdivisions 1 and 3; 275.55; 287.12; 290.06, Subdivision 1; 290.0601, Subdivisions 6 and 9; 290.0604; 290.061; 290.081; 290.17; 290.19, Subdivision 1, and by adding a subdivision; 290.361, Subdivision 2; 290.982; 290.983, Subdivision 1; 290.99; 291.33, Subdivision 2; 297A.25, Subdivision 1; 297.13, Subdivision 1; 340.60, Subdivision 1; 414.01, by adding a subdivision; 477A.01, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16 and 17; repealing Minnesota Statutes 1971, Sections 93.53; 93.54; 93.56; 93.57; 124.28; 124.281; 124.29; 276.15; 276.16; 276.17; 276.18; 290.0607; 290.0617; 290.361, Subdivision 4; 295.38; 297.13, Subdivisions 2, 3, 4, 5, 6, 7, and 8; 297.15; 297.16; 297A.252; 340.60, Subdivisions 2, 3, 4, 5, 6 and 7; 368.39; 368.40; 368.41; 368.42; 373.20; 373.21; 373.22; 373.23; 373.24; and 477A.01, Subdivisions 12 and 15.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2275, A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, commission on alcohol problems, board of examiners for nursing home administrators, public assistance programs, old age assistance, aid to dependent children, aid to the blind, aid to the disabled, and public relief.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2530, A bill for an act relating to the organization and operation of state government; providing for public buildings of the state of Minnesota; authorizing the alteration, repair, rehabilitation of said buildings, the equipping and the replacement of equipment of certain of said buildings; appropriating money therefor.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2531, A bill for an act relating to public buildings and public lands of the state of Minnesota; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; the acquisition by gift, purchase, or condemnation of certain real property therefor; the equipping and replacement of equipment of certain said buildings; appropriating and reappropriating moneys therefor, including necessary expenses from the Minnesota state building fund; authorizing the issuance of the sale of bonds under the provisions of the constitution, article IX, section 6, to finance said fund appropriating moneys in connection therewith.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I have the honor to 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. 377, A bill for an act relating to the department of human rights; unfair discriminatory practices; amending Minnesota Statutes 1971, Sections 363.01, by adding subdivisions; 363.02, Subdivision 2 and 3 and by adding subdivisions; 363.03; 363.04, Subdivision 8; 363.05, Subdivision 1; 363.06, Subdivisions 2, 4 and 7; 363.071, Subdivision 2; 363.072, Subdivision 1; 363.091; 363.11; 363.115; 363.12, Subdivisions 1 and 2; 363.13; and Chapter 363, by adding sections.

The Senate has appointed as such committee Messrs. Coleman, Stokowski and Sillers,

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. 2444, A bill for an act relating to transportation; providing principal arterial highway funds for the appropriation of money to counties and municipalities of the state for the purposes of constructing and reconstructing the state's principal arterial highways, authorizing the issuance of state bonds for the purposes thereof and appropriating money in connection therewith; establishing the Minnesota state transportation fund for the appropriation of money to subdivisions of the state for public lands, buildings, and capital improvements needed for public transportation, authorizing the issuance of state bonds for the purposes of the transportation fund and appropriating money in connection therewith; amending Minnesota Statutes 1971, Sections 473A.065; and 473A.111, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, I., moved that the House refuse to concur in the Senate amendments to H. F. No. 2444, that the Speaker appoint a Conference Committee of 3 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. 2444:

Anderson, I.; Salchert; and Dirlam.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Pursuant to Rule 14, Mr. Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as special orders for today, Saturday, May 19, 1973, to be acted upon immediately: S. F. Nos. 612, 968, 1654, 1896, 1623, 1047, 1351, 328, 996, 224, 2050, 813, and 1463.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Mr. Anderson, I., for the Committee on Rules and Legislative Administration, offered the following report:

Whereas, those named below were candidates for the office of state representative; and

Whereas, they incurred legal fees in general election contests; now therefore,

Be It Resolved, by the Committee on Rules and Legislative Administration that these candidates be reimbursed from the Legislative Expense Fund of the House of Representatives for such expenses as follows:

Paul Petrafeso	\$5,198.00
Robert McFarlin	6,043.34
David Fjoslien	5,263.42
Kenneth Borg	2,064.74
Raymond Kempe	778.75
Russell Stanton	750.00
W. Casper Fischer	600.00
Robert Holmen	4,750.00
Jerome Belisle	790.00
Melvin Miller	5,835.00

Be It Further Resolved, that the amount of \$2,600.00 be allowed to Attorney Allan Weinblatt and the amount of \$3,235.00 be allowed to Attorney Thomas Borden in the Melvin Miller claim; and

Be It Further Resolved, that the sum of \$720.00 be allowed Eugene Smith, and that the sum of \$720.00 but not to exceed actual expenses be allowed Harry Peterson.

The question was taken on the adoption of the report and the roll being called, there were yeas 111, and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Culhane.

The report was adopted.

SPECIAL ORDERS

S. F. No. 1643, A bill for an act relating to the city of St. Louis Park; authorizing the city council to establish special assessment districts.

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 124, and nays 4, as follows:

Those who voted in the affirmative were:

Adams, J.	Clifford	Graba	Kvam	Myrah
Adams, S.	Connors	Graw	Laidig	Nelson
Andersen, R.	Culhane	Grove	Larson	Newcome
Anderson, D.	Cummiskey	Hagedorn	LaVoy	Niehaus
Anderson, G.	Dahl	Hanson	Lemke	Norton
Anderson, I.	DeGroat	Haugerud	Lindstrom, E.	Ohnstad
Becklin	Dieterich	Heinitz	Lindstrom, J.	Ojala
Belisle	Dirlam	Hook	Lombardi	Parish
Bell	Eckstein	Jacobs	Long	Patton
Bennett	Eken	Jaros	Mann	Pavlak, R. L.
Berg	Enebo	Johnson, C.	McArthur	Peterson
Berglin	Erdahl	Johnson, D.	McCarron	Pieper
Biersdorf	Erickson	Johnson, J.	McCauley	Pleasant
Boland	Esau	Johnson, R.	McEachern	Prahl
Brinkman	Faricy	Jopp	McFarlin	Quirin
Carlson, A.	Ferderer	Jude	Menke	Resner
Carlson, B.	Fjoslien	Kahn	Miller, D.	Rice
Carlson, D.	Forsythe	Kempe	Miller, M.	Ryan
Carlson, L.	Fudro	Klaus	Moe	St. Onge
Casserly	Fugina	Knickerbocker	Munger	Salchert

Samuelson	Searle	Smith	Ulland	Wenzel
Sarna	Sherwood	Stangeland	Vanasek	Wigley
Savelkoul	Sieben, H.	Stanton	Vento	Wohlwend
Schreiber	Sieben, M.	Swanson	Voss	Wolcott
Schulz	Skaar	Tomlinson	Weaver	

Those who voted in the negative were:

Kelly	Pavlak, R.	Pehler	Mr. Speaker
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The bill was passed and its title agreed to.

S. F. No. 612, A bill for an act relating to employment; prohibiting polygraph or other tests purporting to test the honesty of employees or prospective employees; providing a penalty.

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 86, and nays 39, as follows:

Those who voted in the affirmative were:

Adams, J.	Culhane	Jaros	Nelson	Sherwood
Adams, S.	Cummiskey	Johnson, D.	Niehaus	Sieben, H.
Andersen, R.	Dahl	Jude	Norton	Sieben, M.
Anderson, G.	Dieterich	Kahn	Ojala	Spanish
Anderson, I.	Eckstein	Kelly	Parish	Stanton
Belisle	Eken	Kempe	Patton	Swanson
Bell	Enebo	Knickerbocker	Pavlak, R.	Tomlinson
Berg	Faricy	LaVoy	Pehler	Ulland
Berglin	Ferderer	Lemke	Peterson	Vanasek
Biersdorf	Flakne	Lindstrom, J.	Prahl	Vento
Boland	Fudro	Mann	Quirin	Voss
Braun	Fugina	McCarron	Resner	Wenzel
Brinkman	Graba	McEachern	Rice	Wolcott
Carlson, A.	Graw	Menke	Ryan	Mr. Speaker
Carlson, B.	Growe	Miller, D.	St. Onge	
Carlson, L.	Hanson	Miller, M.	Salchert	
Casserly	Haugerud	Moe	Samuelson	
Connors	Jacobs	Munger	Sarna	

Those who voted in the negative were:

Anderson, D.	Esau	Jopp	McArthur	Savelkoul
Becklin	Fjoslien	Klaus	McFarlin	Searle
Bennett	Forsythe	Kvam	Myrah	Skaar
Carlson, D.	Hagedorn	Laidig	Newcome	Stangeland
Clifford	Heinitz	Larson	Ohnstad	Weaver
DeGroat	Hook	Lindstrom, E.	Pavlak, R. L.	Wigley
Erdahl	Johnson, J.	Lombardi	Pieper	Wohlwend
Erickson	Johnson, R.	Long	Pleasant	

The bill was passed and its title agreed to.

S. F. No. 968 was reported to the House.

Ulland moved to amend S. F. No. 968, the printed bill, as follows:

Line 19, after "is" and before the words "or more" strike the figure "\$100" and insert in lieu thereof the figure "\$1,000".

Line 23, after the word "than" and before the word "to" delete the figure "\$100," and insert in lieu thereof the figure "\$1,000,".

A roll call was requested and properly seconded.

Salchert moved to amend the Ulland amendment as follows:

Where the figure "\$1,000" appears insert in lieu thereof "\$250".

The motion did not prevail and the amendment was not adopted.

The question was taken on the adoption of the Ulland amendment and the roll being called, there were yeas 18, and nays 107, as follows:

Those who voted in the affirmative were:

Berglin	Fugina	Johnson, D.	Ojala	Ulland
Casserly	Graw	Kahn	Rice	Vanasek
Ferderer	Growe	Moe	Salchert	
Forsythe	Jaros	Norton	Sherwood	

Those who voted in the negative were:

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

The motion did not prevail and the amendment was not adopted.

There being no objection S. F. No. 968 was continued until later today.

MOTION FOR RECONSIDERATION

Ojala moved that the vote whereby S. F. No. 2058 was not passed on Special Orders today be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Ojala motion and the roll being called, there were yeas 68, and nays 56, as follows:

Those who voted in the affirmative were:

Adams, J.	Enebo	Kelly	Norton	Sarna
Anderson, I.	Faricy	LaVoy	Ojala	Sieben, H.
Bell	Flakne	Lemke	Parish	Sieben, M.
Berg	Fudro	Lindstrom, J.	Patton	Spanish
Berglin	Fugina	Mann	Pavlak, R.	Stanton
Boland	Graba	McCarron	Pehler	Swanson
Brinkman	Growe	McEachern	Prahl	Tomlinson
Carlson, A.	Hanson	McMillan	Quirin	Vanasek
Carlson, B.	Jacobs	Menke	Resner	Voss
Casserly	Jaros	Miller, D.	Rice	Wenzel
Cummiskey	Johnson, C.	Miller, M.	Ryan	Wolcott
Dahl	Johnson, D.	Moe	St. Onge	Mr. Speaker
Dieterich	Jude	Munger	Salchert	
Eken	Kahn	Nelson	Samuelson	

Those who voted in the negative were:

Adams, S.	Dirlam	Johnson, J.	McArthur	Sherwood
Andersen, R.	Eckstein	Johnson, R.	McCauley	Skaar
Anderson, D.	Erdahl	Jopp	McFarlin	Smith
Becklin	Erickson	Kempe	Myrah	Stangeland
Belisle	Esau	Klaus	Newcome	Ulland
Bennett	Ferderer	Knickerbocker	Niehaus	Weaver
Biersdorf	Fjoslien	Kvam	Ohnstad	Wigley
Braun	Forsythe	Laidig	Pavlak, R. L.	Wohlwend
Carlson, D.	Graw	Larson	Pieper	
Cleary	Hagedorn	Lindstrom, E.	Savelkoul	
Clifford	Heinitz	Lombardi	Schreiber	
DeGroat	Hook	Long	Searle	

The motion to reconsider was adopted.

S. F. No. 2058 was reported to the House.

Johnson, J., moved to amend S. F. No. 2058, the printed bill, as follows:

Page 2, line 7, at the beginning of the line and before the words "of the city", delete "majority of the school board" and insert in lieu thereof "referendum of the people".

A roll was requested and properly seconded.

The question was taken on the adoption of the Johnson, J., amendment and the roll being called, there were yeas 60, and nays 63, as follows:

Those who voted in the affirmative were:

Adams, S.	Connors	Hagedorn	Lindstrom, E.	Savelkoul
Andersen, R.	DeGroat	Heinitz	Lombardi	Schreiber
Anderson, D.	Dirlam	Hook	Long	Searle
Becklin	Eckstein	Johnson, J.	McArthur	Sherwood
Belisle	Erdahl	Johnson, R.	McFarlin	Skaar
Bell	Erickson	Jopp	Myrah	Smith
Bennett	Esau	Kempe	Newcome	Stangeland
Biersdorf	Ferderer	Klaus	Niehaus	Ulland
Carlson, A.	Fjoslien	Knickerbocker	Ohnstad	Weaver
Carlson, D.	Flakne	Kvam	Pavlak, R. L.	Wigley
Cleary	Forsythe	Laidig	Pieper	Wohlwend
Clifford	Graw	Larson	Pleasant	Wolcott

Those who voted in the negative were:

Adams, J.	Faricy	LaVoy	Norton	Salchert
Anderson, I.	Fudro	Lemke	Ojala	Samuelson
Berg	Fugina	Lindstrom, J.	Parish	Sarna
Berglin	Graba	Mann	Patton	Sieben, H.
Boland	Growe	McCarron	Pavлак, R.	Sieben, M.
Brinkman	Haugerud	McEachern	Pehler	Swanson
Carlson, B.	Jacobs	McMillan	Peterson	Tomlinson
Casserly	Jaros	Menke	Prahl	Vanasek
Cummiskey	Johnson, C.	Miller, D.	Quirin	Voss
Dahl	Johnson, D.	Miller, M.	Resner	Wenzel
Dieterich	Jude	Moe	Rice	Mr. Speaker
Eken	Kahn	Munger	Ryan	
Enebo	Kelly	Nelson	St. Onge	

The motion did not prevail and the amendment was not adopted.

S. F. No. 2058, A bill for an act relating to Special School District No. 1; restoring employees salary and retirement benefits withheld under law.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill.

Graba moved that those not voting be excused from voting. The motion prevailed.

The roll being called, there were yeas 62, and nays 51, as follows:

Those who voted in the affirmative were:

Adams, J.	Eken	Kahn	Ojala	Sarna
Anderson, I.	Enebo	Kelly	Parish	Sieben, H.
Berg	Faricy	LaVoy	Patton	Sieben, M.
Berglin	Flakne	Lemke	Pavлак, R.	Spanish
Boland	Fudro	Lindstrom, J.	Pehler	Stanton
Brinkman	Fugina	McCarron	Prahl	Swanson
Carlson, A.	Graba	McMillan	Quirin	Tomlinson
Carlson, B.	Growe	Menke	Resner	Voss
Casserly	Hanson	Miller, D.	Rice	Wolcott
Connors	Jacobs	Moe	Ryan	Mr. Speaker
Cummiskey	Jaros	Munger	St. Onge	
Dahl	Johnson, D.	Nelson	Salchert	
Dieterich	Jude	Norton	Samuelson	

Those who voted in the negative were:

Andersen, R.	DeGroat	Johnson, C.	Mann	Sherwood
Anderson, D.	Dirlam	Johnson, J.	McFarlin	Skaar
Anderson, G.	Eckstein	Johnson, R.	Miller, M.	Smith
Belisle	Erdahl	Jopp	Newcome	Stangeland
Bell	Erickson	Kempe	Niehaus	Vanasek
Bennett	Esau	Klaus	Pavлак, R. L.	Wenzel
Biersdorf	Fjoslien	Knickerbocker	Pieper	Wigley
Braun	Forsythe	Laidig	Savellkoul	
Cleary	Haugerud	Larson	Schreiber	
Clifford	Heinitz	Lindstrom, E.	Schulz	
Culhane	Hook	Long	Searle	

The bill was not passed.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 377

May 19, 1973

Honorable Martin O. Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and Senate, upon the disagreeing votes as to H. F. No. 377, report that we have agreed upon the items in dispute and recommend as follows:

That H. F. No. 377 be amended as follows:

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

"Section 1. Minnesota Statutes 1971, Section 363.01, is amended by adding subdivisions to read:

Subd. 24. [LOCAL COMMISSION.] "Local commission" means an agency of a city, village, or borough created pursuant to law, city charter, or municipal ordinance for the purpose of dealing with discrimination on the basis of race, color, creed, religion, national origin, sex, age, disability, marital status or status with regard to public assistance.

Subd. 25. [DISABILITY.] "Disability" means a mental or physical condition which constitutes a handicap.

Subd. 26. [DEPARTMENT.] "Department" means the department of human rights.

Subd. 27. [STATUS WITH REGARD TO PUBLIC ASSISTANCE.] "Status with regard to public assistance" means the condition of being a recipient of federal, state or local assistance, including medical assistance, or of being a tenant receiving federal, state or local subsidies, including rental assistance or rent supplements.

Sec. 2. Minnesota Statutes 1971, Section 363.02, is amended to read:

363.02 [EXEMPTIONS.] Subdivision 1. [EMPLOYMENT.] The provisions of section 363.03, subdivision 1, shall not apply to:

- (1) The employment of any individual
- (a) by his parent, grandparent, spouse, child, or grandchild,
or
- (b) in the domestic service of any person.

(2) A religious or fraternal corporation, association, or society, with respect to qualifications based on religion, when religion shall be a bona fide occupational qualification for employment.

(3) The employment of one person in place of another, standing by itself, shall not be evidence of an unfair discriminatory practice.

It is not an unfair employment practice for an employer, employment agency or labor organization:

(i) *to require a person to undergo physical examination for purpose of determining the person's capability to perform available employment; or*

(ii) *to conduct an investigation as to the person's medical history for the purpose of determining the person's capability to perform available employment.*

Subd. 2. [HOUSING.] The provisions of section 363.03, subdivision 2, shall not apply to (:

(a) (THE RENTAL OF A PORTION OF A DWELLING CONTAINING ACCOMMODATIONS FOR TWO FAMILIES, ONE OF WHICH IS OCCUPIED BY THE OWNER,) *rooms in a temporary or permanent resident home run by a non-profit organization, if the discrimination is by sex or (b) the rental by an owner or occupier of a one-family accommodation in which he resides of a room or rooms in such accommodation to another person or persons if the discrimination is by sex, marital status, status with regard to public assistance or disability. Nothing in this chapter shall be construed to require any person or group of persons selling, renting or leasing property to modify the property in any way, or exercise a higher degree of care for a person having a disability than for a person who does not have a disability; nor shall this chapter be construed to relieve any person or persons of any obligations generally imposed on all persons regardless of any disability in a written lease, rental agreement, or contract of purchase or sale, or to forbid distinctions based on the inability to fulfill the terms and conditions, including financial obligations of such lease, agreement or contract.*

Subd. 3. [EDUCATION.] It is not an unfair discriminatory practice for a religious or denominational institution to limit admission or give preference to applicants of the same religion. *The provisions of section 363.03, subdivision 5, relating to sex, shall not apply to a private educational institution, or branch or level of a private educational institution, in which students of only one sex are permitted to enroll. Nothing in this chapter shall be construed to require any educational institution to provide any special service to any person because of the disability of such person or to modify in any manner its buildings, grounds, facilities, or admission procedures because of the disability of any such person. Nothing in this chapter shall prohibit an educational institution from discriminating on the basis of academic qual-*

ifications or achievements or requiring from applicant's information which relates to academic qualifications or achievements.

Subd. 4. [PUBLIC ACCOMMODATIONS.] *The provisions of section 363.03, subdivision 3, relating to sex, shall not apply to such facilities as restrooms, lockerrooms, and other similar places.*

Subd. 5. [DISABILITY.] *Nothing in this chapter shall be construed to prohibit any program, service, facility or privilege afforded to a person with a disability which is intended to habilitate, rehabilitate, or accommodate that person. It is a defense to a complaint or action brought under this chapter that the person bringing the complaint or action suffers from a mental disability which poses a serious threat to the safety of others. The burden of proving this defense is upon the respondent.*

Sec. 3. Minnesota Statutes 1971, Section 363.03, is amended to read:

363.03 [UNFAIR DISCRIMINATORY PRACTICES.] Subdivision 1. [EMPLOYMENT.] *Except when based on a bona fide occupational qualification, it is an unfair employment practice:*

(1) *For a labor organization, because of race, color, creed, religion, national origin, (OR) sex, marital status, status with regard to public assistance or disability,*

(a) *to deny full and equal membership rights to (AN APPLICANT FOR) a person seeking membership or to a member;*

(b) *to expel a member from membership;*

(c) *to discriminate against (AN APPLICANT FOR) a person seeking membership or a member with respect to his hire, apprenticeship, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment; or*

(d) *to fail to classify properly, or refer for employment or otherwise to discriminate against a (MEMBER;) person or member.*

(2) *For an employer, because of race, color, creed, religion, national origin, (OR) sex, marital status, status with regard to public assistance or disability,*

(a) *to refuse to hire or to maintain a system of employment which unreasonably excludes (AN APPLICANT FOR EMPLOYMENT; OR) a person seeking employment; or*

(b) *to discharge an employee; or*

(c) *to discriminate against (AN EMPLOYEE) a person with respect to his hire, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment;*

(3) *For an employment agency, because of race, color, creed, religion, national origin, (OR) sex, marital status, status with regard to public assistance or disability,*

(a) to refuse or fail to accept, register, classify properly, or refer for employment or otherwise to discriminate against (AN INDIVIDUAL; OR) *a person; or*

(b) to comply with a request from an employer for referral of applicants for employment if the request indicates directly or indirectly that the employer fails to comply with the provisions of this chapter;

(4) For an employer, employment agency, or labor organization, before (AN INDIVIDUAL) *a person* is employed by an employer or admitted to membership in a labor organization, to

(a) require the (APPLICANT) *person* to furnish information that pertains to (THE APPLICANT'S) race, color, creed, religion, (OR) national origin, *sex, marital status, status with regard to public assistance or disability*, unless, for the purpose of national security, information pertaining to (THE) national origin (OF THE APPLICANT) is required by the United States, this state or a political subdivision or agency of the United States or this state, or for the purpose of compliance with the public contracts act or any rule, regulation or laws of the United States or of this state requiring information pertaining to (THE) race, color, creed, religion, (OR) national origin, (OF THE APPLICANT) *sex, marital status, status with regard to public assistance or disability* is required by the United States or a political subdivision or agency of the United States; or

(b) cause to be printed or published a notice or advertisement that relates to employment or membership and discloses a preference, limitation, specification, or discrimination based on race, color, creed, religion, national origin, (OR) *sex, marital status, status with regard to public assistance or disability*.

Subd. 2. [REAL PROPERTY.] It is an unfair discriminatory practice:

(1) For an owner, lessee, sublessee, assignee, or managing agent of, or other person having the right to sell, rent or lease any real property, or any agent of any of these

(a) to refuse to sell, rent, or lease or otherwise deny to or withhold from any person or group of persons any real property because of (THE) race, color, creed, religion, (OR) national origin, (OF SUCH PERSON OR GROUP OF PERSONS) *sex, marital status, status with regard to public assistance or disability*;

(b) to discriminate against any person or group of persons because of (THE) race, color, creed, religion, (OR) national origin, (OF SUCH PERSON OR GROUP OF PERSONS) *sex, marital status, status with regard to public assistance or disability* in the terms, conditions or privileges of the sale, rental or lease of any real property or in the furnishing of facilities or services in connection therewith; or

(c) in any transaction involving real property, to print, circulate or post or cause to be printed, circulated, or posted any

advertisement or sign, or use any form of application for the purchase, rental or lease of real property, or make any record of inquiry in connection with the prospective purchase, rental, or lease of real property which expresses, directly or indirectly, any limitation, specification, or discrimination as to race, color, creed, religion, (OR) national origin, *sex, marital status, status with regard to public assistance or disability*, or any intent to make any such limitation, specification, or discrimination.

(2) For a real estate broker, real estate salesman, or employee, or agent thereof

(a) to refuse to sell, rent, or lease or to offer for sale, rental, or lease any real property to any person or group of persons or to negotiate for the sale, rental, or lease of any real property to any person or group of persons because of (THE) race, color, creed, religion, (OR) national origin, (OF SUCH PERSON OR GROUP OF PERSONS) *sex, marital status, status with regard to public assistance or disability*, or represent that real property is not available for inspection, sale, rental, or lease when in fact it is so available, or otherwise deny or withhold any real property or any facilities of real property to or from any person or group of persons because of (THE) race, color, creed, religion, (OR) national origin, (OF SUCH PERSON OR GROUP OF PERSONS) *sex, marital status, status with regard to public assistance or disability*;

(b) to discriminate against any person because of his race, color, creed, religion, (OR) national origin, *sex, marital status, status with regard to public assistance or disability* in the terms, conditions or privileges of the sale, rental or lease of real property or in the furnishing of facilities or services in connection therewith; or

(c) to print, circulate, or post or cause to be printed, circulated, or posted any advertisement or sign, or use any form of application for the purchase, rental, or lease of any real property or make any record or inquiry in connection with the prospective purchase, rental or lease of any real property, which expresses directly or indirectly, any limitation, specification or discrimination as to race, color, creed, religion, (OR) national origin, *sex, marital status, status with regard to public assistance or disability* or any intent to make any such limitation, specification or discrimination;

(3) For a person, bank, banking organization, mortgage company, insurance company, or other financial institution or lender to whom application is made for financial assistance for the purchase, lease, acquisition, construction, rehabilitation, repair or maintenance of any real property or any agent or employee thereof

(a) to discriminate against any person or group of persons because of (THE) race, color, creed, religion, (OR) national origin, *sex, marital status, status with regard to public assistance or disability* of such person or group of persons or of the pros-

pective occupants or tenants of such real property in the granting, withholding, extending, modifying or renewing, or in the rates, terms, conditions, or privileges of any such financial assistance or in the extension of services in connection therewith;

(b) to use any form of application for such financial assistance or make any record or inquiry in connection with applications for such financial assistance which expresses, directly or indirectly, any limitation, specification, or discrimination as to race, color, creed, religion, (OR) national origin, *sex, marital status, status with regard to public assistance or disability* or any intent to make any such limitation, specification, or discrimination.

(4) For any real estate broker or real estate salesman, for the purpose of inducing a real property transaction from which such person, *his firm*, or any of its members may benefit financially, to represent that a change has occurred or will or may occur in the composition with respect to race, creed, color, (OR) national origin, *sex, marital status, status with regard to public assistance or disability* of the owners or occupants in the block, neighborhood, or area in which the real property is located, and to represent, directly or indirectly, that this change will or may result in undesirable consequences in the block, neighborhood, or area in which the real property is located, including but not limited to the lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools or other public facilities.

Subd. 3. [PUBLIC ACCOMMODATIONS.] It is an unfair discriminatory practice:

To deny (AN INDIVIDUAL OR GROUP OF INDIVIDUALS) *any person* the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation because of race, color, creed, religion, (OR) national origin or *sex*. *It is an unfair discriminatory practice for a taxicab company to discriminate in the access to, full utilization of or benefit from service because of a person's disability.*

Subd. 4. [PUBLIC SERVICES.] It is an unfair discriminatory practice:

To discriminate against any person in the access to, admission to, full utilization of or benefit from any public service because of race, color, creed, religion, (OR) national origin, *sex or status with regard to public assistance.*

Subd. 5. [EDUCATIONAL INSTITUTION.] It is an unfair discriminatory practice:

(1) To discriminate in any manner in the full utilization of or benefit from any educational institution, or the services rendered thereby to any (INDIVIDUAL) *person* because of race, color, creed, religion, (OR) national origin, *sex marital status, status with regard to public assistance or disability.*

(2) To exclude, expel, (LIMIT,) or otherwise discriminate against (AN INDIVIDUAL) *a person seeking admission as a student, or (AN INDIVIDUAL) a person enrolled as a student because of race, color, creed, religion, (OR) national origin, sex, marital status, status with regard to public assistance or disability.*

(3) To make or use a written or oral inquiry, or form of application for admission that elicits or attempts to elicit information, or to make or keep a record, concerning the race, color, creed, religion, (OR) national origin, *sex, marital status or disability* of (AN APPLICANT FOR) *a person seeking admission, except as permitted by regulations of the department.*

Subd. 6. [AIDING AND ABETTING AND OBSTRUCTION.] It is an unfair discriminatory practice for any person (, EMPLOYER, LABOR ORGANIZATION, OR EMPLOYMENT AGENCY):

((1) TO INTENTIONALLY ENGAGE IN ANY ECONOMIC OR OTHER REPRISAL AGAINST ANY PERSON BECAUSE THAT PERSON HAS OPPOSED ANY PRACTICE FORBIDDEN UNDER THIS CHAPTER OR HAS FILED A CHARGE, TESTIFIED, ASSISTED, OR PARTICIPATED IN ANY MANNER IN ANY INVESTIGATION, PROCEEDING, OR HEARING UNDER THIS CHAPTER;)

((2)) (1) Intentionally to aid, abet, incite, compel, or coerce a person to engage in any of the practices forbidden by this chapter;

((3)) (2) Intentionally to attempt to aid, abet, incite, compel, or coerce a person to engage in any of the practices forbidden by this chapter;

((4)) (3) To intentionally obstruct or prevent any person from complying with the provisions of this chapter, or any order issued thereunder, or to resist, prevent, impede, or interfere with the commissioner or any of his employees or representatives in the performance of duty under this chapter (;).

((5) TO INTENTIONALLY ENGAGE IN ANY ECONOMIC REPRISAL AGAINST ANY PERSON BECAUSE THAT PERSON HAS ASSOCIATED WITH A PERSON OR GROUP OF PERSONS OF A DIFFERENT RACE, COLOR, CREED, RELIGION OR NATIONAL ORIGIN.)

Subd. 7. [REPRISALS.] *It is an unfair discriminatory practice for any employer, labor organization, employment agency, lessor, public accommodation, public service or educational institution to intentionally engage in any reprisal against any person because that person:*

(1) *Opposed a practice forbidden under this chapter or has filed a charge, testified, assisted, or participated in any matter in an investigation, proceeding or hearing under this chapter; or*

(2) *Associated with a person or group of persons of a different race, color, creed, religion or national origin.*

Sec. 4. Minnesota Statutes 1971, Section 363.04, Subdivision 8, is amended to read:

Subd. 8. [ADVISORY COMMITTEE, MEMBERSHIP, TERMS.] There is hereby established within the department an advisory committee on women's affairs to advise and assist the commissioner. The committee shall consist of (15) *24* persons to be appointed by the commissioner. (SEVEN) *Eight* shall be appointed for terms expiring (MARCH 1, 1968) *the first Monday in January, 1974*, and every (TWO) *three* years thereafter, and eight shall be appointed for terms expiring (MARCH 1, 1969) *the first Monday in January, 1975*, and every (TWO) *three* years thereafter, and *eight* shall be appointed for terms expiring *the first Monday in January, 1976*, and every *three* years thereafter. *The terms of all persons appointed to the committee prior to the effective date of this act shall remain in effect until their terms expire.* Vacancies in unexpired terms shall be filled by appointment by the commissioner. *Members may be removed by the commissioner for inefficiency, neglect of duty or malfeasance.* In addition to the (15) *24* members of the committee the following shall serve as ex officio, non-voting members of the committee: a member of the state senate to be appointed in January of each odd numbered year by the committee on committees of that body; a member of the house of representatives to be appointed in January of each odd numbered year by the speaker of that body; the commissioner of education, or his designee; the commissioner of public welfare, or his designee; and the executive secretary of the state board of health, or his designee. The committee shall elect, in January of each year, a chairman and such other officers as it may deem necessary. It shall meet at least twice in each year. Additional meetings may be called by the chairman, by the commissioner, or by a majority of the voting members. The chairman shall be an ex officio member of the state board of human rights. Each member of the committee shall be reimbursed for necessary expenses incurred in the performance of his duties in the same amount and in the same manner as provided by law for state officers and employees. *On the first Monday in January, 1974, and at all times thereafter, at least one appointee from each of the congressional districts of the state shall sit on the advisory committee on women's affairs.*

Sec. 5. Minnesota Statutes 1971, Section 363.05, Subdivision 1, is amended to read:

363.05 [DUTIES OF COMMISSIONER.] Subdivision 1. [FORMULATION OF POLICIES.] The commissioner shall formulate policies to effectuate the purposes of this chapter and shall:

(1) Exercise leadership under the direction of the governor in the development of human rights policies and programs, and

make recommendations to the governor and the legislature for their consideration and implementation;

(2) cooperate and consult with the commissioners of education, labor and industry, public welfare, economic development, and natural resources, and with the secretary of the state board of health in developing plans and programs to most effectively serve the needs of Indians and to assist women in the areas designated in section 363.04, subdivision 7;

(3) establish and maintain a principal office in St. Paul, and any other necessary branch offices at any location within the state;

(4) meet and function at any place within the state;

(5) employ such hearing examiners, attorneys, clerks and other employees and agents as he may deem necessary and prescribe their duties;

(6) to the extent permitted by federal law and regulation, utilize the records of the department of manpower services of the state when necessary to effectuate the purposes of this chapter;

(7) obtain upon request and utilize the service of all state governmental departments and agencies;

(8) adopt suitable rules and regulations for effectuating the purposes of this chapter;

(9) issue complaints, receive and investigate charges alleging unfair discriminatory practices, and determine whether or not probable cause exists for hearing;

(10) subpoena witnesses, administer oaths, take testimony, and require the production for examination of any books or papers relative to any matter under investigation or in question; authorize hearing examiners to exercise the authority conferred by this clause;

(11) attempt, by means of education, conference, conciliation, and persuasion to eliminate unfair discriminatory practices as being contrary to the public policy of the state;

(12) conduct research and study discriminatory practices;

(13) publish and distribute the results of research and study when in the judgment of the commissioner the purposes of chapter 363, will be served thereby;

(14) develop and conduct programs of formal and informal education designed to eliminate discrimination and intergroup conflict by use of educational techniques and programs he deems necessary;

(15) make a written report of the activities of the commissioner to the governor each year and to the legislature at each session;

(16) accept gifts, bequests, grants or other payments public and private to help finance the activities of the department;

(17) create such local and statewide advisory committees as will in his judgment aid in effectuating the purposes of the department of human rights;

(18) appoint a hearing examiner to preside at a public hearing on any complaint;

(19) develop such programs as will aid in determining the compliance throughout the state with the provisions of chapter 363, and in the furtherance of such duties, conduct research and study discriminatory practices based upon race, color, creed, religion, national origin, *sex, disability, marital status or status with regard to public assistance*, or other factors and develop accurate data on the nature and extent of discrimination and other matters as they may affect housing, employment, public accommodations, schools, and other areas of public life;

(20) develop and disseminate technical assistance to persons subject to the provisions of chapter 363, and to agencies and officers of governmental and private agencies;

(21) provide staff services to such advisory committees as may be created in aid of the functions of the department of human rights;

(22) make grants in aid to the extent that appropriations are made available for such purpose in aid of carrying out his duties and responsibilities, but no grant in aid shall be made without first obtaining the advice and consent of the board;

(23) develop educational programs, community organization programs, leadership development programs, motivational programs, and business development programs for the benefit of those persons theretofore and hereafter subject to prejudice and discrimination; and

(24) provide information for and direction to a program designed to assist Indian citizens to assume all the rights, privileges, and duties of citizenship; and to coordinate and cooperate with local, state and national and private agencies providing services to the Indian people.

Sec. 6. Minnesota Statutes 1971, Section 363.06, Subdivision 2, is amended to read:

Subd. 2. [CHARGE, ISSUANCE BY COMMISSIONER.] Whenever the commissioner has reason to believe that a person is engaging in an unfair discriminatory practice, the commissioner may issue a (COMPLAINT) *charge stating in statutory language an alleged violation of a particular section of Minnesota Statutes, Section 366.03.*

Sec. 7. Minnesota Statutes 1971, Section 363.06, Subdivision 4, is amended to read:

Subd. 4. [INQUIRY INTO CHARGE.] When a charge has been filed, the commissioner shall promptly inquire into the truth

of the allegations of the charge and shall make a determination as to whether or not there is probable cause to credit the allegation of unfair discriminatory practices, and

(1) If the commissioner shall determine after investigation that no probable cause exists to credit the allegations of the unfair discriminatory practice, the commissioner shall, within ten days of such determination serve upon the charging party and respondent written notice of such determination. This shall be a final decision of the department unless an appeal is taken as hereinafter provided in subdivision 7.

(2) If the commissioner shall determine after investigation that probable cause exists to credit the allegations of unfair discriminatory practices, the commissioner shall issue a complaint and serve on the respondent, by registered or certified mail, a written notice of hearing together with a copy of the complaint, requiring the respondent to answer the allegations of the complaint at a hearing before a hearing examiner *or panel* at a time and place specified in the notice, not less than ten days after service of said complaint. A copy of the notice shall be furnished to the charging party, the attorney general, and (MEMBERS) *the chairman* of the board.

(3) At any time after the commissioner has determined that there is probable cause to believe that a respondent has engaged in an unfair discriminatory practice the commissioner may file a petition in the district court in a county in which the subject of the complaint occurs, or in a county in which a respondent resides or transacts business, seeking appropriate temporary relief against the respondent, pending final determination of proceedings under this chapter, including an order or decree restraining him from doing or procuring any act tending to render ineffectual any order the commissioner may enter with respect to the complaint. The court shall have power to grant such temporary relief or restraining order as it deems just and proper, but no such relief or order extending beyond ten days shall be granted except by consent of the respondent or after hearing upon notice to the respondent and a finding by the court that there is reasonable cause to believe that the respondent has engaged in a discriminatory practice. The Minnesota rules of civil procedure shall apply to such application, and the district court shall have authority to grant or deny such relief sought on such conditions as it deems just and equitable. All hearings under this section shall be given precedence as nearly as practicable over all other pending civil actions.

(4) If any lessor, after he has engaged in a discriminatory practice defined in section 363.03, subdivision 2, clause (1), (a), shall lease or rent such dwelling unit to a person who has no knowledge of such practice or of the existence of any charge with respect thereto, such lessor shall be liable for actual damages sustained by such person by reason of any final order hereunder requiring such person to be evicted from such dwelling unit.

Sec. 8. Minnesota Statutes 1971, Section 363.06, Subdivision 7, is amended to read:

Subd. 7. [REVIEW PANEL APPEAL.] The chairman of the state board of human rights shall select three members of said state board, *at least one of whom shall be a lawyer*, to serve on a review (BOARD) panel. *The chairman shall designate one of the three members selected as the presiding member of the panel.* Within 15 days after service of (WRITTEN NOTICE OF) *an order dismissing a charge following a determination of no probable cause a charging party aggrieved by the commissioner's determination may appeal to the review (BOARD) panel by serving a written notice of appeal upon the commissioner and the respondent. The hearing on the appeal shall be held no later than 30 days after perfection of the appeal at a time and place specified by the review (BOARD) panel. The charging party, the commissioner, and the respondent shall receive at least five days' written notice of the time and place of the hearing. The charging party and the commissioner shall be present at the hearing. The respondent may also attend the hearing. The charging party may be represented by counsel. An informal hearing shall be held at which time the commissioner shall make all the information relevant to the case and in his possession available to the review (BOARD) panel. The charging party and the respondent may introduce any evidence relevant to the charge. The members of the review (BOARD) panel shall hear testimony, may examine any party or witness and shall review all the evidence, and issue a decision in writing with a statement of reasons therefor. The (DECISION OF THE) review (BOARD) panel (SHALL BE FINAL UNLESS IT FINDS THAT PROBABLE CAUSE EXISTS IN WHICH INSTANCE IT SHALL) may decide to either sustain the determination of no probable cause or remand the case to the commissioner for further (PROCEEDINGS) investigation and a determination as to whether there is probable cause to believe that the respondent has engaged in an unfair discriminatory practice. A decision to remand the case shall be submitted to the commissioner within 30 days after the date of the hearing.*

Sec. 9. Minnesota Statutes 1971, Section 363.071, Subdivision 2, is amended to read:

Subd. 2. [DETERMINATION OF DISCRIMINATORY PRACTICE.] If the panel or examiner finds that the respondent has engaged in an unfair discriminatory practice, the panel or examiner shall make findings of fact and conclusions of law, and shall issue (A PRELIMINARY) *an order directing the respondent to cease and desist from the unfair discriminatory practice found to exist and to take such affirmative action as in the judgment of the panel or examiner will effectuate the purposes of this chapter. Such order shall be a final decision of the department. In all cases the panel or examiner may order the respondent to pay (THE CHARGING) an aggrieved party, who has suffered discrimination, compensatory damages, except damages for mental anguish or suffering, and, in all cases, may also*

order the respondent to pay (THE CHARGING) *an aggrieved party, who has suffered discrimination*, punitive damages in an amount not less than \$25 nor more than (\$100) \$500. In addition to the aforesaid remedies, in a case involving discrimination in

(a) employment, the panel or examiner may order the hiring, reinstatement or upgrading of an (EMPLOYEE) *aggrieved party, who has suffered discrimination*, with or without back pay, admission or restoration to membership in a labor organization, or his admission to or participation in an apprenticeship training program, on-the-job-training program, or other retraining program, or any other relief the panel or examiner deems just and equitable.

(b) housing, the panel or examiner may order the sale, lease, or rental of the housing accommodation or other real property to (THE CHARGING) *an aggrieved party, who has suffered discrimination*, or the sale, lease or rental of a like accommodation or other real property owned by or under the control of the person against whom the complaint was filed, according to terms as listed with a real estate broker, or if no such listing has been made, as otherwise advertised or offered by the vendor or lessor, or any other relief the panel or examiner deems just and equitable.

The panel or examiner shall cause the findings of fact, conclusions of law, and (PRELIMINARY) order to be served on the respondent personally, the charging party by registered or certified mail, and shall furnish copies to the attorney general and the commissioner.

Sec. 10. Minnesota Statutes 1971, Section 363.072, Subdivision 1, is amended to read:

363.072 [DISTRICT COURT, REVIEW ORDERS OF PANEL OR EXAMINER.] Subdivision 1. (A RESPONDENT) *Any person aggrieved by a final decision of the (BOARD) department reached after a hearing held pursuant to section 363.071 may seek judicial review (IN THE DISTRICT COURT FOR THE JUDICIAL DISTRICT IN WHICH THE HEARING OF THE BOARD WAS HELD) pursuant to section 15.0424.*

Sec. 11. Minnesota Statutes 1971, Section 363.091, is amended to read:

363.091 [ENFORCEMENT.] When (THE ORDER) *a respondent fails or refuses to comply with a final decision of the department, (HAS BECOME FINAL) the commissioner may file with the clerk of district court in the judicial district in which the hearing was held a petition requesting the court to order the respondent to comply with the order of the department. Thereupon the court shall issue an order to show cause directed to the respondent why an order directing compliance should not be issued. Notwithstanding the provisions of any law or rule of civil procedure to the contrary, the court shall examine at the hearing on the order to show cause all the evidence in the record and may amend the order of the department in any way the court*

deems just and equitable. If the panel or examiner has ordered an award of damages pursuant to section 363.071 and if the court sustains or modifies the award, it shall enter judgment on the order or modified order in the same manner as in the case of an order of the district court, as provided in section 546.27.

Sec. 12. Minnesota Statutes 1971, Section 363.11, is amended to read:

363.11 [CONSTRUCTION.] The provisions of this chapter shall be construed liberally for the accomplishment of the purposes thereof. Nothing contained in this chapter shall be deemed to repeal any of the provisions of the civil rights law or of any other law of this state relating to discrimination because of race, creed, color, religion, *sex, disability, marital status, status with regard to public assistance* or national origin; but, as to acts declared unfair by (SECTION) *sections 363.03 and 363.123*, the procedure herein provided shall, while pending, be exclusive.

Sec. 13. Minnesota Statutes 1971, Section 363.115, is amended to read:

363.115 [REFERRAL TO LOCAL COMMISSION.] The commissioner whether or not a charge has been filed under chapter 363 may refer a matter involving discrimination because of race, color, religion, sex, *creed, disability, marital status, status with regard to public assistance* or national origin to a local commission for (INVESTIGATION,) study and report (, AND MAY REFER A COMPLAINT ALLEGING A VIOLATION OF CHAPTER 363 TO A LOCAL COMMISSION FOR INVESTIGATION, DETERMINATION WHETHER THERE IS REASONABLE CAUSE TO BELIEVE THAT THE RESPONDENT HAS ENGAGED IN A DISCRIMINATORY PRACTICE, OR ASSISTANCE IN ELIMINATING A DISCRIMINATORY PRACTICE BY CONFERENCE, CONCILIATION OR PERSUASION).

Upon referral by the commissioner, the local commission shall make a report and make recommendations to the commissioner and take other appropriate action within the scope of its powers.

(THE TERM "LOCAL COMMISSION" AS USED IN THIS SECTION MEANS AN AGENCY OF A CITY, VILLAGE OR BOROUGH CREATED PURSUANT TO LAW, CITY CHARTER, OR MUNICIPAL ORDINANCE, AND CONFERRING UPON THE AGENCY POWERS, INCLUDING, BUT NOT LIMITED TO THOSE WHICH ARE CONFERRED UPON THE COMMISSIONER BY CHAPTER 363.)

Sec. 14. Minnesota Statutes 1971, Section 363.12, Subdivision 1, is amended to read:

363.12 [DECLARATION OF POLICY.] Subdivision 1. (AS A GUIDE TO THE INTERPRETATION AND APPLICATION OF THIS CHAPTER, BE IT ENACTED THAT) *It is the public policy of this state (IS) to secure for (INDIVID-*

UALS) persons in this state, freedom from discrimination; (BECAUSE OF RACE, COLOR, CREED, RELIGION, OR NATIONAL ORIGIN, IN CONNECTION WITH EMPLOYMENT, HOUSING AND REAL PROPERTY, PUBLIC ACCOMMODATIONS, PUBLIC SERVICES, AND EDUCATION. IT IS ALSO THE PUBLIC POLICY OF THIS STATE TO SECURE FOR INDIVIDUALS IN THIS STATE, FREEDOM FROM DISCRIMINATION BECAUSE OF SEX IN CONNECTION WITH EMPLOYMENT.)

(1) *In employment because of race, color, creed, religion, national origin, sex, marital status, disability and status in regard to public assistance;*

(2) *In housing and real property because of race, color, creed, religion, national origin, sex, marital status, disability and status in regard to public assistance;*

(3) *In public accommodations because of race, color, creed, religion, national origin, sex and disability;*

(4) *In public services because of race, color, creed, religion, national origin, sex, marital status, disability and status in regard to public assistance; and*

(5) *In education because of race, color, creed, religion, national origin, sex, marital status, disability and status in regard to public assistance. Such discrimination threatens the rights and privileges of the inhabitants of this state and menaces the institutions and foundations of democracy. It is also the public policy of this state to protect all persons from wholly unfounded charges of discrimination. Nothing in this chapter shall be interpreted as restricting the implementation of positive action programs to combat discrimination.*

Sec. 15. Minnesota Statutes 1971, Section 363.12, Subdivision 2, is amended to read:

Subd. 2. The opportunity to obtain employment, housing, and other real estate, and full and equal utilization of public accommodations, public services, and educational institutions without such discrimination (BECAUSE OF RACE, COLOR, CREED, RELIGION, OR NATIONAL ORIGIN) as is prohibited by this chapter is hereby recognized as and declared to be a civil right. (THE OPPORTUNITY TO OBTAIN EMPLOYMENT WITHOUT DISCRIMINATION BECAUSE OF SEX IS ALSO HEREBY RECOGNIZED AS AND DECLARED TO BE A CIVIL RIGHT.)

Sec. 16. Minnesota Statutes 1971, Chapter 363, is amended by adding a section to read:

[363.123] [VIOLATION OF ACT.] *It shall be a violation of this act for any person furnishing credit service to discriminate against any person who is the recipient of federal, state or local public assistance, including medical assistance, or who is a tenant receiving federal, state or local housing subsidies, in-*

cluding rental assistance or rent supplements, solely because the individual is such a recipient.

Sec. 17. Minnesota Statutes 1971, Section 363.13, is amended to read:

363.13 [CITATION.] This chapter shall be known as the Minnesota (STATE ACT AGAINST DISCRIMINATION) *human rights act.*

Sec. 18. Minnesota Statutes 1971, Chapter 363, is amended by adding a section to read:

[363.14] [COURT ACTIONS, SUITS BY PRIVATE PARTIES, INTERVENTION, DISTRICT COURT JURISDICTION, ATTORNEY'S FEES, AND COSTS.] *Subdivision 1. [COURT ACTIONS, SUITS BY PRIVATE PARTIES, INTERVENTION.] If, after a charge has been filed with the department, the commissioner finds pursuant to section 363.06, subdivision 4, no probable cause to credit the allegations contained therein or if within 90 days from the filing of a charge, the commissioner has not issued a complaint pursuant to section 363.06 or the department has not entered into a conciliation agreement to which the charging party is a party, he shall so notify the charging party and within 90 days after the giving of such notice a civil action may be brought by the charging party against the respondent named in the charge.*

Upon application by the complaining party to the district court at a special term thereof and in such circumstances as the court may deem just, the court may appoint an attorney for such person and may authorize the commencement of the action without payment of fees, costs, or security.

Upon timely application, the court may, in its discretion, permit the department to intervene in a civil action brought pursuant to this section upon certification that the case is of general public importance.

Upon request, the court may, in its discretion, stay further proceedings for not more than 60 days pending further efforts of the department to obtain voluntary compliance.

Subd. 2. [DISTRICT COURT JURISDICTION.] *Any action brought pursuant to this section shall be filed in the district court of the county wherein the unlawful discriminatory practice is alleged to have been committed or where the respondent resides or has his principal place of business.*

Any action brought pursuant to this chapter shall be heard and determined by a judge sitting without a jury.

If the court finds that the respondent has engaged in an unfair discriminatory practice, it shall issue an order directing such relief as it deems appropriate and which effectuates the purpose of this chapter. Such relief shall be limited to that permitted by section 363.071, subdivision 2.

Subd. 3. [ATTORNEY'S FEES AND COSTS.] In any action or proceeding brought pursuant to this section the court, in its discretion, may allow the prevailing party, other than the department, a reasonable attorney's fee as part of the costs."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: FRED C. NORTON, ROBERT C. BELL, and RAY W. FARICY.

Senate Conferees: NICHOLAS D. COLEMAN, DOUGLAS H. SILLERS, and EUGENE STOKOWSKI.

Norton moved that the report of the Conference Committee on H. F. No. 377 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

McMillan was excused for the remainder of today's session.

H. F. No. 377, A bill for an act relating to the department of human rights; unfair discriminatory practices; amending Minnesota Statutes 1971, Sections 363.01 by adding subdivisions; 363.02, Subdivisions 2 and 3 and by adding subdivisions; 363.03; 363.04, Subdivision 8; 363.05, Subdivision 1; 363.06, Subdivisions 2, 4 and 7; 363.071, Subdivision 2; 363.072, Subdivision 1; 363.091; 363.11; 363.115; 363.12, Subdivisions 1 and 2; 363.13; and Chapter 363, by adding sections.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 115, and nays 11, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D.	Erickson	Larson	Searle	Skaar
DeGroat	Esau	Long		
Erdahl	Fudro	Niehaus		

The bill was repassed, as amended by Conference, and its title agreed to.

There being no objection the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 9, A bill for an act relating to labor; creating a division of labor standards; providing for minimum wage and overtime standards; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 175.38; 175.39; and 177.01 to 177.20.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1436, A bill for an act relating to the cities of Brooklyn Center, Robbinsdale and Brooklyn Park; creating a housing and redevelopment authority.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. 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. 2444, A bill for an act relating to transportation; providing principal arterial highway funds for the appropriation of money to counties and municipalities of the state for the purposes of constructing and reconstructing the state's principal

arterial highways, authorizing the issuance of state bonds for the purposes thereof and appropriating money in connection therewith; establishing the Minnesota state transportation fund for the appropriation of money to subdivisions of the state for public lands, buildings, and capital improvements needed for public transportation, authorizing the issuance of state bonds for the purposes of the transportation fund and appropriating money in connection therewith; amending Minnesota Statutes 1971, Sections 473A.065; and 473A.111, Subdivision 1.

The Senate has appointed as such committee Messrs. Olson, A. G.; Chenoweth; and McCutcheon.

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. 2484, A bill for an act relating to taxation of property devoted to temporary and seasonal residential occupancy; amending Minnesota Statutes 1971, Section 273.13, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

LaVoy moved that the House concur in the Senate amendments to H. F. No. 2484 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2484, A bill for an act relating to taxation of property devoted to temporary and seasonal residential occupancy; amending Minnesota Statutes 1971, Section 273.13, Subdivision 4:

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 69, and nays 56, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Haugerud	Laidig	Moe
Anderson, I.	Dieterich	Jacobs	LaVoy	Munger
Berg	Enebo	Jaros	Lemke	Nelson
Berglin	Faricy	Johnson, C.	Lindstrom, E.	Newcome
Boland	Ferderer	Johnson, D.	Lindstrom, J.	Norton
Brinkman	Fudro	Johnson, J.	Mann	Ojala
Carlson, B.	Fugina	Jude	McCarron	Parish
Carlson, L.	Growe	Kahn	McEachern	Pavlak, R.
Casserly	Hagedorn	Kelly	Menke	Pehler
Cummiskey	Hanson	Kempe	Miller, D.	Peterson

Prahl	Ryan	Sieben, H.	Swanson	Voss
Quirin	Salchert	Sieben, M.	Tomlinson	Wenzel
Resner	Sarna	Stangeland	Vanasek	Mr. Speaker
Rice	Schulz	Stanton	Vento	

Those who voted in the negative were:

Adams, S.	Cleary	Forsythe	Long	Searle
Andersen, R.	Clifford	Graba	McFarlin	Skaar
Anderson, D.	Connors	Graw	Miller, M.	Smith
Anderson, G.	Culhane	Heinitz	Myrah	Spanish
Becklin	DeGroat	Hook	Niehaus	Ulland
Belisle	Eckstein	Johnson, R.	Ohnstad	Weaver
Bell	Eken	Jopp	Patton	Wigley
Bennett	Erdah.	Klaus	Pavlak, R. L.	Wohlwend
Biersdorf	Erickson	Knickerbocker	Pieper	
Braun	Esau	Kvam	St. Onge	
Carlson, A.	Fjoslien	Larson	Savelkoul	
Carlson, D.	Flakne	Lombardi	Schreiber	

The bill was repassed, as amended by the Senate, and its title agreed to.

SPECIAL ORDERS

S. F. No. 1654, A bill for an act relating to motor vehicles; permissible length; amending Minnesota Statutes 1971, Section 169.81, Subdivisions 2 and 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 being called, there were yeas 126, and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Dieterich

The bill was passed and its title agreed to.

S. F. No. 968 was reported to the House.

Ulland moved to amend S. F. No. 968, the typewritten bill, as follows:

Page 2, delete subdivision 4, and renumber subdivision 5.

The motion did not prevail and the amendment was not adopted.

S. F. No. 986, A bill for an act relating to crimes and criminals; providing penalties for the receipt, purchase or concealment of stolen goods; and providing for civil redress; amending Minnesota Statutes 1971, Section 609.53.

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 4, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Andersen, R. Enebo Ojala Ulland

The bill was passed and its title agreed to.

S. F. No. 1896 was reported to the House.

Newcome moved to amend S. F. No. 1896, the printed bill, as follows:

Page 3, line 7, delete "may" and insert "shall".

Page 3, line 16, delete "may" and insert "shall".

Page 3, line 20, delete "or in the city of Saint Paul".

Page 3, at the end of line 20, add a new sentence to read as follows: "*Arraignments in criminal actions shall be held in the evening after 7:00 p.m. if so requested by the governing body of a city or village in which a court is situated as provided by this act by a resolution filed with the clerk of court.*".

The motion prevailed and the amendment was adopted:

S. F. No. 1896, A bill for an act relating to courts, Ramsey county; providing for creation and the operation and functioning of the Ramsey county municipal court; abolishing certain courts and merging certain courts with the Ramsey county municipal courts; transferring certain duties, functions, and jurisdictions; amending Minnesota Statutes 1971, Sections 488A.18, Subdivisions 1, 7, 10, and by adding a subdivision; 488A.19, Subdivisions 1, 2, 3, and 10; 488A.20, Subdivisions 1, 2, 4, 5, and 6; 488A.21, Subdivision 2; 488A.22, Subdivisions 1 and 3; 488A.24, Subdivision 6; 488A.25, Subdivisions 1 and 2; 488A.27, Subdivisions 6, 11, 12 and by adding a subdivision; 488A.28, by adding a subdivision; 488A.29, Subdivisions 1 and 2; 488A.30, Subdivisions 1, 2, and 4; and 488A.33, Subdivision 7; repealing Minnesota Statutes 1971, Sections 488A.18, Subdivision 5; 488A.19, Subdivision 4; and 488A.23, Subdivision 2.

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 119, and nays 4, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Andersen, R. Haugerud Johnson, D. Pavlak, R. L.

The bill was passed, as amended, and its title agreed to.

S. F. No. 1623, A bill for an act relating to privacy of communications; amending Minnesota Statutes 1971, Section 626A.05, Subdivision 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 125, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1047, A bill for an act relating to the registration and use of snowmobiles; requiring snowmobile operators to stop when signaled to stop by a law enforcement officer; amending Minnesota Statutes 1971, Chapter 84, by adding a section.

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.	Becklin	Biersdorf	Carlson, D.	Culhane
Adams, S.	Belisle	Boland	Carlson, L.	Cummiskey
Andersen, R.	Bell	Braun	Casserly	Dahl
Anderson, D.	Bennett	Brinkman	Cleary	DeGroat
Anderson, G.	Berg	Carlson, A.	Clifford	Dieterich
Anderson, I.	Berglin	Carlson, B.	Connors	Dirlam

Eckstein	Hook	Long	Patton	Sieben, H.
Eken	Jacobs	Mann	Pavlak, R.	Sieben, M.
Enebo	Jaros	McArthur	Pavlak, R. L.	Skaar
Erdahl	Johnson, C.	McCarron	Pehler	Smith
Erickson	Johnson, D.	McCauley	Peterson	Spanish
Esau	Johnson, J.	McEachern	Pieper	Stangeland
Faricy	Johnson, R.	McFarlin	Pleasant	Stanton
Ferderer	Jopp	Menke	Prahl	Swanson
Fjoslien	Jude	Miller, D.	Quirin	Tomlinson
Flakne	Kahn	Miller, M.	Resner	Ulland
Forsythe	Kelly	Moe	Rice	Vanasek
Fudro	Kempe	Munger	Ryan	Vento
Fugina	Klaus	Myrah	St. Onge	Voss
Graba	Knickerbocker	Nelson	Salchert	Weaver
Graw	Laidig	Newcome	Sarna	Wenzel
Grove	LaVoy	Niehaus	Savelkoul	Wigley
Hagedorn	Lemke	Norton	Schreiber	Wohlwend
Hanson	Lindstrom, E.	Ohnstad	Schulz	Wolcott
Haugerud	Lindstrom, J.	Ojala	Searle	Mr. Speaker
Heinitz	Lombardi	Parish	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 1351, A bill for an act relating to the duty of a land-owner to warn of dangers; amending Minnesota Statutes 1971, Chapter 87, by adding a section.

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 112, and nays 13, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berg	Dieterich	Grove	Norton	Vento
Berglin	Faricy	Hanson	Ojala	
Culhane	Flakne	Kahn	Resner	

The bill was passed and its title agreed to.

S. F. No. 328 was reported to the House.

Wigley moved that S. F. No. 328 be re-referred to the Committee on Transportation.

A roll call was requested and properly seconded.

The question was taken on the Wigley motion and the roll being called, there were yeas 61, and nays 66, as follows:

Those who voted in the affirmative were:

Andersen, R.	DeGroat	Heinitz	McCauley	Savelkoul
Anderson, D.	Dirlam	Hook	McEachern	Schreiber
Anderson, G.	Eckstein	Johnson, C.	McFarlin	Searle
Becklin	Eken	Johnson, J.	Miller, D.	Skaar
Belisle	Erdahl	Johnson, R.	Newcome	Smith
Biersdorf	Erickson	Jopp	Niehaus	Stangeland
Brinkman	Esau	Klaus	Ohnstad	Weaver
Carlson, A.	Ferderer	Kvam	Patton	Wigley
Carlson, B.	Fjoslien	Larson	Pavlak, R. L.	Wohlwend
Carlson, D.	Flakne	Lemke	Peterson	
Cleary	Forsythe	Lindstrom, E.	Pieper	
Clifford	Graw	Lombardi	Pleasant	
Culhane	Hagedorn	Long	Samuelson	

Those who voted in the negative were:

Adams, J.	Enebo	Knickerbocker	Parish	Stanton
Anderson, I.	Faricy	Laidig	Pavlak, R.	Swanson
Bell	Fudro	LaVoy	Pehler	Tomlinson
Bennett	Fugina	Lindstrom, J.	Prahl	Ulland
Berg	Graba	Mann	Quirin	Vanasek
Berglin	Grove	McArthur	Resner	Vento
Boland	Hanson	McCarron	Rice	Voss
Braun	Jacobs	Menke	Salchert	Wenzel
Carlson, L.	Jaros	Moe	Sarna	Wolcott
Casserly	Johnson, D.	Munger	Schulz	Mr. Speaker
Connors	Jude	Myrah	Sherwood	
Cummiskey	Kahn	Nelson	Sieben, H.	
Dahl	Kelly	Norton	Sieben, M.	
Dieterich	Kempe	Ojala	Spanish	

The motion did not prevail.

S. F. No. 328, A bill for an act relating to motor fuel; requiring display of octane rating; amending Minnesota Statutes 1971, Section 325.77, Subdivisions 1, 3, and 4, and by adding a subdivision.

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 68, and nays 59, as follows:

Those who voted in the affirmative were:

Adams, J.	Braun	Dieterich	Grove	Kelly
Anderson, I.	Carlson, A.	Enebo	Hanson	Kempe
Bell	Carlson, L.	Faricy	Jacobs	Knickerbocker
Bennett	Casserly	Ferderer	Jaros	Laidig
Berg	Connors	Fudro	Johnson, D.	LaVoy
Berglin	Cummiskey	Fugina	Jude	Lindstrom, J.
Boland	Dahl	Graba	Kahn	McArthur

McCarron	Nelson	Resner	Sieben, H.	Vanasek
McEachern	Norton	Rice	Sieben, M.	Vento
Menke	Ojala	Ryan	Spanish	Voss
Miller, D.	Parish	Salchert	Stanton	Wenzel
Moe	Pavlak, R.	Sarna	Swanson	Mr. Speaker
Munger	Pehler	Schulz	Tomlinson	
Myrah	Prahl	Sherwood	Ulland	

Those who voted in the negative were:

Andersen, R.	DeGroat	Heinitz	Long	Samuelson
Anderson, D.	Dirlam	Hook	McCauley	Savelkoul
Anderson, G.	Eckstein	Johnson, C.	McFarlin	Schreiber
Becklin	Eken	Johnson, J.	Newcome	Searle
Belisle	Erdahl	Johnson, R.	Niehaus	Skaar
Biersdorf	Erickson	Jopp	Ohnstad	Smith
Brinkman	Esau	Klaus	Patton	Stangeland
Carlson, B.	Fjoslien	Kvam	Pavlak, R. L.	Weaver
Carlson, D.	Flakne	Larson	Peterson	Wigley
Cleary	Forsythe	Lemke	Pieper	Wohlwend
Clifford	Graw	Lindstrom, E.	Pleasant	Wolcott
Culhane	Hagedorn	Lombardi	St. Onge	

The bill was passed and its title agreed to.

There being no objection the order of business reverted to Messages from the Senate.

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. 1675, A bill for an act relating to courts; providing for uniform retirement and survivors' annuities for judges and establishing a judges' retirement fund; appropriating money.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Parish moved that the House concur in the Senate amendments to H. F. No. 1675 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1675, A bill for an act relating to courts; providing for uniform retirement and survivors' annuities for judges and establishing a judges' retirement fund; appropriating money.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 110, and nays 12, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, R.	Moe	Sarna
Andersen, R.	DeGroat	Jopp	Munger	Savelkoul
Anderson, D.	Dieterich	Jude	Myrah	Schreiber
Anderson, G.	Dirlam	Kahn	Nelson	Searle
Becklin	Eckstein	Kelly	Newcome	Sherwood
Belisle	Eken	Kempe	Norton	Sieben, H.
Bell	Enebo	Klaus	Ohnstad	Sieben, M.
Bennett	Faricy	Knickerbocker	Parish	Smith
Berg	Ferderer	Kvam	Patton	Spanish
Berglin	Flakne	Laidig	Pavlak, R.	Stanton
Biersdorf	Forsythe	LaVoy	Pavlak, R. L.	Swanson
Boland	Fudro	Lemke	Pehler	Tomlinson
Braun	Graba	Lindstrom, E.	Peterson	Ulland
Brinkman	Graw	Lindstrom, J.	Pieper	Vanasek
Carlson, A.	Grove	McArthur	Pleasant	Vento
Carlson, B.	Hanson	McCarron	Prahl	Voss
Carlson, D.	Heinitz	McCauley	Quirin	Weaver
Carlson, L.	Jacobs	McEachern	Resner	Wenzel
Casserly	Jaros	McFarlin	Rice	Wigley
Cleary	Johnson, C.	Menke	Ryan	Wohlwend
Connors	Johnson, D.	Miller, D.	St. Onge	Wolcott
Cummiskey	Johnson, J.	Miller, M.	Salchert	Mr. Speaker

Those who voted in the negative were:

Clifford	Fjoslien	Long	Samuelson	Stangeland
Erdahl	Hagedorn	Niehaus	Skaar	
Erickson	Haugerud	Ojala		

The bill was repassed, as amended by the Senate, and its title agreed to.

SPECIAL ORDERS

S. F. No. 996, A bill for an act relating to the village of St. Francis; making the provision of Minnesota Statutes, Section 365.18, applicable when the village council of St. Francis in Anoka county enters into a contract for provision of fire protection services.

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 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, B.	Erickson	Hook	LaVoy
Adams, S.	Carlson, D.	Esau	Jacobs	Lemke
Andersen, R.	Carlson, L.	Faricy	Jaros	Lindstrom, E.
Anderson, D.	Casserly	Ferderer	Johnson, C.	Lindstrom, J.
Anderson, G.	Clifford	Fjoslien	Johnson, D.	Lombardi
Anderson, I.	Connors	Flakne	Johnson, J.	Long
Becklin	Culhane	Forsythe	Johnson, R.	McArthur
Belisle	Cummiskey	Fudro	Jopp	McCarron
Bell	Dahl	Fugina	Jude	McCauley
Bennett	DeGroat	Graba	Kelly	McEachern
Berg	Dieterich	Graw	Kempe	McFarlin
Biersdorf	Dirlam	Grove	Klaus	Menke
Boland	Eckstein	Hagedorn	Knickerbocker	Miller, D.
Braun	Eken	Hanson	Kvam	Miller, M.
Brinkman	Enebo	Haugerud	Laidig	Moe
Carlson, A.	Erdahl	Heinitz	Larson	Munger

Myrah	Pavlak, R. L.	St. Onge	Sieben, M.	Vento
Nelson	Pehler	Salchert	Skaar	Voss
Newcome	Peterson	Samuelson	Smith	Weaver
Niehaus	Pieper	Sarna	Spanish	Wenzel
Norton	Pleasant	Savelkoul	Stangeland	Wigley
Ohnstad	Prahl	Schreiber	Stanton	Wohlwend
Ojala	Quirin	Schulz	Swanson	Wolcott
Parish	Resner	Searle	Tomlinson	Mr. Speaker
Patton	Rice	Sherwood	Ulland	
Pavlak, R.	Ryan	Sieben, H.	Vanasek	

Those who voted in the negative were:

Berglin Kahn

The bill was passed and its title agreed to.

S. F. No. 224, A bill for an act relating to highway traffic regulations; providing for covering of loads to prevent dropping or leaking; amending Minnesota Statutes 1971, Section 169.81, Subdivision 5.

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 92, and nays 30, as follows:

Those who voted in the affirmative were:

Adams, J.	Enebo	Jude	Moe	Schreiber
Adams, S.	Faricy	Kahn	Munger	Schulz
Andersen, R.	Ferderer	Kelly	Myrah	Sherwood
Becklin	Flakne	Kempe	Nelson	Sieben, M.
Belisle	Forsythe	Knickerbocker	Newcome	Smith
Bell	Fudro	Kvam	Norton	Spanish
Bennett	Fugina	Laidig	Ojala	Stangeland
Berg	Graba	Larson	Parish	Stanton
Berglin	Graw	LaVoy	Pehler	Swanson
Boland	Grove	Lindstrom, E.	Pieper	Tomlinson
Braun	Hagedorn	Lindstrom, J.	Pleasant	Vanasek
Carlson, B.	Hanson	Lombardi	Prahl	Vento
Carlson, L.	Heinitz	Mann	Quirin	Voss
Casserly	Hook	McArthur	Resner	Wohlwend
Clifford	Jacobs	McCarron	Rice	Wolcott
Connors	Jaros	McCauley	Ryan	Mr. Speaker
Cummiskey	Johnson, C.	McFarlin	Salchert	
Dahl	Johnson, D.	Menke	Samuelson	
Dieterich	Johnson, J.	Miller, D.	Sarna	

Those who voted in the negative were:

Anderson, D.	Culhane	Fjoslien	Miller, M.	Searle
Anderson, G.	DeGroat	Johnson, R.	Niehaus	Skaar
Biersdorf	Eken	Jopp	Ohnstad	Ulland
Brinkman	Erdahl	Klaus	Peterson	Weaver
Carlson, A.	Erickson	Long	St. Onge	Wenzel
Carlson, D.	Esau	McEachern	Savelkoul	Wigley

The bill was passed and its title agreed to.

There being no objection the order of business reverted to Messages from the Senate.

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 Files, herewith returned:

H. F. No. 2447, A bill for an act relating to the city of Minneapolis; disability, retirement, and survivor benefits for city employees; amending Laws 1973, Chapter 133, Sections 6, Subdivision 5; 8, Subdivision 2; 9, Subdivision 2; 15, Subdivisions 1, 2, and 3; 16, Subdivisions 2, 4, 7, 9, and by adding a subdivision; 18, Subdivision 3; 21, Subdivision 1; 22, by adding a subdivision; and 23, Subdivision 5.

H. F. No. 2473, A bill for an act relating to retirement; interest assumptions for police and firemen's relief purposes; amending Minnesota Statutes 1971, Sections 69.73; 69.77, Subdivision 2; and 69.772, Subdivision 3.

PATRICK E. FLAHAVER, 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. 1511, A bill for an act relating to mileage allowance of public officers and employees; amending Minnesota Statutes 1971, Sections 15A.20, Subdivisions 1 and 3; and 387.29, Subdivision 2; and repealing Minnesota Statutes 1971, Section 387.29, Subdivisions 1 and 3.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Peterson moved that the House concur in the Senate amendments to H. F. No. 1511 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1511, A bill for an act relating to mileage allowance of public officers and employees; amending Minnesota Statutes 1971, Sections 15A.20, Subdivisions 1 and 3; and 387.29, Subdivision 2; and repealing Minnesota Statutes 1971, Section 387.29, Subdivisions 1 and 3.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 77, and nays 44, as follows:

Those who voted in the affirmative were:

Adams, J.	Braun	Cummiskey	Enebo	Hagedorn
Bell	Brinkman	Dahl	Faricy	Hanson
Bennett	Carlson, L.	Dirlam	Fudro	Jacobs
Berg	Casserly	Eckstein	Fugina	Johnson, C.
Boland	Connors	Eken	Growe	Johnson, D.

Jopp	McEachern	Parish	St. Onge	Tomlinson
Jude	McFarlin	Patton	Salchert	Vanasek
Kempe	Menke	Pavlak, R.	Samuelson	Vento
Knickerbocker	Miller, D.	Pavlak, R. L.	Sarna	Voss
LaVoy	Miller, M.	Peterson	Sieben, H.	Wenzel
Lemke	Moe	Pieper	Sieben, M.	Wigley
Lindstrom, J.	Munger	Prahl	Smith	Wolcott
Mann	Nelson	Quirin	Spanish	Mr. Speaker
McArthur	Newcome	Resner	Stangeland	
McCarron	Norton	Rice	Stanton	
McCauley	Ojala	Ryan	Swanson	

Those who voted in the negative were:

Andersen, R.	DeGroat	Graba	Laidig	Pleasant
Anderson, D.	Dieterich	Graw	Larson	Savelkoul
Becklin	Erdahl	Heinitz	Lindstrom, E.	Schreiber
Belisle	Erickson	Hook	Lombardi	Schulz
Carlson, A.	Esau	Jaros	Long	Skaar
Carlson, D.	Ferderer	Johnson, J.	Myrah	Ulland
Cleary	Fjoslien	Kahn	Niehaus	Weaver
Clifford	Flakne	Kelly	Ohnstad	Wohlwend
Culhane	Forsythe	Kvam	Pehler	

The bill was repassed, as amended by the Senate, and its title agreed to.

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. 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 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Moe moved that the House concur in the Senate amendments to H. F. No. 358 and that the bill be repassed as amended by the Senate. The motion prevailed.

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 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.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

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

Those who voted in the negative were:

Clifford

The bill was repassed, as amended by the Senate, and its title agreed to.

SPECIAL ORDERS

S. F. No. 2050, A bill for an act relating to child support; requiring the employer of certain persons required to pay support to withhold, upon order, from the pay of such person and pay the money so withheld over to the department of public welfare; prohibiting certain acts by an employer; amending Minnesota Statutes 1971, Section 256.873.

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

The bill was passed and its title agreed to.

There being no objection the order of business reverted to Messages from the Senate.

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 Files, herewith returned:

H. F. No. 991, A bill for an act relating to taxation; assessment of real property; location of training courses for assessors; examinations; amending Minnesota Statutes 1971, Sections 270.46; 270.47; and Chapter 270, by adding a section.

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.

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.

H. F. No. 1837, A bill for an act relating to water well contractors; requiring compliance with Minnesota Statutes, Chapter 156A, by certain nonlicensees; providing for limited licenses;

establishing procedures for examination and licensing of water well contractors; authorizing the department of health to coordinate a state water information system; prohibiting imposition of fees by political subdivisions; amending Minnesota Statutes 1971, Sections 156A.02, Subdivisions 2 and 3; 156A.03, Subdivision 2; 156A.06, Subdivision 1; 156A.07, Subdivisions 1 and 4, and by adding subdivisions; repealing Minnesota Statutes 1971, Sections 156A.06, Subdivision 2; and 156A.07, Subdivision 3.

H. F. No. 1906, A bill for an act relating to the Minnesota highway patrolmen's retirement association; amending Minnesota Statutes 1971, Sections 352B.02; 352B.08, Subdivision 2; 352B.10; 352B.11, Subdivision 2; and Chapter 352B, by adding sections.

H. F. No. 1945, A bill for an act relating to the Minnesota higher education facilities authority; amending Minnesota Statutes 1971, Sections 136A.26, 136A.27, 136A.29, 136A.32, Subdivision 3, and by adding a subdivision; 136A.34, Subdivision 4; 136A.40 and 136A.41.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 877, A bill for an act relating to education; interscholastic athletics and other extracurricular activities; amending Minnesota Statutes 1971, Chapter 129 by adding a section; repealing Minnesota Statutes 1971, Section 129.12.

H. F. No. 1944, A bill for an act relating to handicapped persons; establishing and prescribing duties of the Minnesota commission for the handicapped; transferring certain powers and duties to the commission; appropriating money; repealing Minnesota Statutes 1971, Sections 4.08 and 121.34.

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. 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, 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Grove moved that the House concur in the Senate amendments to H. F. No. 2093 and that the bill be repassed as amended by the Senate. The motion prevailed.

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, 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.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage 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, C.	Menke	Salchert
Adams, S.	Dieterich	Johnson, D.	Miller, D.	Samuelson
Andersen, R.	Dierlam	Johnson, J.	Miller, M.	Sarna
Anderson, D.	Eckstein	Johnson, R.	Moe	Savelkoul
Anderson, G.	Eken	Jopp	Munger	Schreiber
Anderson, I.	Enebo	Jude	Myrah	Schulz
Becklin	Erdahl	Kahn	Nelson	Sherwood
Belisle	Erickson	Kelly	Newcome	Sieben, H.
Bell	Esau	Kempe	Niehaus	Sieben, M.
Bennett	Faricy	Klaus	Norton	Skaar
Berg	Ferderer	Knickerbocker	Ohnstad	Smith
Berglin	Fjostien	Kvam	Ojala	Spanish
Biersdorf	Flakne	Laidig	Parish	Stangeland
Boland	Forsythe	Larson	Patton	Stanton
Braun	Fudro	LaVoy	Pavlak, R.	Swanson
Brinkman	Fugina	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	Long	Pleasant	Voss
Casserly	Hanson	Mann	Prahl	Weaver
Cleary	Haugerud	McArthur	Quirin	Wenzel
Clifford	Heinitz	McCarron	Resner	Wigley
Connors	Hook	McCauley	Rice	Wohlwend
Cummiskey	Jacobs	McEachern	Ryan	Wolcott
Dahl	Jaros	McFarlin	St. Onge	Mr. Speaker

The bill was repassed, as amended by the Senate, and its title agreed to.

SPECIAL ORDERS

S. F. No. 813, A bill for an act relating to elections; providing for the administration of absentee ballots by the municipalities in certain instances; amending Minnesota Statutes 1971, Sections 207.03; 207.04; 207.05, Subdivisions 1 and 3; 207.06; 207.07; 207.08; 207.09; 207.10; 207.13; 207.19; 207.20, Subdivisions 1 and 2; 207.22; 207.221; 207.24; 207.28; 207.30, Subdivisions 1 and 3; repealing Minnesota Statutes 1971, Section 207.15.

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 132, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2444

May 19, 1973

Honorable Martin O. Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2444, report that we have agreed upon the items in dispute and recommend as follows:

That H. F. No. 2444 be amended as follows:

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

"Section 1: [PURPOSE.] It is determined that there is a critical need to preserve and improve transportation facilities throughout the state which cannot be met by local effort without state financial assistance. The rate of completion of the interstate portion and upgrading of the remainder of the state's highway system has fallen behind the rate of traffic growth, resulting

in serious traffic hazards and delays that affect the personal safety, quality of life, and economic welfare of citizens. The highway traffic problem is accentuated by the deficiency in the quality and quantity of public transportation available in urban areas, large and small. This deficiency is itself largely caused by the inability of public transportation to compete economically with private automobiles, without financial support comparable to that given highway construction. Its most serious effect is to limit severely the life and liberty of many persons who because of age, physical or mental characteristics, or economic circumstances are unable to use automobiles. For many more it compels the use of automobiles, often more than one per family, for daily attendance at work and school and for transportation in emergencies, notwithstanding cost that may reduce remaining living resources below poverty levels, and notwithstanding unacceptable safety hazards often resulting from physical handicaps or inexperience. And for many high cost makes it impossible to acquire and maintain vehicles that can operate at acceptable safety and pollution control levels, thus aggravating the traffic and pollution hazards created by sheer numbers of vehicles. Capital cost of the principal arterial highways of this state cannot be adequately met from existing sources of funds. Similar costs of adequate public transportation in urban areas cannot be met by user fees without subsidy, or even with subsidy to the extent this is possible from property taxes or other resources available to local units of government. It is determined that state financial assistance in meeting the capital cost of public transportation in urban areas and constructing and reconstructing the state's principal arterial highways is a proper function of state government and is necessary to protect the safety and the personal and economic welfare of the citizens of the state at large.

Sec. 2. [PRINCIPAL ARTERIAL HIGHWAY BOND AUTHORIZATION AND APPROPRIATIONS.] Subdivision 1. The state auditor is authorized and directed, upon request of the commissioner of highways, to issue and sell Minnesota state principal arterial bonds in accordance with the provisions of section 3 of this act, and Article IX, Section 6, of the Constitution in an aggregate principal amount not to exceed \$80,000,000, which sum, or so much thereof as shall be required, is appropriated from the proceeds of such bonds to the commissioner of highways for grants to counties and municipalities for the acquisition and betterment of public land and other improvements of a capital nature needed to provide adequate principal arterial highways of this state. This appropriation shall not lapse or cancel until the purpose for which it is made has been accomplished or abandoned. The amount of each grant approved for disbursement shall be and remain appropriated for that purpose until the grant is fully disbursed or part or all thereof is revoked by the department of highways. Grants appropriated pursuant to this section shall not exceed \$20,000,000 in any one fiscal year of the state of Minnesota.

Subd. 2. The department of highways shall promulgate regulations, standards, and priorities for the administration of

grants authorized in accordance with subdivision 1, and these regulations, standards, and priorities are to be developed in consultation with the regional development commissions and the metropolitan council established under the provisions of Minnesota Statutes, Sections 462.381 to 462.396 and Chapter 473B.

Subd. 3. Applications by counties and municipalities for grants for the funds provided for by subdivision 1 shall be made through regional development commissions and the metropolitan council established under the provisions of Minnesota Statutes, Section 462.381 to 462.396 and Chapter 473B referred to in this section as regional planning agencies to the department of highways on forms requiring information prescribed by the regulations of the department of highways. The regional planning agency shall certify to the department of highways those applications which appear to meet the standards and criteria set forth by the department of highways and the regulations promulgated hereunder, and the department of highways shall direct grants to be disbursed on the basis of the standards, criteria and priorities established in its regulations and in this section; provided that no disbursement shall be made until and unless the regional planning agency has by resolution determined the total estimated cost of the project, and ascertained that its financing is assured by the appropriation of the proceeds of bonds or other funds of the counties and municipalities sufficient to pay the estimated cost in excess of the grant, including funds to be granted to it by the federal government if the department ascertains that such funds are then appropriated and allocated by the federal government to projects within the state and that the projects have complied with all conditions under federal law and regulations for a grant of the nature and in the amount involved.

Sec. 3. [PRINCIPAL ARTERIAL BONDS.] Subdivision 1. For the purpose of providing money appropriated to the counties and municipalities of the state from the principal arterial highway funds authorized by section 2 for the acquisition and betterment of public land and other improvement of a capital nature needed to provide adequate principal arterial highways, in accordance with section 2, when authorized by law and requested by the commissioner of highways, the state auditor shall sell and issue bonds of the state of Minnesota for the prompt and full payment of which, with interest thereon, the full faith, credit, and taxing powers of the state are irrevocably pledged. Bonds shall be issued pursuant to this section only as authorized by a law specifying the purpose thereof and the maximum amount of the proceeds authorized to be expended for this purpose. Any act authorizing the issuance of bonds for this purpose, together with this section, constitutes complete authority for such issue, and such bonds shall not be subject to restrictions or limitations contained in any other law.

Subd. 2. Upon request and authorization as provided in subdivision 1 the state auditor shall sell and issue Minnesota state principal arterial bonds in the aggregate amount requested, upon sealed bids and upon such notice, at such price, in such

form and denominations, bearing interest at such rate or rates, maturing in such amounts and on such dates, without option of prepayment or subject to prepayment upon such notice and at such times and prices, payable at such bank or banks within or outside the state, with such provisions for registration, conversion, and exchange and for the issuance of notes in anticipation of the sale or delivery of definitive bonds, and in accordance with such further regulations as the auditor shall determine, subject to the approval of the attorney general, but not subject to the provisions of sections 15.0411 to 15.0422. The bonds shall be executed by the state auditor and attested by the state treasurer under their official seals. The signatures of the officers on the bonds and any appurtenant interest coupons and their seals may be printed, lithographed, engraved, or stamped thereon, except that each bond shall be authenticated by the manual signature on its face of one of the officers or of an officer of a bank designated by them as authenticating agent. The state auditor shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota, subject to the approval of the attorney general.

Subd. 3. All expenses incidental to the sale, printing, execution, and delivery of bonds pursuant to this section, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the state principal arterial funds, and the amounts necessary therefor are appropriated from those funds; provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be limited to the amount so appropriated.

Subd. 4. The state auditor shall maintain in the state bond fund a separate bookkeeping account which shall be designated as the state principal arterial bond account, to record receipts and disbursements of money transferred to the fund to pay Minnesota state principal arterial bonds and income from the investment of such money, which income shall be credited to the account in each fiscal year in an amount equal to the approximate average return that year on all funds invested by the state treasurer, as determined by the treasurer, times the average balance in the account that year.

Subd. 5. The premium and accrued interest received on each issue of Minnesota state principal arterial bonds shall be credited to the bond account. In order to reduce the amount of taxes otherwise required to be levied, there shall also be credited to the bond account from the general fund in the state treasury, on November 1 in each year, a sum of money sufficient in amount, when added to the balance then on hand therein, to pay all Minnesota state principal arterial bonds and interest thereon due and to become due to and including July 1 in the second ensuing year. All money so credited and all income from the investment thereof

is annually appropriated to the bond account for the payment of such bonds and interest thereon, and shall be available in the bond account prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4. The state auditor and treasurer are directed to make the appropriate entries in the accounts of the respective funds.

Subd. 6. On or before December 1 in each year the state auditor shall levy on all taxable property within the state whatever tax may be necessary to produce an amount sufficient, with all money then and theretofore credited to the bond account, to pay the entire amount of principal and interest then and theretofore due and principal and interest to become due on or before July 1 in the second year thereafter on Minnesota state principal arterial bonds. This tax shall be levied upon all real property used for the purposes of a homestead, as well as other taxable property, notwithstanding the provisions of section 273.13, subdivisions 6 and 7, and shall be subject to no limitation of rate or amount until all such bonds and interest thereon are fully paid. The proceeds of this tax are appropriated and shall be credited to the state bond fund, and the principal of and interest on the bonds are payable from such proceeds, and the whole thereof, or so much as may be necessary, is appropriated for such payments. If at any time there is insufficient money from the proceeds of such taxes to pay the principal and interest when due on Minnesota state principal arterial bonds, such principal and interest shall be paid out of the general fund in the state treasury, and the amount necessary therefor is hereby appropriated.

Sec. 4. [TRANSPORTATION BOND AUTHORIZATION AND APPROPRIATION.] The state auditor is authorized and directed, upon request of the director of the state planning agency, to issue and sell Minnesota state transportation bonds in accordance with the provisions of section 6 of this act, and Article IX, Section 6 of the Constitution, in an aggregate principal amount not to exceed \$80,000,000 which sum, or so much thereof as shall be required, is appropriated from the proceeds of the bonds to the Minnesota state transportation fund created in section 5, and shall be used, with any other money in that fund, solely for the purpose of providing money which is hereby appropriated from that fund to the director of the state planning agency for grants to subdivisions of the state, according to the definition of "subdivision" in section 5, subdivision 1, for the acquisition and betterment of public land and buildings and other public improvements of a capital nature needed to provide adequate public transportation in urban areas, in accordance with the provisions of section 5. This appropriation shall not lapse until the purpose for which it is made has been accomplished or abandoned. The amount of each grant approved for disbursement from the Minnesota state transportation fund shall be and remain appropriated for that purpose until the grant is fully disbursed or part or all thereof is revoked by the state planning agency. Grants appropriated pursuant to this section shall not exceed \$14,000,000 in any one fiscal year of the state of Minnesota.

Sec. 5. [MINNESOTA STATE TRANSPORTATION FUND.] Subdivision 1. A Minnesota state transportation fund is created as a separate bookkeeping account in the general books of account of the state, to record receipts of the proceeds of state bonds and any other money appropriated to the fund and grants disbursed from the fund to subdivisions of the state for the acquisition and betterment of public land and buildings and other public improvements of a capital nature needed to provide adequate public transportation in urban areas, in accordance with the long range state policies and purposes defined in subdivision 2, and in accordance with standards established in regulations to be adopted by the state planning agency pursuant to law, and to be prepared in consultation with the regional development commissions and the metropolitan council established under the provisions of Minnesota Statutes, Sections 462.381 to 462.396 and Chapter 473B, referred to in this section as "regional planning agencies", and in consultation with the "subdivisions" defined and referred to in this section. "Subdivisions" referred to in this section include the metropolitan transit commission created by Minnesota Statutes, Chapter 473A, and any other public body now or hereafter given power by law or a city charter to operate public transportation facilities in any defined area, and any city, village, or borough outside the area of operation of such a public body.

Subd. 2. It is the policy of the state to assist its subdivisions in providing, so far as possible, public transportation facilities in all urban areas within the state by providing state funding for public transportation capital improvements. The state planning agency and regional planning agencies are directed to prepare and revise annually a program of capital grants to subdivisions for specific projects which will implement this policy. Capital costs eligible to be paid from such grants shall include all expenses of the kinds enumerated in Minnesota Statutes, Section 475.65.

Subd. 3. The state planning agency shall promulgate regulations for the administration of grants authorized to be made from the fund.

Subd. 4. The regulations of the state planning agency shall provide that a high priority shall be given to applications from subdivisions which, because of limited tax base, excessive bonded indebtedness, or critical conditions of public transportation service, would face extreme financial hardship without assistance from the state transportation fund, and to applications for systems to serve more than one municipality.

Subd. 5. Applications by subdivisions for grants from the fund shall be made through regional planning agencies to the state planning agency, on forms requiring information prescribed by the regulations of the state planning agency. The regional agency shall certify to the state planning agency those applications which appear to meet the program of capital grants and the standards and criteria set forth by the state planning agency and the regulations promulgated hereunder, and the state

planning agency shall direct grants to be disbursed from the fund on the basis of the standards, criteria and priorities established in its regulations and in this section; provided that no disbursement shall be made until and unless the regional planning agency has by resolution determined the total estimated cost of the project, and ascertained that its financing is assured by the appropriation of the proceeds of bonds or other funds of the subdivision sufficient to pay the estimated cost in excess of the grant, including funds to be granted to it by the federal government if the state planning agency ascertains that such funds are then appropriated and allocated by the federal government to projects within the state and that the subdivision has complied with all conditions under federal law and regulations for a grant of the nature and in the amount involved.

Sec. 6. [MINNESOTA STATE TRANSPORTATION BONDS.] Subdivision 1. For the purpose of providing money appropriated to subdivisions of the state from the Minnesota state transportation fund for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed to provide adequate public transportation in urban areas in accordance with the provisions of section 5, when authorized by law and requested by the director of the state planning agency, the state auditor shall sell and issue bonds of the state of Minnesota for the prompt and full payment of which, with interest thereon, the full faith, credit, and taxing powers of the state are irrevocably pledged. Bonds shall be issued pursuant to this section only as authorized by a law specifying the purpose thereof and the maximum amount of the proceeds authorized to be expended for this purpose. Any act authorizing the issuance of bonds for this purpose, together with this section, constitutes complete authority for such issue, and such bonds shall not be subject to restrictions of limitations contained in any other law.

Subd. 2. Upon request and authorization as provided in subdivision 1 the state auditor shall sell and issue Minnesota state transportation bonds in the aggregate amount requested, upon sealed bids and upon such notice, at such price, in such form and denominations, bearing interest at such rate or rates, maturing in such amounts and on such dates, without option of prepayment or subject to prepayment upon such notice and at such times and prices, payable at such bank or banks within or outside this state, with such provisions for registration, conversion, and exchange and for the issuance of notes in anticipation of the sale or delivery of definitive bonds, and in accordance with such further regulations, as the auditor shall determine, subject to the approval of the attorney general, but not subject to the provisions of sections 15.0411 to 15.0422. The bonds shall be executed by the state auditor and attested by the state treasurer under their official seals. The signatures of the officers on the bonds and any appurtenant interest coupons and their seals may be printed, lithographed, engraved, or stamped thereon, except that each bond shall be authenticated by the manual signature on its face of one of the officers or of an officer of a bank designated

by them as authenticating agent. The state auditor shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota, subject to the approval of the attorney general.

Subd. 3. All expenses incidental to the sale, printing, execution, and delivery of bonds pursuant to this section, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the state transportation fund, and the amounts necessary therefor are appropriated from that fund; provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be limited to the amount so appropriated.

Subd. 4. The state auditor shall maintain in the state bond fund a separate bookkeeping account which shall be designated as the state transportation bond account, to record receipts and disbursements of money transferred to the fund to pay Minnesota state transportation bonds and income from the investment of such money, which income shall be credited to the account in each fiscal year in an amount equal to the approximate average return that year on all funds invested by the state treasurer, as determined by the treasurer, times the average balance in the account that year.

Subd. 5. The premium and accrued interest received on each issue of Minnesota state transportation bonds shall be credited to the bond account. In order to reduce the amount of taxes otherwise required to be levied, there shall also be credited to the bond account from the general fund in the state treasury, on November 1 in each year, a sum of money sufficient in amount, when added to the balance then on hand therein, to pay all Minnesota state transportation bonds and interest thereon due and to become due to and including July 1 in the second ensuing year. All money so credited and all income from the investment thereof is annually appropriated to the bond account for the payment of such bonds and interest thereon, and shall be available in the bond account prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4. The state auditor and treasurer are directed to make the appropriate entries in the accounts of the respective funds.

Subd. 6. On or before December 1 in each year the state auditor shall levy on all taxable property within the state whatever tax may be necessary to produce an amount sufficient, with all money then and theretofore credited to the bond account, to pay the entire amount of principal and interest then and theretofore due and principal and interest to become due on or before July 1 in the second year thereafter on Minnesota state transportation bonds. This tax shall be levied upon all real property used for the purposes of a homestead, as well as other taxable property, notwithstanding the provisions of section 273.13, subdivi-

sions 6 and 7, and shall be subject to no limitation of rate or amount until all such bonds and interest thereon are fully paid. The proceeds of this tax are appropriated and shall be credited to the state bond fund, and the principal of and interest on the bonds are payable from such proceeds, and the whole thereof, or so much as may be necessary, is appropriated for such payments. If at any time there is insufficient money from the proceeds of such taxes to pay the principal and interest when due on Minnesota state transportation bonds, such principal and interest shall be paid out of the general fund in the state treasury, and the amount necessary therefor is hereby appropriated.

Sec. 7. [TRUNK HIGHWAY BONDS; ISSUANCE AND SALE.] The state auditor is authorized and directed, upon request of the commissioner of highways, to issue and sell Minnesota trunk highway bonds under the provisions of Minnesota Statutes, Sections 167.50 to 167.52 and of the Minnesota Constitution, Article IX, Section 6, and Article XVI, Section 12, at such times and in such amounts as may be requested by the commissioner of highways. Bonds issued pursuant to this section are authorized in an aggregate principal amount of \$40,000,000 provided that the total aggregate principal amount of the Minnesota trunk highway bonds issued under the authority of this section or under the authority of any other law, shall not at any time exceed \$150,000,000. The proceeds of such bonds shall be appropriated to the trunk highway fund and shall be used for the purposes specified in the Minnesota Constitution, Article XVI, Section 2.

Sec. 8. Minnesota Statutes 1971, Section 473A.111, Subdivision 1, is amended to read:

473A.111 [TRANSIT TAX LEVIES.] Subdivision 1. [AMOUNT.] For the purposes of chapter 473A, and the metropolitan transit system on or after August 1 of 1971 the metropolitan transit commission may levy upon all taxable property within the metropolitan transit taxing district, defined herein, a transit tax shall not in any year exceed the sum of the following:

(a) An amount equal to (2.9) 1.4 mills times the assessed value of all such property some or all of the proceeds of which may be used to provide for the full and timely payment of its certificates of indebtedness and other obligations of the commission to which collections of the wheelage tax and replacement property tax under Minnesota Statutes 1969, Section 473A.14, have been pledged, plus any amount needed for compliance with any final judgment of a court of competent jurisdiction requiring payment of any amount of the wheelage tax levied by the commission for 1971 and prior years; plus

(b) such additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of its certificates of indebtedness and other obligations to which property taxes under this section have been pledged, provided

that the amount of principal and interest to come due on such obligations shall not exceed \$3,000,000 in any year.

Sec. 9. [SEVERABILITY.] The invalidity of any provision of this act shall not affect the validity of the remainder of the act.

Sec. 10. [EFFECTIVE DATE.] This act is effective on the day following final enactment."

Further, amend the title in line 20 after "therewith;" and before "amending" by inserting "and authorizing the issuance of Minnesota trunk highway bonds;"; in line 21 by deleting "Sections" and inserting "Section" and in line 22 by deleting "473A.065; and".

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: IRVIN N. ANDERSON, JOHN J. SALCHERT, and AUBREY W. DIRLAM.

Senate Conferees: ALEC G. OLSON, JOHN C. CHENOWETH, and WILLIAM MCCUTCHEON.

Anderson, I., moved that the report of the Conference Committee on H. F. No. 2444 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2444, A bill for an act relating to transportation; providing principal arterial highway funds for the appropriation of money to counties and municipalities of the state for the purposes of constructing and reconstructing the state's principal arterial highways, authorizing the issuance of state bonds for the purposes thereof and appropriating money in connection therewith; establishing the Minnesota state transportation fund for the appropriation of money to subdivisions of the state for public lands, buildings, and capital improvements needed for public transportation, authorizing the issuance of state bonds for the purposes of the transportation fund and appropriating money in connection therewith; amending Minnesota Statutes 1971, Sections 473A.065; and 473A.111, Subdivision 1.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 81, and nays 50, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, B.	Eken	Jacobs	Mann
Anderson, D.	Carlson, L.	Enebo	Jaros	McCarron
Anderson, G.	Casserly	Esau	Johnson, C.	McCauley
Anderson, I.	Connors	Faricy	Johnson, D.	McEachern
Becklin	Culhane	Fudro	Jude	Menke
Berg	Cummiskey	Fugina	Kahn	Miller, D.
Berglin	Dahl	Graba	Kelly	Miller, M.
Boland	Dieterich	Growe	LaVoy	Moe
Braun	Dirlam	Hanson	Lemke	Munger
Brinkman	Eckstein	Haugerud	Lindstrom, J.	Nelson

Norton	Prahl	Samuelson	Smith	Voss
Ojala	Quirin	Sarna	Spanish	Wenzel
Parish	Resner	Schreiber	Stanton	Mr. Speaker
Patton	Rice	Searle	Swanson	
Pavlak, R.	Ryan	Sherwood	Tomlinson	
Pehler	St. Onge	Sieben, H.	Vanasek	
Peterson	Salchert	Sieben, M.	Vento	

Those who voted in the negative were:

Adams, S.	DeGroat	Hook	Lombardi	Pleasant
Andersen, R.	Erdahl	Johnson, J.	Long	Savelkoul
Belisle	Erickson	Johnson, R.	McArthur	Schulz
Bell	Ferderer	Jopp	McFarlin	Skaar
Bennett	Fjoslien	Kempe	Myrah	Stangeland
Biersdorf	Flakne	Klaus	Newcome	Ulland
Carlson, A.	Forsythe	Kvam	Niehaus	Weaver
Carlson, D.	Graw	Laidig	Ohnstad	Wigley
Cleary	Hagedorn	Larson	Pavlak, R. L.	Wohlwend
Clifford	Heinitz	Lindstrom, E.	Pieper	Wolcott

The bill was repassed, as amended by Conference, and its title agreed to.

There being no objection the order of business reverted to Messages from the Senate.

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:

H. F. No. 879, A bill for an act relating to education; authorizing school boards to pay insurance premiums for retired officers and employees between the ages of 60 and 65.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 1897, A bill for an act relating to regulated industries; certain industries regulated by the department of public service; authorizing fees to defray costs of the department in giving notice in contested cases; defining terms; prescribing conditions for the granting of permits to certain carriers and prescribing conditions for the transfer thereof; specifying the form of license application for livestock buyers; amending Minnesota Statutes 1971, Sections 216.161; 221.011, Subdivision 12; 221.101; 221.121, Subdivision 1; 221.131; 221.141; 221.151, Subdivision 2; 221.281; 221.291; and 239.18, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 972, A bill for an act relating to public welfare; selection of county board members; amending Minnesota Statutes 1971, Section 393.01, Subdivision 2.

H. F. No. 1789, A bill for an act relating to workmen's compensation; liability of self-insured employers for benefits to employees and dependents; amending Minnesota Statutes 1971, Section 176.183, Subdivision 2, and by adding a subdivision.

H. F. No. 2015, A bill for an act relating to aeronautics; increasing the number of intermediate system airports permitted; amending Minnesota Statutes 1971, Section 360.305, Subdivisions 2, 3 and 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 954, A bill for an act relating to elections; providing for the reception and counting of absentee ballots; amending Minnesota Statutes 1971, Section 207.11.

H. F. No. 1399, A bill for an act relating to occupations and professions; regulating registration renewals of pharmacists by requiring continuing education; prescribing the powers and duties of the Minnesota state board of pharmacy in relation thereto; amending Minnesota Statutes 1971, Sections 151.13 and 151.14.

H. F. No. 1702, A bill for an act relating to agriculture; providing for the investigation of the complaints of food producers, processors and handlers licensed by the state.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 458, A bill for an act relating to education; reorganization of school districts; exempting certain unorganized territories from inclusion within independent or special districts; amending Minnesota Statutes 1971, Chapter 122, by adding a section.

H. F. No. 977, A bill for an act relating to the state junior college board; increasing membership of the state junior college board from five to seven members; amending Minnesota Statutes 1971, Section 136.61, Subdivisions 1 and 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 1416, A bill for an act relating to mental health; hospitalization and commitment act; amending Minnesota Statutes 1971, Section 253A.08, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 1172, A bill for an act relating to motor vehicles; unauthorized use of certain vehicles; repealing Minnesota Statutes 1971, Section 168.83.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 595, A bill for an act relating to pollution, requiring the pollution control agency to hold public hearings before granting variances; amending Minnesota Statutes 1971, Section 116.07, Subdivision 5.

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, Sections 203.10, Subdivision 2; and 206.026, Subdivision 1.

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. 1779, A bill for an act relating to education; teaching practices and certification; providing a penalty; appropriating money; amending Minnesota Statutes 1971, Sections 125.04; 125.05, Subdivisions 1 and 2; 125.06; 125.08; 125.09; 125.181; 125.182; 125.183; 125.184; and 125.185.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Quirin moved that the House concur in the Senate amendments to H. F. No. 1779 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1779, A bill for an act relating to education; teaching practices and certification; providing a penalty; appropriating money; amending Minnesota Statutes 1971, Sections 125.04; 125.05, Subdivisions 1 and 2; 125.06; 125.08; 125.09; 125.181; 125.182; 125.183; 125.184; and 125.185.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 116, and nays 12, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D.	DeGroat	Johnson, R.	Niehaus	Searle
Brinkman	Dieterich	Klaus	Pavlak, R. L.	
Cleary	Hook	Lindstrom, E.		

The bill was repassed, as amended by the Senate, and its title agreed to.

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. 1807, A bill for an act relating to agriculture, dairy promotion act; promotion of milk products; voting on promotional orders by producer-members of a cooperative association; amending Minnesota Statutes 1971, Sections 32B.04, Subdivision 4; 32B.06, Subdivision 2; and 32B.09.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Johnson, C., moved that the House concur in the Senate amendments to H. F. No. 1807 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1807, A bill for an act relating to agriculture, dairy promotion act; promotion of milk products; voting on promotional orders by producer-members of a cooperative association; amending Minnesota Statutes 1971, Sections 32B.04, Subdivision 4; 32B.06, Subdivision 2; and 32B.09.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 116, and nays 4, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Andersen, R.	Becklin	Flakne	Ulland
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The bill was repassed, as amended by the Senate, and its title agreed to.

Brinkman was excused for the remainder of today's session.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of S. F. No. 1702.

S. F. No. 1702 was reported to the House.

Dahl moved that S. F. No. 1702 be re-referred to the Committee on General Legislation and Veterans Affairs. The motion did not prevail.

S. F. No. 1702, A bill for an act relating to the establishment of a riding and hiking trail from Plymouth Village, Hennepin county; authorizing the acquisition of interests in land, and the development, maintenance, and operation of the trail; amending Minnesota Statutes 1971, Section 85.015, Subdivision 1, and by adding a subdivision; repealing Minnesota Statutes 1971, Section 85.015, Subdivision 9.

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 86, and nays 34, as follows:

Those who voted in the affirmative were:

Adams, J.	Clifford	Johnson, D.	Moe	Schreiber
Adams, S.	Connors	Johnson, J.	Munger	Schulz
Andersen, R.	Culhane	Jude	Nelson	Sherwood
Anderson, D.	Dieterich	Kahn	Newcome	Sieben, H.
Anderson, G.	Eckstein	Kelly	Norton	Sieben, M.
Anderson, I.	Eken	Kempe	Parish	Skaar
Belisle	Enebo	Klaus	Patton	Smith
Bell	Faricy	Knickerbocker	Pavlak, R.	Ulland
Bennett	Ferderer	Laidig	Pavlak, R. L.	Vanasek
Berg	Flakne	Larson	Pleasant	Vento
Berglin	Forsythe	LaVoy	Prahl	Wigley
Biersdorf	Fudro	Lemke	Quirin	Wohlwend
Boland	Graba	Lindstrom, E.	Resner	Wolcott
Carlson, A.	Grove	Lindstrom, J.	Ryan	Mr. Speaker
Carlson, B.	Hanson	McArthur	Salchert	
Carlson, D.	Heinitz	McCarron	Samuelson	
Carlson, L.	Jacobs	McCauley	Sarna	
Cassery	Johnson, C.	Miller, D.	Savelkoul	

Those who voted in the negative were:

Becklin	Erickson	Jopp	Niehaus	Stanton
Braun	Esau	Kvam	Ohnstad	Swanson
Cleary	Fjoslien	Long	Pehler	Tomlinson
Dahl	Hagedorn	Mann	Peterson	Voss
DeGroat	Haugerud	McEachern	Pieper	Weaver
Dirlam	Hook	McFarlin	Searle	Wenzel
Erdahl	Johnson, R.	Miller, M.	Stangeland	

The bill was passed and its title agreed to.

There being no objection the order of business reverted to Messages from the Senate.

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. 976, A bill for an act relating to pharmacy and drugs; redefining certain terms; revising the qualifications required of applicants for registration; providing for the training of interns; increasing the maximum fee for registration; revising exceptions allowed to registration requirements; regulating the introduction of distressed drugs into the state; amending Minnesota Statutes 1971, Sections 151.01, Subdivisions 5 and 14; 151.10; 151.101; 151.12; 151.211; 151.25; 151.26, Subdivision 1; 151.37, Subdivision 5 and 151.39, by adding a subdivision; repealing Minnesota Statutes 1971, Section 151.26, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Weaver moved that the House concur in the Senate amendments to H. F. No. 976 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 976, A bill for an act relating to pharmacy and drugs; redefining certain terms; increasing the compensation of the members of the state board of pharmacy; revising the qualifications required of applicants for registration; providing for the training of interns; increasing the maximum fee for registration; revising exceptions allowed to registration requirements; regulating the introduction of distressed drugs into the state; amending Minnesota Statutes 1971, Sections 151.01, Subdivision 5 and 14; 151.10; 151.101; 151.12; 151.211; 151.25; 151.26, Subdivision 1; 151.37, Subdivision 5 and 151.39, by adding a subdivision; repealing Minnesota Statutes 1971, Section 151.26, Subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 119, and nays 4, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, D.	Flakne	Jude	McCarron
Adams, S.	Carlson, L.	Forsythe	Kahn	McCauley
Andersen, R.	Cassery	Fudro	Kelly	McEachern
Anderson, D.	Cleary	Graba	Kempe	McFarlin
Anderson, G.	Clifford	Growe	Klaus	Menke
Anderson, I.	Connors	Hagedorn	Knickerbocker	Miller, D.
Becklin	Dahl	Hanson	Kvam	Miller, M.
Belisle	Dieterich	Haugerud	Laidig	Moe
Bell	Dirlam	Heinitz	Larson	Munger
Bennett	Eckstein	Hook	LaVoy	Nelson
Berg	Eken	Jacobs	Lemke	Newcome
Berglin	Enebo	Jaros	Lindstrom, E.	Niehaus
Biersdorf	Erdahl	Johnson, C.	Lindstrom, J.	Norton
Boland	Erickson	Johnson, D.	Lombardi	Ohnstad
Braun	Esau	Johnson, J.	Long	Parish
Carlson, A.	Faricy	Johnson, R.	Mann	Patton
Carlson, B.	Fjoslien	Jopp	McArthur	Pavlak, R.

Pavlak, R. L.	Resner	Savelkoul	Stanton	Weaver
Pehler	Rice	Schreiber	Swanson	Wenzel
Peterson	Ryan	Sherwood	Tomlinson	Wigley
Pieper	St. Onge	Sieben, H.	Ulland	Wohlwend
Pleasant	Salchert	Skaar	Vanasek	Wolcott
Prahl	Samuelson	Smith	Vento	Mr. Speaker
Quirin	Sarna	Stangeland	Voss	

Those who voted in the negative were:

Culhane	DeGroat	Schulz	Searle
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The bill was repassed, as amended by the Senate, and its title agreed to.

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. 2442, A bill for an act relating to the legislature; creating a joint coordinating committee and prescribing its duties; establishing the office of legislative research.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Anderson, I., moved that the House concur in the Senate amendments to H. F. No. 2442 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2442, A bill for an act relating to the legislature; creating a joint coordinating committee and prescribing its duties; establishing the office of legislative research; amending Minnesota Statutes 1971, Sections 3.302, Subdivision 1, and 15A.083, Subdivision 3; repealing Minnesota Statutes 1971, Sections 3.301; 482.02; 482.03; 482.10; and 482.13.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 121, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Braun	Eckstein	Haugerud	Knickerbocker
Adams, S.	Carlson, A.	Eken	Heintz	Kvam
Andersen, R.	Carlson, B.	Enebo	Jacobs	Laidig
Anderson, D.	Carlson, D.	Erdahl	Jaros	Larson
Anderson, G.	Carlson, L.	Erickson	Johnson, C.	LaVoy
Anderson, I.	Casserly	Esau	Johnson, D.	Lemke
Becklin	Cleary	Faricy	Johnson, J.	Lindstrom, E.
Belisle	Clifford	Flakne	Johnson, R.	Lindstrom, J.
Bell	Connors	Forsythe	Jopp	Lombardi
Bennett	Culhane	Fudro	Jude	Long
Berg	Cummiskey	Graba	Kahn	Mann
Berglin	Dahl	Grove	Kelly	McArthur
Biersdorf	Dieterich	Hagedorn	Kempe	McCarron
Boland	Dirlam	Hanson	Klaus	McCauley

McEachern	Ohnstad	Resner	Sieben, H.	Voss
McFarlin	Parish	Rice	Sieben, M.	Weaver
Menke	Patton	Ryan	Skaar	Wenzel
Miller, D.	Pavlak, R.	St. Onge	Smith	Wigley
Miller, M.	Pavlak, R. L.	Salchert	Stangeland	Wohlwend
Moe	Pehler	Samuelson	Stanton	Wolcott
Munger	Peterson	Sarna	Swanson	Mr. Speaker
Nelson	Pieper	Savelkoul	Tomlinson	
Newcome	Pleasant	Schreiber	Ulland	
Niehaus	Prahl	Schulz	Vanasek	
Norton	Quirin	Sherwood	Vento	

Those who voted in the negative were:

DeGroat Searle

The bill was repassed, as amended by the Senate, and its title agreed to.

ADJOURNMENT

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 11:00 a.m., Monday, May 21, 1973. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Monday, May 21, 1973.

EDWARD A. BURDICK, Chief Clerk, House of Representatives