

STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1975

THIRTY-SIXTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 21, 1975

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kahn	Munger	Sieben, M.
Adams, L.	Eckstein	Kaley	Neisen	Sieloff
Adams, S.	Eken	Kalis	Nelsen	Simoneau
Albrecht	Enebo	Kelly, R.	Nelson	Skoglund
Anderson, G.	Erickson	Kelly, W.	Niehaus	Smith
Anderson, I.	Esau	Kempe, A.	Norton	Smogard
Arlandson	Evans	Kempe, R.	Novak	Spanish
Beauchamp	Ewald	Ketola	Osthoff	Stanton
Begich	Faricy	Knickerbocker	Parish	Suss
Berg	Fjoslien	Knoll	Patton	Swanson
Berglin	Forsythe	Kostohryz	Pehler	Tomlinson
Biersdorf	Friedrich	Kroening	Peterson	Ulland
Birnstihl	Fudro	Laidig	Petraleso	Vanasek
Braun	Fugina	Langseth	Philbrook	Vento
Brinkman	George	Lemke	Pleasant	Voss
Byrne	Graba	Lindstrom	Prahl	Wenstrom
Carlson, A.	Hanson	Luther	Reding	Wenzel
Carlson, L.	Haugerud	Mangan	St. Onge	White
Carlson, R.	Heinitz	Mann	Samuelson	Wieser
Casserty	Hokanson	McCarron	Sarna	Wigley
Clark	Jacobs	McCauley	Savelkoul	Williamson
Clawson	Jaros	McCollar	Schreiber	Zubay
Corbid	Jensen	McEachern	Schumacher	Speaker Sabo
Dahl	Johnson, C.	Meier	Searle	
Dean	Johnson, D.	Menning	Setzepfandt	
DeGroat	Jopp	Metzen	Sherwood	
Dieterich	Jude	Moe	Sieben, H.	

A quorum was present.

Kvam and Schulz were excused.

Rice was excused until 3:30 p.m.

The Chief Clerk proceeded to read the Journals of the preceding days. On the motion of Esau the further reading was dispensed with and the Journals were approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1230, 745, 1428, 351, 778, 1073, 1187, 1499, 1500, 1501, 967, 1096, 267, 1207, 184, 307, 1308, 503, 720, 851, 911, 49, 100, 401, 775, 610, 909, 700 and 1315 and S. F. Nos. 1221 and 1222 have been placed in the members' files.

S. F. No. 303 and H. F. No. 191, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 191, lines 12 and 13 read as follows:

removes the same from the boundary waters canoe area each day.

Whereas S. F. No. 303, lines 12 to 16 read as follows:

"removes the same from any lake within the boundary waters canoe area and collapse or disassemble the portable fish house each night. The owner or occupant shall remove the portable fish house from the boundary waters canoe area each time he exits the boundary waters canoe area."

SUSPENSION OF RULES

Johnson, D., moved that the rules be so far suspended that S. F. No. 303 be substituted for H. F. No. 191 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following report was received and filed in the Chief Clerk's Office: Department of Economic Development 1975 Annual Report.

The following communication was received:

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

April 18, 1975

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1975 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 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1975</i>	<i>Date Filed 1975</i>
8		35	April 17	April 17
186		36	April 17	April 17
194		37	April 17	April 17
326		38	April 17	April 17
371		39	April 17	April 17
409		40	April 17	April 17
603		41	April 17	April 17
701		42	April 17	April 17
737		43	April 17	April 17
	70	44	April 17	April 17
	84	45	April 17	April 17
	136	46	April 17	April 17
	227	47	April 17	April 17
	296	48	April 17	April 17
	445	49	April 17	April 17

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 385, A bill for an act relating to weather; providing for research and regulation of weather modification activities; providing penalties; appropriating money.

Reported the same back with the following amendments:

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

"Section 1. [DEFINITIONS.] As used in this act:

(1) "Weather modification" means the performance of any activity with the intention of producing artificial changes in the composition, behavior, or dynamics of the atmosphere.

(2) "Person" means any person, firm, association, organization, partnership, company, corporation, private or public, county, city, trust or other public agencies.

(3) "Operation" means the performance of weather modification activities entered into for the purpose of producing, or attempting to produce, a certain modifying effect within one geographical area over one continuing time interval not exceeding one year.

Sec. 2. [POLICY AND PURPOSE OF REGULATION.] It is hereby declared that weather modification techniques for precipitation management are permitted to be used to augment precipitation and decrease hailfall damage in Minnesota. The application of weather modification techniques shall be carried out under proper safeguards to supply sufficient data and accurate information in order to provide a net economic benefit and enhance knowledge concerning weather modification and to protect life, property and the public interest.

Sec. 3. [SOVEREIGN RIGHT CLAIMED BY STATE.] It is hereby declared that the state of Minnesota claims its sovereign right to use for the best interest of its residents the moisture contained in the clouds and atmosphere within its sovereign state boundaries.

Sec. 4. [COMMISSIONER; POWERS AND DUTIES.] Subdivision 1. [PERSONNEL; RULES AND REGULATIONS.] The provisions of this act shall be administered under the direction and supervision of the commissioner of agriculture. The commissioner may employ a director.

The commissioner shall promulgate rules and regulations in accordance with Minnesota Statutes 1974, Chapter 15 for carrying out the purposes and enforcing the provisions of this act.

Subd. 2. [OPERATIONS; RESEARCH AND DEVELOPMENT; SHARING COSTS.] The commissioner may carry on operations and research and experimentation related to weather modification within the state by staff members, or by contract with approved cloud seeding organizations or in cooperation with other agencies as provided by law. The commissioner may enter into contracts with other units of government for the sharing of costs of weather modification operations. The commis-

sioner may also enter into contracts with educational institutions of the state for programs to help evaluate weather modification programs and to educate and inform the public. Scientific personnel of these institutions will be encouraged to develop measurement techniques for the application and evaluation of cloud seeding.

Subd. 3. [COOPERATION WITH FEDERAL GOVERNMENT AND OTHER STATES.] The commissioner shall cooperate with the federal government and its agents and contractors, and with other states, in the conduct of weather modification operations.

Subd. 4. [UTILIZATION OF TECHNICAL RESOURCES OF SCHOOLS.] The commissioner shall utilize to the extent possible the facilities and technical resources of public and private educational institutions in the state.

Subd. 5. [CONTRACTS AND AGREEMENTS; ACCEPTANCE OF FUNDS.] The commissioner may enter into contracts or memoranda of agreement and accept funds from private and public sources in carrying out the provisions of this act.

Subd. 6. [COOPERATION WITH COUNTIES; COUNTY PARTICIPATION.] The commissioner may cooperate with county programs of weather modification. Counties may, subject to the requirements of this act, conduct weather modification programs and levy taxes therefore not in excess of limitations provided by law. Upon approval by the commissioner, a county may jointly participate in state weather modification programs. No weather modification program shall be conducted over a county without prior written approval of the county involved.

Subd. 7. [ADVISORY COMMITTEES.] The commissioner may establish advisory committees. The committee members shall serve without pay except that the commissioner may reimburse the members for ordinary and necessary expenses in the same manner and amount as state employees while attending a called meeting of the committee.

Sec. 5. [LICENSES.] Subdivision 1. [ORIGINAL LICENSE.] No person shall engage in weather modification without a license issued by the commissioner. Applications for weather modification licenses shall be on forms prescribed and furnished by the commissioner and shall be accompanied by a fee of \$35. The commissioner shall issue licenses pursuant to its regulations and only to applicants who demonstrate to the satisfaction of the commissioner sufficient competence in the field of meteorology and cloud physics to engage in weather modification and who pay a fee of \$100. If the applicant is an organization, the competence must be demonstrated by the individuals who are to supervise and conduct the weather modification. The license shall be valid for one year.

Subd. 2. [RENEWAL LICENSE.] The commissioner shall renew a license for one year if the applicant has the qualifications necessary for issuance of an original license and pays a fee of \$100.

Subd. 3. The moneys collected as fees shall be deposited with the state treasurer in the general fund.

Sec. 6. [PERMITS.] Subdivision 1. No person shall conduct an operation without a permit issued by the commissioner. Applications for permits shall be on forms prescribed and furnished by the commissioner. The commissioner shall issue permits pursuant to its regulations on such terms and conditions as the commissioner deems necessary and only to applicants who hold a valid weather modification license, pay a fee of \$100 and furnish proof of financial responsibility pursuant to subdivision 2. Prior to conducting an operation, the permittee shall publish notice of the operation as the commissioner shall require by regulation and shall submit to the commissioner proof of publication. The permit shall be valid for one year or until the operation terminates, whichever first occurs.

Subd. 2. [PROOF OF FINANCIAL RESPONSIBILITY.] The applicant shall demonstrate to the satisfaction of the commissioner that he has the ability to respond in damages for liability which might reasonably result from the operation for which the permit is sought.

Subd. 3. The moneys collected as fees shall be deposited with the state treasurer in the general fund.

Sec. 7. [EXEMPTIONS.] To the extent the commissioner deems necessary, emergency weather modification operations for the purpose of controlling fire, frost, sleet, hail or fog shall be exempt from the requirements of section 6.

Sec. 8. [SUSPENSION; REVOCATION; REFUSAL TO RENEW LICENSE OR PERMITS.] The commissioner shall suspend or revoke a license or permit if it appears that the licensee no longer has the qualifications necessary for the issuance of an original license or permit or has violated any provision of this act. The commissioner may refuse to renew the license of, or to issue another permit to, any applicant who has failed to comply with any provision of this act.

Sec. 9. [MODIFICATION OF PERMIT; NOTICE AND HEARING.] The commissioner may modify the terms and conditions of a permit if the permittee is first given notice and reasonable opportunity for a hearing and the commissioner determines that a modification is necessary to protect the health or property of any person.

Sec. 10. [WEATHER MODIFICATION REPORTS.] The commissioner by rule and regulation shall require persons en-

gaged in weather modification to submit reports of their activities and operations and any other information deemed necessary by the commissioner.

Sec. 11. [REPORTS TO THE LEGISLATURE.] On or before January 15 of each odd numbered year, the commissioner shall submit a report to the legislature describing the weather modification operations within the state during the preceding two years and the social, economic and environmental impact of the operations. The report shall also include the commissioner's recommendations for legislative action and any other information the commissioner may consider useful to the legislature.

Sec. 12. [PENALTY.] Any person engaging in weather modification without a valid license and permit required by this act is guilty of a gross misdemeanor.

Sec. 13. There is appropriated from the general fund to the commissioner of agriculture the sum of \$400,000 or so much thereof as is necessary for conducting research and operations and for carrying out the purposes of this act. This appropriation shall not lapse until June 30, 1977."

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

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1050, A bill for an act relating to real estate; placing restrictions on who may acquire title; providing enforcement powers; providing penalty; amending Minnesota Statutes 1974, Section 500.22.

Reported the same back with the following amendments:

Page 1, line 7, delete "Section 500.22" and insert "Chapter 500".

Page 1, line 8, after "amended" insert "by adding a section".

Page 1, line 9, delete "500.22" and insert "(500.221)".

Page 1, delete and strike lines 10 to 23.

Page 2, strike lines 1 to 5 and insert:

"Subdivision 1. [BY ALIENS AND NONAMERICAN CORPORATIONS.]

Except as hereinafter provided, no person shall hereafter acquire directly or indirectly any interest in lands for the purposes of farming as defined in section 500.24, subdivision 1, unless he be a citizen of the United States or a resident alien of the United States who has, pursuant to 8 U.S.C. 1445, filed a petition for naturalization or a declaration of intention to become a citizen of the United States, resides upon or himself operates the farm land, and has resided in the United States for not less than one year; and no corporation shall hereafter acquire directly or indirectly any interest in lands for the purposes of farming as defined in section 500.24, subdivision 1, unless at least 80 percent of its stock is held directly or indirectly by citizens of the United States or resident aliens who have, pursuant to 8 U.S.C. 1445, filed a petition for naturalization or a declaration of intention to become a citizen of the United States, and have resided in the United States for not less than one year. This section shall not apply to lands that have been or may be acquired by devise or inheritance, or such as may be held as security for indebtedness, or to lands acquired by process of law in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, that all lands so acquired in the collection of debts or by the enforcement of a lien or claim shall be disposed of within three years after acquiring ownership. Further, the provisions of this section shall not apply to resident aliens who operate farms on not more than 320 acres, or to citizens or subjects of a foreign country whose rights to hold land are secured by treaty."

Page 2, line 21, delete "*Such persons or corporations*".

Page 2, delete line 22.

Page 2, delete line 23.

Page 2, line 24, delete "*acquisition*".

Page 2, line 26, before "*Failure*" insert "*Willful*".

Page 2, after line 29, insert:

"Sec. 2. [REPEALER.] *Minnesota Statutes 1974, Section 500.22, is repealed.*"

Renumber the following section in sequence.

Further amend the title as follows:

Page 1, line 5, delete "*Section 500.22*" and insert "*Chapter 500, by adding a section; repealing Minnesota Statutes 1974, Section 500.22*".

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

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1169, A bill for an act relating to agriculture; licensing; fees; amending Minnesota Statutes 1974, Sections 17.35, Subdivision 6; 18.032, Subdivision 6; 18.53; 18.54, Subdivision 1; 18A.02, Subdivision 3; 21.54, Subdivision 2; 24.072, Subdivisions 2 and 4; 28A.03; 28A.04; 28A.05; 28A.08; 28A.09; 28A.15, Subdivision 5; 31.31; 31.39; 32.075; 32.394, Subdivision 8, and by adding subdivisions; 32.59; and 34.05, Subdivisions 1 and 2.

Reported the same back with the following amendments:

Page 3, line 14, delete "\$10" and insert "\$6".

Page 5, line 3, delete "\$50" and insert "\$35".

Page 9, line 20, after "of" insert "less than".

Page 9, line 21, delete "or less".

Page 9, line 23, delete "\$25" and insert "\$15" and delete "\$8" and insert "\$5".

Page 9, line 24, delete "more than \$250,000" and insert "\$250,000 to \$1,000,000".

Page 9, line 27, delete "\$50" insert "\$30" and delete "\$15" insert "\$10".

Page 9, after line 27, insert "(c) Having over \$1,000,000 gross sales for the immediately previous license or fiscal year \$50 \$15".

Page 9, line 29, delete "\$50" insert "\$15" and delete "\$15" insert "\$5".

Page 9, line 30, after "4." insert "(a)".

Page 9, after line 31, insert "(b) wholesale food processor of meat or poultry products under supervision of the U.S. Department of Agriculture \$50 \$15".

Page 10, line 16, after "vendor" insert "provided that the minimum additional fee under this section shall be \$26".

Page 10, line 25, strike "license".

Page 10, after line 25, insert "(d) A vending machine licensed under this section is exempt from licensing by any municipal corporation or subdivision of state government. In addition to identification required by the commissioner, each vending machine for which inspection fees are provided in this section shall be identified with the name and telephone number of the owner or operator of said machine. Nothing in this section is intended to permit enactment of an ordinance regulating an activity where the state has pre-empted the field."

Page 11, after line 3, insert the following:

"Sec. 15. Minnesota Statutes 1974, Section 31.101, is amended to read:-

31.101 [REGULATIONS; HEARINGS' UNIFORMITY WITH FEDERAL LAW.]

Subdivision 1. The authority to promulgate and amend regulations for the efficient administration and enforcement of the Minnesota food law is vested in the commissioner and is in addition to authority granted in sections 31.10, 31.11, and 31.12. Such regulations when applicable shall conform, insofar as practicable and consistent with state law, with those promulgated under the federal law.

Subd. 2. Hearings authorized or required by law shall be conducted by the commissioner or such officer, agent, or employee as the commissioner may designate for the purpose.

Subd. 3. Federal pesticide chemical regulations and amendments thereto in effect on April 1, (1974) 1975 adopted under authority of the federal act are the pesticide chemical regulations in this state. Such regulations may be amended by the commissioner proceeding in accordance with the administrative procedure act.

Subd. 4. Federal food additive regulations and amendments thereto in effect on April 1, (1974) 1975 adopted under authority of the federal act are the food additive regulations in this state. Such regulations may be amended by the commissioner proceeding in accordance with the administrative procedure act.

Subd. 5. Federal color additive regulations and amendments thereto in effect on April 1, (1974) 1975 adopted under authority of the federal act are the color additive regulations in this state. Such regulations may be amended by the commissioner proceeding in accordance with the administrative procedure act.

Subd. 6. Federal special dietary use regulations and amendments thereto in effect on April 1, (1974) 1975 adopted under authority of the federal act are the special dietary use regulations

in this state. Such regulations may be amended by the commissioner proceeding in accordance with the administrative procedure act.

Subd. 7. Federal regulations and amendments thereto in effect on April 1, (1974) 1975 adopted under the fair packaging and labeling act, Title 15. U.S.C. Sections 1451 to 1461, are the regulations in this state. Such regulations may be amended by the commissioner proceeding in accordance with the administrative procedure act; provided that the commissioner shall not adopt amendments to such regulations or adopt other regulations which are contrary to the labeling requirements for the net quantity of contents required pursuant to section 4 of the fair packaging and labeling act and the regulations promulgated thereunder.

Subd. 8. Applicable federal regulations including recodification contained in Code of Federal Regulations, Title 21, Chapter 1, Parts 0-1299, Food and Drugs, in effect April 1, 1975, and not otherwise adopted herein, also are adopted as food regulations of this state. Such regulations may be amended by the commissioner in accordance with the administrative procedure act.

Sec. 16. Minnesota Statutes 1974, Section 31.102, Subdivision 1, is amended to read:

Subdivision 1. Federal definitions and standards of identity, quality and fill of container and amendments thereto, in effect on April 1, (1974) 1975 adopted under the authority of the federal act, are the definitions and standards of identity, quality and fill of container in this state. Such regulations may be amended by the commissioner proceeding in accordance with the administrative procedure act.

Sec. 17. Minnesota Statutes 1974, Section 31.103, Subdivision 1, is amended to read:

Subdivision 1. All labels of consumer commodities shall conform with the requirements for the declaration of net quantity of contents of section 4 of the fair packaging and labeling act (15 U.S.C. 1451 et seq.) and federal regulations in effect on April 1, (1974) 1975 promulgated pursuant thereto, except to the extent that the commissioner shall exercise his authority to amend such regulations *in accordance with the administrative procedure act*. Consumer commodities exempted from the requirements of section 4 of the fair packaging and labeling act shall also be exempt from this subdivision.

Sec. 18. Minnesota Statutes 1974, Section 31.104, is amended to read:

31.104 [FOOD LABELING EXEMPTION REGULATIONS.]

The commissioner shall promulgate regulations exempting from any labeling requirement food which is, in accordance with the practice of the trade, to be processed, labeled or repacked in substantial quantities at establishments other than those where originally processed or packed, on condition that such food is not adulterated or misbranded upon removal from such processing, labeling or repacking establishment.

Federal regulations in effect on April 1, (1974) 1975 adopted under authority of the federal act relating to such exemptions are effective in this state unless the commissioner shall exercise his authority to amend such regulations and he also may promulgate amendments to existing regulations concerning exceptions *in accordance with the administrative procedure act.*

Page 13, line 15, after "such" strike the old language and delete the new and insert "*initial license shall be \$15 and each renewal thereof shall be \$6*".

Page 14, line 28, reinsert the stricken language and delete "\$400".

Page 14, line 29, reinsert the stricken language and delete "\$40".

Page 15, line 31, delete "\$300" and insert "\$200".

Renumber the sections in sequence.

Further amend the title as follows:

Page 1, line 2, after "agriculture;" insert "inspection;"

Page 1, line 8, after "Subdivision 5;" insert "31.101; 31.102, Subdivision 1; 31.103, Subdivision 1; 31.104;"

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

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1286, A bill for an act relating to crimes and criminals; providing penalties for certain acts relating to livestock; amending Minnesota Statutes 1974, Chapter 609, by adding a section.

Reported the same back with the following amendments:

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

"Section 1. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.551] [RUSTLING AND LIVESTOCK THEFT PENALTIES.] *Subdivision 1. Whoever intentionally and without claim of right shoots, kills, takes, uses, transfers, conceals or retains possession of live cattle, swine or sheep or the carcasses thereof belonging to another without his consent and with the intent to permanently deprive the owner thereof shall be sentenced as follows:*

(a) *If the value of the animals which are shot, killed, taken, used, transferred, concealed or retained exceeds \$2,500, the defendant shall be sentenced to imprisonment for not more than ten years, and may be fined up to \$10,000;*

(b) *If the value of the animals which are shot, killed, taken, used, transferred, concealed or retained exceeds \$100 but is less than \$2,500, the defendant shall be sentenced to imprisonment for not more than five years, and may be fined up to \$5,000;*

(c) *If the value of the animals which are shot, killed, taken, used, transferred, concealed, or retained is \$100 or less, the defendant may be sentenced to imprisonment for not more than 90 days or to payment of a fine of not more than \$300 or both.*

Subd. 2. Whoever knowingly buys, sells, transports or otherwise handles cattle, swine or sheep illegally acquired under subdivision 1 of this section or aids or abets another in the violation of subdivision 1 of this section shall be sentenced as in (a), (b) and (c) of subdivision 1.

Subd. 3. In any prosecution under this section the value of the animals which are shot, killed, taken, used, transferred, concealed, or retained within any six month period may be aggregated and the defendant charged accordingly in applying the provisions of this section.

Subd. 4. Any person who has been injured by violation of this section may bring an action for three times the amount of actual damages sustained by the plaintiff, costs of suit and reasonable attorneys' fees."

Further amend the title as follows:

Line 3, after the semicolon insert "providing for the collection of damages;"

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 38, A bill for an act relating to elections; providing for a presidential primary election; regulating the selection of convention delegates.

Reported the same back with the following amendments:

Page 2, line 1, after "of" delete "each" and insert "any".

Page 2, line 2, after "party" and before "may" insert "as defined in Minnesota Statutes, Chapter 200."

Page 2, line 26, delete "Subdivision 1."

Page 2, delete lines 27 to 32.

Page 3, delete lines 1 and 2.

Re-number subdivisions.

Page 3, line 4, after "ballots" and before "and" insert "on white paper".

Page 3, line 6, after "each" and before "party" insert "political".

Page 3, line 6, after "bear" and before "the" insert "on the face".

Page 3, line 6, after "the" and before "party" delete "political".

Page 3, line 6, delete "and".

Page 3, delete line 7.

Page 3, line 8, delete "party" and insert "in three-eighths inch upper case boldface type, or as close to this as practicable. On the back of the ballot below the signature of the election officials shall be printed, as specified in this subdivision, the name of the political party, so as to be visible when the ballot is properly folded for deposit".

Page 3, line 9, after "same" and before "as" delete "color" and insert "party".

Page 3, line 11, delete "rotation" and insert "notation".

Page 4, line 22, delete "Minnesota Statutes, Section 203.21" and insert "Laws 1975, Chapter 5, Section 78".

Page 4, line 23, after "requiring" and before "additional" insert "one judge for every 150 voters and".

Page 4, line 25, after the period add "The secretary of state shall determine the number of voters per judge required for this act."

Page 4, after line 25, add the following:

"Sec. 8. [USE OF BALLOT BOXES, VOTING BOOTHS.] Subdivision 1. For purposes of this act, any school district using paper ballots shall loan its ballot boxes and voting booths to any municipality within its boundaries which for other elections uses mechanical or electronic voting systems.

Subd. 2. For purposes of this act, any municipality which uses paper ballots may loan ballot boxes to any other municipality which for other elections uses mechanical or electronic voting systems."

Renumber section 8 as section 9.

Page 4, line 28, after "act" delete the remainder of the line.

Page 4, line 29, delete "primary election".

Page 4, line 29, delete "\$300,000" and insert "\$800,000".

Page 4, line 30, after the period, add the following "This appropriation shall cover all of the administrative expenses incurred by the secretary of state in carrying out the purposes of this act; the reimbursement for salaries of election judges at a rate not to exceed \$35 per judge; costs incurred by the secretary of state in training election judges; reimbursement for purchase of ballot boxes and voting booths for precincts which for other elections use mechanical voting systems and which cannot obtain such boxes and booths from any other source; and reimbursement to counties for the cost of registration in excess of the costs normally incurred in the year of a presidential election. In the event that this appropriation is not sufficient to completely reimburse the local units of government, the secretary of state shall not request a deficiency appropriation, but the amounts reimbursed to the local units of government shall be prorated on the basis of the number of votes cast in said election in the local units."

Further amend the title in line 4, after "delegates" by inserting "; appropriating money".

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

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 339, A bill for an act relating to butter substitutes; identification of oleomargarine served in public places; amending Minnesota Statutes 1971, Section 33.111.

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

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 388, A bill for an act relating to the legislature; establishing the Minnesota job and business climate interim study commission; appropriating money.

Reported the same back with the following amendments:

Page 1, line 12, delete "president" and insert "senate committee on committees".

Page 1, after line 14, insert:

"The eight citizen members appointed by the governor should include a representative of an industrial or business firm employing less than 100 people; a representative of an industrial or business firm employing 100 to 1,000 workers; a representative of an industrial or business firm employing over 1,000 workers; a representative of agribusiness; two representatives from organized labor; one farmer owner operator and one citizen at large. It is the intent of this act, in the appointment of such citizen members, that consideration be given to representation from a variety of types of business organizations, as well as broad geographic representation."

Page 2, line 4, delete ", and may supplement them thereafter".

Page 2, line 5, delete "until January 15, 1977".

Page 2, line 11, delete "shall serve without".

Page 2, line 12; delete "compensation but" and insert "except the commissioner and house and senate members shall receive \$35 for each day that the commission meets and".

Page 2, after line 28, insert:

"Subd. 8. This act shall be effective until December 31, 1976. This act is effective the day after final enactment."

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

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 447, A bill for an act relating to real estate brokers and salespersons; authorizing establishment of special licenses applicable solely to the rental or management of real estate; amending Minnesota Statutes 1974, Sections 82.20, Subdivision 1; and 82.22, Subdivision 6.

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

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 557, A bill for an act relating to commerce; consumer fraud; providing an exclusion for mass media; amending Minnesota Statutes 1974, Sections 325.774, Subdivision 1; and 325.79, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 13, after the semicolon, insert "or".

Page 1, lines 14 to 16, strike the old language.

Page 1, line 17, strike the old language.

Page 1, line 17, delete the new language.

Page 1, lines 18 to 20, delete the new language.

Page 1, line 20, strike "; or".

Page 1, line 21, strike "(3)" and insert "(2)".

Page 1, after line 21, insert a section to read:

Sec. 2. Minnesota Statutes 1974, Section 325.774, is amended by adding a subdivision to read:

"Subd. 1a. Sections 325.771 to 325.776 shall apply to publishers, broadcasters, printers, or other persons engaged in the dissemination of information or reproduction of printed or pictorial matters who publish, broadcast, or reproduce material only if the persons have either knowledge of the deceptive trade practice or a financial interest in the goods or services being deceptively offered for sale."

Page 2, line 1, strike "Nothing herein".

Page 2, line 2, strike "contained" and insert "Sections 325.78 to 325.80".

Page 2, line 8, after the comma and before "if" insert "only".

Page 2, line 9, delete "neither" and insert "either".

Page 2, line 10, delete "nor" and insert "or".

Renumber the remaining section.

Further amend the title as follows:

Page 1, line 4, after "Subdivision 1" insert ", and by adding a subdivision".

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

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 558, A bill for an act relating to intoxicating liquor; suspension or revocation of licenses to sell; amending Minnesota Statutes 1974, Section 340.135.

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

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 744, A bill for an act relating to public utilities; prohibiting certain discounts and rate reductions based on volume;

providing for refund of overcharges if certain rates become effective before approval by the public service commission; removing construction in progress from rate bases; prohibiting approval of rates which make allowances for certain advertising expenses; delaying implementation of certain rate schedules; amending Minnesota Statutes 1974, Sections 216B.07; 216B.16, Subdivisions 2 and 6, and by adding a subdivision; repealing Minnesota Statutes 1974, Section 216B.16, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 22, after the period, delete the remainder of the line.

Page 1, delete lines 23 to 27.

Page 2, delete lines 1 and 2, and insert:

"Different rates may be allowed for different classes of customers if the classes are differentiated on the basis of the cost of providing the service to customers or on the basis of the type of service rendered to a customer."

Page 2, line 28, delete "If".

Page 2, line 28, after "commission" insert "shall within three months".

Page 2, line 29, delete "modifies or disapproves" and insert "make a final determination concerning".

Page 2, line 29, delete "or any part".

Page 2, line 30, delete "of the schedule," and insert a period.

Page 3, after line 2, insert a new section to read:

"Sec. 3. Minnesota Statutes 1974, Section 216B.16, Subdivision 3, is amended to read:

Subd. 3. (NOTWITHSTANDING ANY ORDER OF SUSPENSION OF A PROPOSED INCREASE IN RATES, THE PUBLIC UTILITY MAY PUT THE SUSPENDED SCHEDULE INTO EFFECT ON THE DATE WHEN IT WOULD HAVE BECOME EFFECTIVE IF NOT SUSPENDED, OR ANY DATE SUBSEQUENT THERETO WITHIN THE SUSPENSION PERIOD, BY FILING WITH THE COMMISSION A BOND IN AN AMOUNT APPROVED BY THE COMMISSION WITH SURETIES APPROVED BY THE COMMISSION, CONDITIONED UPON THE REFUND, IN A MANNER TO BE PRESCRIBED BY ORDER OF THE COMMISSION, OF THE EXCESS IN INCREASED RATES, INCLUDING IN-

TEREST THEREON WHICH SHALL BE AT THE CURRENT RATE OF INTEREST AS DETERMINED BY THE COMMISSION, COLLECTED DURING THE PERIOD OF THE SUSPENSION IF THE SCHEDULE SO PUT INTO EFFECT IS FINALLY DISALLOWED BY THE COMMISSION. THERE MAY BE SUBSTITUTED FOR THE BOND OTHER ARRANGEMENTS SATISFACTORY TO THE COMMISSION FOR THE PROTECTION OF PERSONS AFFECTED. IF THE PUBLIC UTILITY FAILS TO MAKE REFUNDS WITHIN THE PERIOD OF TIME PRESCRIBED BY THE COMMISSION, THE COMMISSION SHALL SUE THEREFOR AND IS AUTHORIZED TO RECOVER ON BEHALF OF ALL PERSONS ENTITLED TO A REFUND. IN ADDITION TO THE AMOUNT OF THE REFUND AND INTEREST DUE, THE COMMISSION SHALL BE ENTITLED TO RECOVER REASONABLE ATTORNEY'S FEES, COURT COSTS AND ESTIMATED COST OF ADMINISTERING THE DISTRIBUTION OF THE REFUND TO PERSONS ENTITLED THERETO. NO SUIT UNDER THIS SUBDIVISION SHALL BE MAINTAINED UNLESS INSTITUTED WITHIN TWO YEARS AFTER THE END OF THE PERIOD OF TIME PRESCRIBED BY THE COMMISSION FOR REPAYMENT OF REFUNDS. HOWEVER, NO PUBLIC UTILITY SHALL PUT A SUSPENDED RATE SCHEDULE INTO EFFECT AS PROVIDED BY THIS SUBDIVISION UNTIL AT LEAST 90 DAYS AFTER THE COMMISSION HAS MADE A DETERMINATION CONCERNING ANY PREVIOUSLY FILED CHARGE OF THE RATE SCHEDULE OR THE CHANGE HAS OTHERWISE BECOME EFFECTIVE UNDER SUBDIVISION 2.) *The commission may establish temporary rates for any period of suspension under this section and such temporary rates shall be effective for the duration of the suspension period unless terminated earlier by the commission. As a condition to putting the temporary rates into effect, the commission may require the public utility to file with the commission a bond in an amount approved by the commission with sureties approved by the commission, conditioned upon the refund, in a manner to be prescribed by order of the commission, of the excess in increased rates, including interest thereon which shall be at the current rate of interest as determined by the commission, collected during the period the temporary rates are in effect if the temporary rates exceed the rates as finally determined. There may be substituted for the bond other arrangements satisfactory to the commission for the protection of persons affected. In every proceeding in which temporary rates are established, the commission shall consider the effect of such rates in making a final determination of the rate proceeding. If the rates as finally determined are in excess of the rates prescribed in the temporary order, the public utility shall be permitted to amortize and recover in a manner determined by the commission, by means of temporary increase over and above the rates finally determined, such sum as shall represent the difference between the gross income obtained from the rates prescribed in the temporary order and the gross income which*

would have been obtained under the rates finally determined if applied during the period such temporary order was in effect. If the temporary rate is in excess of the rate as finally determined the public utility shall refund the excess in rates charged during the period of suspension and collected in a manner to be determined by the commission. If the public utility fails to make refunds within the period of time prescribed by the commission, the commission shall sue therefor and is authorized to recover on behalf of all persons entitled to a refund. In addition to the amount of the refund and interest due, the commission shall be entitled to recover reasonable attorney's fees, court costs and estimated cost of administering the distribution of the refund to persons entitled thereto. No suit under this subdivision shall be maintained unless instituted within two years after the end of the period of time prescribed by the commission for repayment of refunds."

Renumber the remaining sections accordingly.

Page 4, line 2, after "8." delete the remainder of the line.

Page 4, line 3, delete "subdivision, the commission shall not approve" and insert "The commission shall disapprove".

Page 4, line 8, after "attitudes" insert "towards legislation or proposed legislation, or".

Page 4, line 14, after the semicolon, insert "or".

Page 4, delete lines 15 to 19 and insert "(c) Is designed primarily to promote consumption of the services of the utility."

Page 4, delete lines 31 and 32, and insert:

"Sec. 6. This act shall be effective the day following enactment."

Further amend the title to read:

Page 1, line 12, after "2" insert ", 3" and after "subdivision" delete the semicolon and insert a period.

Page 1, delete lines 13 and 14.

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

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 746, A bill for an act relating to commerce; requiring prices on certain retail food packages.

Reported the same back with the following amendments:

Page 1, line 7, after "price" insert "in arabic numerals".

Page 1, line 12, after the comma, insert "nor to confectionary items which have a total retail price of 25 cents or less;"

Page 1, line 13, delete "establishment" and insert "store".

Page 1, line 14, after the period, insert "The exemption for retail stores with gross annual sales of \$500,000 or less does not apply to any member store of a chain store sales organization which chain has gross annual sales of \$500,000 or more, except where the store is independently owned."

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

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1235, A bill for an act relating to intoxicating liquor; filing of wholesale price schedules; amending Minnesota Statutes 1974, Section 340.983.

Reported the same back with the following amendments:

Page 2, after line 9, insert:

"Sec. 2. [EFFECTIVE DATE.] *This act is effective on the day following its final enactment.*"

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

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1483, A bill for an act relating to intoxicating liquor; authorizing sale on election days; amending Minnesota Statutes 1974, Sections 340.034, Subdivision 1; and 340.14, Subdivision 1.

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

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1536, A bill for an act relating to crimes; permitting certain ticket sale service fees; amending Minnesota Statutes 1974, Section 609.805, by adding a subdivision.

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

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 343, A bill for an act relating to outdoor recreation; establishing an outdoor recreation system; classifying units of the outdoor recreation system and specifying the purposes and administration of each class of units; providing for authorization, acquisition, and establishment of units; requiring master plans for all units; establishing an outdoor recreation advisory committee; requiring a registry of units and reports on existing units and new units; providing for review of present classifications; changing names; amending Minnesota Statutes 1974, Sections 84.029, Subdivision 1; 84.03; 84.033; 97.48, Subdivisions 13, 15 and 25; 97.481; 99.251; 104.37; 138.09; 138.52, Subdivision 1; 138.53, Subdivision 49, and by adding subdivisions; 138.56, Subdivision 1, and by adding subdivisions; 138.585, Subdivision 1, and by adding subdivisions; 138.60, Subdivisions 2 and 3; 161.10; and repealing Minnesota Statutes 1974, Sections 85.013, Subdivisions 2, 3, 4, 5b, 6, 7, 11, 17, 18, 25, 25a, and 27; 85.20 Subdivisions 2, 3, 4, and 5; 85.32; 92.46, Subdivision 2; 138.08; 138.52, Subdivisions 2, 3, 4, and 5; 138.53, Subdivisions 4, 11, 12, 17, 30, and 48; 138.54; 138.55, Subdivisions 18 and 19; 138.57, Subdivisions 6 and 7; 138.60, Subdivision 3.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. [86A.01] [CITATION.] *This act may be cited as the outdoor recreation act of 1975.*

Sec. 2. [86A.02] [POLICY.] *Subdivision 1. The legislature finds that the unique natural, cultural, and historical resources of Minnesota provide abundant opportunities for outdoor*

recreation and education, and finds that these opportunities should be made available to all citizens of Minnesota now and in the future.

Subd. 2. The legislature further finds that the preservation and proper utilization of Minnesota's outdoor recreational resources is becoming increasingly important to the health, welfare, and prosperity of the citizens of Minnesota due to the growing demand for outdoor recreational facilities and the spread of development and urbanization in the state.

Subd. 3. The legislature further finds that the outdoor recreational needs of the people of Minnesota will be best served by the establishment of an outdoor recreational system which will (1) preserve an accurate representation of Minnesota's natural and historical heritage for public understanding and enjoyment and (2) provide an adequate and equitable supply of scenic, accessible, and usable lands and waters to accommodate the outdoor recreational needs of Minnesota's citizens.

Subd. 4. Nothing in sections 1 to 12 shall be deemed or construed to abolish, repeal or negate any of the ongoing programs, approved by law, or the authority or activities of the commissioner of natural resources in improving, maintaining and developing fishing, hunting, or other recreational activities conducted upon the public waters and lands of the state or on private lands in cooperation with the owners thereof, except as the uses of such lands or waters may be in express conflict with the provisions of sections 1 to 12.

Subd. 5. The legislature hereby determines that the establishment of an outdoor recreation system will serve these needs and will thus serve a valid public purpose for the people of this state.

Sec. 3. [86A.03] [DEFINITIONS.] Subdivision 1. For the purposes of the outdoor recreation system, the terms defined in this section shall have the meanings given them.

Subd. 2. "Managing agency" means the organization or person which, pursuant to section 5, is given responsibility for the administration of a particular unit or class of the outdoor recreation system.

Subd. 3. "Outdoor recreation" means any voluntary activity, including hunting, fishing, trapping, boating, hiking, camping, and engaging in winter sports, which is conducted primarily for the purposes of pleasure, rest, or relaxation and is dependent upon or derives its principal benefit from natural surroundings; "outdoor recreation" shall also mean any demonstration, structure, exhibit, or activity which is primarily intended to preserve, demonstrate, or explain a significant aspect of the natural and cultural history, and archaeology of Minnesota.

Subd. 4. "Administration" or "administer" means the process, or any part thereof, of the preparation, operation, and management of a unit, including but not limited to the following:

- (a) management of natural resources and visitors;
- (b) construction and development of structures, service facilities, and programs for visitor and administrative use;
- (c) maintenance of natural resources and facilities;
- (d) operations.

Subd. 5. "Landscape region" means an identifiable geographic region with generally homogeneous natural characteristics which exemplify the natural processes which formed the geography, geology, topography and biology of the state.

Subd. 6. "Facility" or "facilities" means any building, structure, modification, or improvement made or built upon the land or waters of a unit.

Sec. 4. [86A.04] [OUTDOOR RECREATION SYSTEM.]

The outdoor recreation system shall consist of all natural state parks; recreational state parks; state trails established pursuant to Minnesota Statutes, Sections 84.029, Subdivision 2, and 85.015; state scientific and natural areas; state wilderness areas; state forests; state wildlife management areas; state water access sites, which include all lands and facilities established by the commissioner of natural resources or the commissioner of highways to provide public access to water; state wild, scenic, and recreational rivers; state historic sites; and state rest areas, which include all facilities established by the commissioner of highways for the safety, rest, comfort and use of the highway traveler, and shall include all existing facilities designated as rest areas and waysides by the commissioner of highways. Each individual state park, recreation area, and so forth is called a "unit".

Sec. 5. [86A.05] [OUTDOOR RECREATION SYSTEM; CLASSIFICATION AND PURPOSES.] Subdivision 1. [CLASSIFICATION.] The outdoor recreation system shall be comprised of units classified as follows, and each such unit shall be authorized, established, and administered to accomplish the purpose and objectives of its classification.

Subd. 2. [NATURAL STATE PARK; PURPOSE; RESOURCE AND SITE QUALIFICATIONS; ADMINISTRATION.] (a) A natural state park shall be established to protect and perpetuate extensive areas of the state possessing those resources which illustrate and exemplify Minnesota's natural phenomena and to provide for the use, enjoyment, and under-

standing of such resources without impairment for the enjoyment and recreation of future generations.

(b) No unit shall be authorized as a state park unless its proposed location substantially satisfies the following criteria:

(1) Exemplifies the natural characteristics of the major landscape regions of the state, as shown by accepted classifications, in an essentially unspoiled or restored condition or in a condition that will permit restoration in the foreseeable future; or contains essentially unspoiled natural resources of sufficient extent and importance to meaningfully contribute to the broad illustration of the state's natural phenomena; and

(2) Contains natural resources, sufficiently diverse and interesting to attract people from throughout the state; and is sufficiently large to permit protection of the plant and animal life and other natural resources which give the park its qualities and provide for a broad range of opportunities for human enjoyment of these qualities.

(c) Natural state parks shall be administered by the commissioner of natural resources in a manner which is consistent with the purposes of this subdivision to preserve, perpetuate, and interpret natural features that existed in the area of the park prior to settlement and other significant natural, scenic, scientific, or historic features that are present. Management shall seek to maintain a balance among the plant and animal life of the park and to reestablish desirable plants and animals that were formerly indigenous to the park area but are now missing. Programs to interpret the natural features of the park shall be provided. Outdoor recreation activities to utilize the natural features of the park that can be accommodated without material disturbance of the natural features of the park or the introduction of undue artificiality into the natural scene may be permitted. Park use shall be primarily for aesthetic, cultural, and educational purposes, and shall not be designed to accommodate all forms or unlimited volumes of recreational use. Physical development shall be limited to those facilities necessary to complement the natural features and the values being preserved.

Subd. 3. [RECREATIONAL STATE PARK; PURPOSE; RESOURCE AND SITE QUALIFICATIONS; ADMINISTRATION.] (a) A recreational state park shall be established to provide a broad selection of outdoor recreation opportunities in a natural setting which may be used by large numbers of people.

(b) No unit shall be authorized as a recreational state park unless its proposed location substantially satisfies the following criteria:

(1) Contains natural or artificial resources which provide outstanding outdoor recreational opportunities that will attract visitors from beyond the local area;

(2) Contains resources which permit intensive recreational use by large numbers of people; and

(3) May be located in areas which have serious deficiencies in public outdoor recreation facilities, provided that state recreation areas should not be provided in lieu of municipal, county, or regional facilities.

(c) Recreational state parks shall be administered by the commissioner of natural resources in a manner which is consistent with the purposes of this subdivision primarily to provide as broad a selection of opportunities for outdoor recreation as is consistent with maintaining a pleasing natural environment. Scenic, historic, scientific, scarce, or disappearing resources within recreational state parks shall be recommended for authorization as historic sites or designated scientific and natural areas pursuant to section 8 of this act to preserve and protect them. Physical development shall enhance and promote the use and enjoyment of the natural recreational resources of the area.

Subd. 4. [STATE TRAIL; PURPOSE; RESOURCE AND SITE QUALIFICATIONS; ADMINISTRATION; DESIGNATION.] (a) A state trail shall be established to provide a recreational travel route which connects units of the outdoor recreation system or the national trail system, provides access to or passage through other areas which have significant scenic, historic, scientific, or recreational qualities or reestablishes or permits travel along an historically prominent travel route or which provides commuter transportation.

(b) No unit shall be authorized as a state trail unless its proposed location substantially satisfies the following criteria:

(1) Permits travel in an appropriate manner along a route which provides at least one of the following recreational opportunities:

(i) travel along a route which connects areas or points of natural, scientific, cultural, and historic interest;

(ii) travel through an area which possesses outstanding scenic beauty;

(iii) travel over a route designed to enhance and utilize the unique qualities of that mode in harmony with the natural environment;

(iv) travel along a route which is historically significant as a route of migration, commerce, or communication;

(v) travel between units of the state outdoor recreation system or the national trail system; and

(2) Utilizes, to the greatest extent possible consistent with the purposes of this act, public lands, rights-of-way, and the like; and

(3) Provides maximum potential for the appreciation, conservation, and enjoyment of significant scenic, historical, natural, or cultural qualities of the areas through which the trail may pass;

(4) Takes into consideration predicted public demand and future use.

(c) State trails shall be administered by the commissioners of highways or natural resources as specified by law in a manner which is consistent with the purposes of this subdivision. State trails established by the commissioner of natural resources shall be managed to provide a travel route through an area with a minimum disturbance of the natural environment and recognizing other multiple land use activities. Trail markers shall be limited to those providing safety information and interpretation.

(d) Facilities for the rest and comfort of trail users shall be provided primarily within units of the outdoor recreation system through which the trail passes. When additional facilities are required to insure the rest and comfort of the traveler, the managing agency may develop such facilities along the trail and shall designate the facilities as trail waysides. In addition to the foregoing purpose, trail waysides shall be developed for the preservation and interpretation of the trail's natural, historic, or scenic values, and may include facilities for primitive camping, picnicking, sanitation, and parking for access to the trail.

(e) State trails designated under this subdivision shall not be subject to the provisions of section 160.06.

Subd. 5. [STATE SCIENTIFIC AND NATURAL AREAS; PURPOSE; RESOURCE AND SITE QUALIFICATIONS; ADMINISTRATION; DESIGNATION.] (a) A state scientific and natural area shall be established to protect and perpetuate in a natural state those natural features which possess exceptional scientific or educational value.

(b) No unit shall be authorized as a scientific and natural area unless its proposed location substantially satisfies the following criteria:

(1) Embraces natural features of exceptional scientific and educational value, including but not limited to any of the following:

(i) *natural formations or features which significantly illustrate geological processes;*

(ii) *significant fossil evidence of the development of life on earth;*

(iii) *an undisturbed plant community maintaining itself under prevailing natural conditions typical of Minnesota;*

(iv) *an ecological community significantly illustrating the process of succession and restoration to natural condition following disruptive change;*

(v) *a habitat supporting a vanishing, rare, endangered, or restricted species of plant or animal;*

(vi) *a relict flora or fauna persisting from an earlier period;*
or

(vii) *a seasonal haven for concentrations of birds and animals, or a vantage point for observing concentrated populations, such as a constricted migration route; and*

(2) *Embraces an area large enough to permit effective research or educational functions and to preserve the inherent natural values of the area.*

(c) *State scientific and natural areas shall be administered by the commissioner of natural resources, in consultation with qualified persons, in a manner which is consistent with the purposes of this subdivision to preserve, perpetuate and protect from unnatural influences the scientific and educational resources within them. Interpretive studies may be provided for the general public. Physical development shall be limited to the facilities absolutely necessary for protection, research, and educational projects, and, where appropriate, for interpretive services. An area designated as a state scientific and natural area shall not be altered in designation or use without holding a public hearing on the matter at a time and place designated in the notice of the hearing, which shall be published once in a legal newspaper in each county in which the lands are situated at least seven days in advance of the hearing. At the hearing the commissioner shall provide an opportunity for any person to be heard.*

(d) *At the discretion of the managing agency, each scientific and natural area shall be designated as one of the following types:*

(i) *Research unit. Use is limited to programs conducted by qualified scientists and college graduate and post-graduate students.*

(ii) *Educational Unit.* Permitted uses include all activities specified in paragraph (i) above and primary, secondary, and college undergraduate programs.

(iii) *Public use unit.* Permitted uses include all uses permitted in paragraphs (i) and (ii) above and interpretive programs for the benefit of the general public.

Subd. 6. [STATE WILDERNESS AREA; PURPOSE; RESOURCE AND SITE QUALIFICATIONS; ADMINISTRATION.] (a) A state wilderness area shall be established to preserve, in a natural wild and undeveloped condition, areas which offer outstanding opportunities for solitude and primitive types of outdoor recreation.

(b) No unit shall be authorized as a state wilderness area unless its proposed location substantially satisfies the following criteria:

Appears to have been primarily affected by the forces of nature, with the evidence of man being substantially unnoticeable or where the evidence of man may be eliminated by restoration.

(c) State wilderness areas shall be administered by the commissioner of natural resources in a manner which is consistent with the purposes of this subdivision, and shall be managed only to the extent necessary to control fire, insects, and disease, and to preserve existing wilderness or reestablish wilderness conditions. There shall be no development of public roads, permanent dwellings, or recreational facilities except trails for nonmotorized traffic. No commercial utilization of timber or minerals shall be allowed. Motorized traffic shall not be allowed except as deemed necessary for emergency or administrative purposes. Facilities existing at the time of establishment shall be removed.

Subd. 7. [STATE FORESTS AND STATE FOREST SUB-AREAS; PURPOSE; RESOURCE AND SITE QUALIFICATIONS; ADMINISTRATION.] (a) A state forest, as established by Minnesota Statutes, Section 89.021, shall be administered to accomplish the purposes set forth in that section, and a state forest sub-area shall be established to permit development and management of specialized outdoor recreation at such locations and in such manner as is consistent with the primary purpose of the forest.

(b) No unit shall be authorized as a state forest sub-area unless it is located within a state forest and contains suitable natural resources to accommodate any of the following uses:

(1) *Day use areas.* Areas which permit recreational use of the forest in its natural state, not requiring an overnight stay,

including but not limited to picnicking, fishing, swimming, boat launching, hiking, interpretation, and nature observation.

(2) *Campground. Provide minimum facilities to accommodate overnight camping.*

(c) *Outdoor recreation sub-areas located within state forests shall be administered by the commissioner of natural resources in a manner which is consistent with the purposes of this subdivision.*

Subd. 8. [STATE WILDLIFE MANAGEMENT AREA; PURPOSE; RESOURCE AND SITE QUALIFICATIONS; ADMINISTRATION.] (a) *A state wildlife management area shall be established to protect those lands and waters which have a high potential for wildlife production and to develop and manage these lands and waters for the production of wildlife, for public hunting, fishing, and trapping, and for other compatible outdoor recreational uses.*

(b) *No unit shall be authorized as a state wildlife management area unless its proposed location substantially satisfies the following criteria:*

(1) *Includes appropriate wildlife lands and habitat, including but not limited to marsh or wetlands and the margins thereof, ponds, lakes, stream bottomlands, and uplands, which permit the propagation and management of a substantial population of the desired wildlife species; and*

(2) *Includes an area large enough to ensure adequate wildlife management and regulation of the permitted recreational uses.*

(c) *State wildlife management areas shall be administered by the commissioner of natural resources in a manner which is consistent with the purposes of this subdivision to perpetuate, and if necessary, reestablish quality wildlife habitat for maximum production of a variety of wildlife species. Public hunting, fishing, trapping, and other uses shall be consistent with the limitations of the resource, including the need to preserve an adequate brood stock and prevent long term habitat injury or excessive wildlife population reduction or increase. Physical development may provide access to the area, but shall be so developed as to minimize intrusion on the natural environment.*

Subd. 9. [STATE WATER ACCESS SITE; PURPOSE; RESOURCE AND SITE QUALIFICATIONS; ADMINISTRATION.] (a) *A state water access site shall be established to provide public access to rivers and lakes which are suitable for outdoor water recreation and where the access is necessary to permit public use.*

(b) No unit shall be authorized as a state water access site unless its proposed location substantially satisfies the following criteria:

(1) The body of water to which access is being provided and surrounding lands can withstand additional recreational use without undue damage to the environment or undue risks to the health and safety of water users;

(2) Public access to the body of water is either nonexistent or inadequate.

(c) State water access sites shall be administered by the commissioner of natural resources or the commissioner of highways in a manner which is consistent with the purposes of this subdivision to provide public access to water. Access roads, off-road parking areas, refuse containers, sanitary facilities, and facilities for limited picnicking and primitive camping may be provided when the commissioner determines that these activities are justifiable and are compatible with the resource and the natural environment.

Subd. 10. [STATE WILD, SCENIC, AND RECREATIONAL RIVERS; PURPOSE; RESOURCE AND SITE QUALIFICATIONS; ADMINISTRATION; DESIGNATION.]

(a) State wild, scenic, and recreational rivers shall be established to protect and maintain the natural characteristics of all or a portion of a river or stream, or its tributaries, or lake through which such river or stream flows which together with adjacent lands possesses outstanding scenic, scientific, historical, or recreational value, as provided by sections 104.31 to 104.40.

(b) State wild, scenic, and recreational rivers shall be administered by the commissioner of natural resources in a manner which is consistent with the purposes of this subdivision and sections 104.31 to 104.40.

Subd. 11. [STATE HISTORIC SITES; PURPOSE; RESOURCE AND SITE QUALIFICATIONS; ADMINISTRATION; DESIGNATION.] (a) A state historic site shall be established to preserve, restore, and interpret buildings and other structures, locales, sites, antiquities, and related lands which aptly illustrate significant events, personalities, and features of the history and archaeology of the state or nation.

(b) No unit shall be authorized as a state historic site unless it is historically important for any of the following reasons:

(1) Is the site of or directly associated with a significant historical event; or

(2) Is associated with persons whose lives and accomplishments are historically unique or important; or

(3) Embodies the distinctive characteristics of an architectural style or method of construction which represents a particular and significant historical period, or the work of a master builder, designer, or architect; or

(4) Has yielded, or is likely to yield, historical or archaeological artifacts, records, or other original data or information; or

(5) Is a geographical feature of outstanding significance and includes, by way of example, the highest point in the state, the continental divide, and the source of the Mississippi river.

(c) State historic sites shall be administered by the commissioner of natural resources, the Minnesota historical society, the board of regents of the university of Minnesota, governmental subdivisions of the state, or by county historical societies jointly or independently as designated by law in a manner which is consistent with the purposes of this subdivision to maintain and, if necessary, restore the historical integrity of the site to commemorate or illustrate its historical importance. Ancient features of significance shall be protected from disturbance until archaeological research has been completed. Interpretive programs for visitors shall be provided including, where practicable, interpretation of research programs under supervised conditions. Recreational use of natural features shall be permitted only where this can be accomplished without detriment to historical values. Physical development shall be limited to those facilities necessary to achieve the management and use objectives.

Subd. 12. [STATE REST AREA; PURPOSE; RESOURCE AND SITE QUALIFICATIONS; ADMINISTRATION.] (a) A state rest area shall be established to promote a safe, pleasurable, and informative travel experience along Minnesota highways by providing areas and facilities at reasonable intervals for information, emergencies, or the rest and comfort of travelers.

(b) No unit shall be authorized as a state rest area unless its proposed location substantially satisfies the following criteria:

(1) Is adjacent to or in near proximity to a trunk or interstate highway;

(2) Is developed at appropriate intervals based on the type of road system, traffic and traffic projections and known or projected usage of said proposed development;

(3) May be near or associated with a place or area of natural, scientific, cultural, or historic interest.

(c) Rest areas shall be administered by the commissioner of highways in cooperation with other agencies as appropriate

in a manner which is consistent with the purposes of this subdivision. State rest areas may be managed to provide parking, resting, restroom, picnicking, orientation, travel information, and other facilities for the convenience of the traveling public. Where located in conjunction with features of interest, state rest areas may provide interpretive exhibits or other facilities if appropriate to promote understanding and enjoyment of the features.

Sec. 6. [86A.06] [RULES AND REGULATIONS.] *Each managing agency, in consultation with the state planning agency, shall promulgate rules relating to the units of the outdoor recreation system within its jurisdiction, which shall provide for administration of the units in the manner specified in section 5 and the laws relating to each type of unit. The authority provided by this subdivision does not amend or repeal authority possessed by the commissioner of natural resources pursuant to section 97.53, subdivision 2, and in no way is intended to modify or diminish authority possessed by the commissioner in relation to section 97.53, subdivision 2.*

Sec. 7. [86A.07] [AUTHORIZATION AND ACQUISITION OF UNITS.] *Subdivision 1. [LEGISLATIVE AUTHORIZATION.] A unit of the outdoor recreation system shall be deemed to be authorized upon the enactment of a law (1) describing the land, water, or facility which shall comprise the unit; (2) designating the unit's classification pursuant to section 5; (3) directing and authorizing acquisition of the unit thus described; and (4) specifying the methods of acquisition and the types of interests in land that may be acquired.*

Subd. 2. [ACQUISITION.] Upon authorization of a unit pursuant to subdivision 1, the managing agency shall as soon as possible acquire the lands, waters, or facilities as authorized.

Subd. 3. [AUTHORIZATION BY DESIGNATION.] In any instance where a managing agency, or the commissioner of administration on behalf of said managing agency, is specifically empowered by law to acquire lands or waters or any interest in lands or waters for the purpose of establishing units of the outdoor recreation system a unit may be authorized upon (1) the acquisition of land and waters pursuant to the lawful exercise of said power to acquire and (2) the designation by the managing agency of such land and waters as a classified unit of the outdoor recreation system.

Sec. 8. [86A.08] [AUTHORIZATION OF SECONDARY UNITS.] *Subdivision 1. [SECONDARY AUTHORIZATION; WHEN PERMITTED.] A unit of the outdoor recreation system may be authorized wholly or partially within the boundaries of another unit only when such authorization is consistent with the purposes and objectives of the respective units and only in the instances permitted below:*

(a) The following units may be authorized wholly or partially within a state park: historic site, scientific and natural area, wilderness area, wild, scenic, and recreational river, trail, rest area, and water access site.

(b) The following units may be authorized wholly or partially within a recreational state park: historic site, scientific and natural area, wild, scenic, and recreational river, trail, rest area, and water access site.

(c) The following units may be authorized wholly or partially within a state forest: natural state park, recreational state park, historic site, wildlife management area, scientific and natural area, wilderness area, wild, scenic, and recreational river, trail, rest area, and water access site.

(d) The following units may be authorized wholly or partially within a state historic site: wild, scenic, and recreational river, trail, rest area, and water access site.

(e) The following units may be authorized wholly or partially within a state wildlife management area: state water access site.

(f) The following units may be authorized wholly or partially within a state wild, scenic, or recreational river: natural state park, historic site, scientific and natural area, wilderness area, trail, rest area, and water access site.

(g) The following units may be authorized wholly or partially within a state rest area: historic site, trail, wild, scenic, and recreational river, and water access site.

Subd. 2. [ADMINISTRATION OF SECONDARY UNITS.]

A unit shall be administered by the managing agency to which it is assigned by section 5 even when located wholly or partially within another unit administered by a different managing agency, unless otherwise specifically provided by law or by agreement between the agencies involved.

Sec. 9. [86A.09] [DEVELOPMENT AND ESTABLISHMENT OF UNITS.] Subdivision 1. [MASTER PLAN REQUIRED.]

No construction of new facilities or other development of an authorized unit, other than repairs and maintenance, shall commence until the managing agency shall have prepared and submitted to the state planning agency and the state planning agency shall have reviewed, pursuant to this section, a master plan for administration of the unit in conformity with this section. This requirement shall not apply to an existing unit until August 1, 1977. No master plan is required for wildlife management areas that do not have resident managers, for water access sites, or for rest areas.

Subd. 2. [MASTER PLAN; PREPARATION AND CONTENT.] The managing agency shall supervise preparation of the master plan and shall utilize the professional staffs of any agency of the state when the expertise of the staff of such agency is necessary to adequately prepare the master plan; the master plan shall present such information in such a format and in such detail as may be appropriate to the size and complexity of the authorized unit. When the master plan has been completed the managing agency shall announce to the public in a manner reasonably designed to inform interested persons that the master plan is available for public review and in the case of any major unit shall hold at least one public hearing on the plan in the vicinity of the unit. The managing agency shall make the master plan available for review and comment by the public and other state agencies for at least 30 days following the announcement and before submitting the master plan to the state planning agency. Copies of the plan shall be provided to members of the outdoor recreation advisory council and to any other person on request.

Subd. 3. [MASTER PLAN; REVIEW AND APPROVAL.] All master plans required by this section shall be submitted to the state planning agency for review pursuant to this subdivision. The state planning agency shall review the master plan to determine whether the plan: (a) provides for administration of the unit in a manner that is consistent with the purposes for which the unit was authorized and with the principals governing the administration of the unit, as specified in section 5 and the statutes relating to each type of unit; (b) recognizes values and resources within the unit that are primarily the responsibility of another managing agency to protect or develop, and provides for their protection or development either through a co-operative agreement with the other managing agency or through designation of the appropriate area as a secondary unit. In reviewing any master plan, the state planning agency shall consult with other state agencies. Within 60 days after receiving the master plan, the state planning agency shall notify the managing agency that the plan has been reviewed and forward its recommendations for any changes it might suggest. The managing agency shall review the recommendations and notify the state planning agency of the disposition made of them. Failure to comment on a master plan within the time specified shall be considered approval of the plan by the state planning agency. If the director of the state planning agency feels that the master plan still fails significantly to comply with this subdivision, he may request review of the master plan by the governor. In that event review shall not be deemed completed until after the master plan has been approved by the governor or 60 days have elapsed without action by the governor to approve or reject the plan, whichever occurs first.

Subd. 4. [DEVELOPMENT.] Construction of necessary facilities and other development of the unit shall commence as soon as practicable after review of the master plan by the state plan-

ning agency, and the governor if requested, and shall be carried out in conformity with the master plan.

Subd. 5. [ESTABLISHMENT.] When, in the opinion of the managing agency, acquisition and development of the unit are sufficiently complete to permit operation and administration of the unit in substantial conformity with the master plan as approved, the managing agency shall declare the unit established and ready for use.

Sec. 10. [86A.10] [OUTDOOR RECREATION ADVISORY COUNCIL.] Subdivision 1. [MEMBERSHIP.] Each regional development commission and the metropolitan council shall designate one of its members to serve on the outdoor recreation advisory council, which is hereby created. The governor shall appoint the chairman of the council to serve at his pleasure. Seven of the initial members of the council shall be appointed to terms ending January 1, 1979; the remaining members shall be appointed to terms ending January 7, 1980. Thereafter, members shall be appointed to terms ending the first Monday in January four years after the scheduled end of the prior terms. If a successor has not been appointed for a member by July 1 after the scheduled end of the member's term, the term of that member for whom a successor has not been appointed shall be extended until the first Monday in January four years after the scheduled end of his term.

Subd. 2. [DUTIES.] The council shall advise the commissioner of natural resources, the Minnesota historical society and the commissioner of highways concerning the administration of each type of unit of the outdoor recreation system and shall review the master plans for major units.

Subd. 3. [COMPENSATION.] Members of the council shall receive \$25 per day spent on council activities plus expenses in the manner and amount as provided for state employees.

Subd. 4. [REMOVAL; FILLING VACANCIES.] A member may be removed at any time by the appointing authority (1) for cause after notice and hearing or (2) after missing three consecutive meetings. The chairman of the council shall inform the appointing authority of a member missing the three meetings. The secretary of the council shall inform in writing a member after the second consecutive missed meeting and before the next meeting that he is subject to removal if he misses the next meeting. The appointing authority shall fill a vacancy for the remainder of the unexpired term.

Subd. 5. [TERMINATION DATE.] The council shall terminate on June 30, 1983.

Sec. 11. [86A.11] [REGISTRY OF UNITS.] The commissioner of natural resources shall compile and maintain a cur-

rent registry of the name, location, size, and description of all units of the outdoor recreation system under his jurisdiction and under the jurisdiction of the Minnesota historical society and the commissioner of highways. The commissioner of natural resources shall publish and distribute the information contained in the registry in a form and manner suitable to assist persons wishing to use these units. The Minnesota historical society and the commissioner of highways shall cooperate with and assist the commissioner of natural resources in preparing and distributing the registry.

Sec. 12. [86A.12] [REVIEW OF CLASSIFICATIONS.] Subdivision 1. [STATE PARKS, MONUMENTS, RECREATION AREAS, AND WAYSIDES.] *The commissioner of natural resources, the commissioner of highways, the director of the Minnesota historical society, and the director of the state planning agency shall review all state parks, monuments, recreation areas, and waysides which have been established, confirmed, and designated as such in Minnesota Statutes, Sections 85.012 and 85.013, to determine the most appropriate classification and managing agency for each unit pursuant to the purposes and criteria of section 5 and shall submit their recommendations to the legislature on or before January 1, 1977. Until such time as a unit's classification or managing agency is changed by law, the unit shall be managed under present policies and retain its present classification and managing agency.*

Subd. 2. [HISTORIC SITES.] *The director of the Minnesota historical society, the commissioner of natural resources, the commissioner of highways, and the director of the state planning agency shall review all historic sites enumerated in the state historic sites registry, Minnesota Statutes, Sections 138.53 and 138.55, and the state monuments enumerated in Minnesota Statutes, Section 138.585, to determine the most appropriate classification, managing agency, and designation pursuant to section 5 and shall submit their recommendations to the legislature on or before January 1, 1977. Until such time as a unit's classification, designation, or managing agency is changed by law, the unit shall be managed under present policies and retain its present classification, designation, and managing agency.*

Sec. 13. Minnesota Statutes 1974, Section 84.029, Subdivision 1, is amended to read:

84.029 [RECREATIONAL AREAS ON PUBLIC LAND.] Subdivision 1. [ESTABLISHMENT, DEVELOPMENT, MAINTENANCE AND OPERATION.] *In addition to other lawful authority, the commissioner of natural resources may establish, develop, maintain, and operate recreational areas, including but not limited to (CAMPGROUNDS, DAY USE AREAS.) trails (,) and canoe routes, for the use and enjoyment of the public on any state owned or leased land under his jurisdiction. Each employee of the department of natural resources, while engaged in his employment in connection with such recrea-*

tional areas, has and possesses the authority and power of a peace officer when so designated by the commissioner.

Sec. 14. Minnesota Statutes 1974, Section 84.03, is amended to read:

84.03 [ADDITIONAL DUTIES AND POWERS.] So far as practicable the commissioner shall collect and arrange statistics and other information in reference to the lands and general and special resources of the state.

He is hereby authorized and empowered to take such measures as he may deem advisable to advertise, both within and without the state, sales of all state lands, and to secure, compile, and issue such valuable statistics of the resources of the state.

He may adopt and promulgate reasonable rules and regulations, not inconsistent with law, governing the use and enjoyment of state land reserved from sale, state parks, (STATE PUBLIC CAMPGROUNDS, PUBLIC) *state water* access sites, (BOAT LAUNCHING FACILITIES, STATE RECREATION RESERVES,) *state* trails, state (MONUMENT SITES) *monuments, state scientific and natural areas, state wilderness areas,* and recreational areas owned by other state, local and federal agencies and operated under agreement by the department of natural resources, which shall have the force and effect of law. A reasonable fee may be fixed, charged, and collected by the commissioner for the privilege of the use of any or all of the foregoing privileges and facilities.

The commissioner, on or before November 15 of each even numbered year, shall report to the legislature his acts and doings with recommendations for the improvement or conservation of state parks, (STATE PUBLIC CAMP GROUNDS, PUBLIC) *state water* access sites, (BOAT LAUNCHING FACILITIES, STATE RECREATION RESERVE,) *state* trails, and state (MONUMENT SITES) *monuments, state scientific and natural areas, state forests, state wildlife management areas, public hunting grounds, public shooting grounds, food and cover planting areas, wildlife lands, recreational or public hunting areas, state wild and scenic rivers, state wilderness areas,* and all other recreational lands under the jurisdiction of the department of natural resources, and for desirable accessions thereto, such report to include an inventory of the tracts and parcels of land, and rights, interests, and easements therein, held by the state or withdrawn from sale for any of these purposes, with the value thereof, *and a list of the name, location, size, and description of each state trail, state scientific and natural area, state wildlife management area, state water access site, and state wild, scenic, or recreational river designated by him, and each public hunting grounds, public shooting grounds, food and cover planting area, wildlife lands, and recreational or public hunting area acquired*

by him since his last report. He shall maintain a long range plan governing the use of the public domain under his jurisdiction.

Sec. 15. Minnesota Statutes 1974, Section 84.033, is amended to read:

84.033 [SCIENTIFIC AND NATURAL AREAS.] The Commissioner of natural resources may acquire by gift, lease, easement, or purchase, in the manner prescribed under chapter 117, in the name of the state, lands or any interest in lands suitable and desirable for establishing and maintaining scientific and natural areas. The commissioner (SHALL DESIGNATE AS SUCH THE SCIENTIFIC AND NATURAL AREA LANDS UNDER HIS JURISDICTION AND MAY POST ANY OF THESE LANDS AS A "SCIENTIFIC AND NATURAL AREA." HE SHALL PRESERVE, PROTECT, AND MANAGE THESE LANDS FOR THE PUBLIC WELFARE IN CONSULTATION WITH QUALIFIED PERSONS, AND SHALL MAKE SUCH IMPROVEMENTS AS ARE FOUND NECESSARY TO THESE PURPOSES. FOR THE PURPOSES OF THIS SECTION, "SCIENTIFIC AND NATURAL AREA" MEANS AN AREA OF LAND OR WATER HAVING VALUES INHERENT IN THE NATURAL CONDITION OF THE LAND OR WATER. THESE VALUES INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING: (1) A LIVING MUSEUM; (2) A SITE FOR SCIENTIFIC STUDY; (3) AN AREA FOR TEACHING NATURAL HISTORY AND CONSERVATION; AND (4) A HABITAT FOR RARE AND ENDANGERED SPECIES OF PLANTS AND ANIMALS. LAND DESIGNATED AS A "SCIENTIFIC AND NATURAL AREA" SHALL NOT BE ALTERED IN DESIGNATION OR USE WITHOUT HOLDING A PUBLIC HEARING ON THE MATTER AT A TIME AND PLACE DESIGNATED IN THE NOTICE OF THE HEARING, WHICH SHALL BE PUBLISHED ONCE IN A LEGAL NEWSPAPER IN EACH COUNTY IN WHICH THE LANDS ARE SITUATED AT LEAST SEVEN DAYS IN ADVANCE OF THE HEARING. AT THE HEARING THE COMMISSIONER SHALL PROVIDE AN OPPORTUNITY FOR ANY PERSON TO BE HEARD) *shall designate any land so acquired as a scientific and natural area and shall administer any land so acquired and designated as provided by section 5 of this act.*

Sec. 16. Minnesota Statutes 1974, Section 97.48, Subdivision 13, is amended to read:

Subd. 13. The commissioner shall acquire by gift, lease, easement, purchase, or condemnation in the manner prescribed under sections 117.011 to 117.232, in the name of the state, lands or any interest in lands suitable and desirable for establishing and maintaining public hunting grounds, game refuges and food and cover planting areas, and to make all improvements thereon deemed by him advisable, provided that (NOT MORE THAN

ONE THIRD) *at least two thirds* of the total area so acquired in any county for a public hunting grounds, game refuge, food and cover planting area, or other wildlife management area shall be (ESTABLISHED AS A REFUGE) *open to public hunting. The commissioner may designate lands or interests in lands acquired pursuant to this subdivision as wildlife management areas for the purposes of the outdoor recreation system.*

Sec. 17. Minnesota Statutes 1974, Section 97.48, Subdivision 15, is amended to read:

Subd. 15. The commissioner shall acquire by gift, lease, purchase, or condemnation in the manner prescribed by chapter 117, in the name of the state, (FROM THE GAME AND FISH FUND, PARKING OR CAMPING AREAS) *state water access sites*, (OF) not to exceed five acres, adjacent to public waters to which the public theretofore had no access or where the access is inadequate and upon which the public has a right to hunt and fish, and such easements and rights of way as may be required to connect such (AREAS) *sites* with public highways, provided, no acquisition costing over \$1,000 shall be made without first obtaining the approval of the executive council, and provided further that the authority herein granted shall not extend to lakes completely surrounded by lands owned and maintained for the purpose of conducting an educational or religious institution, or to lakes which are unmeandered or which contain less than 200 acres within the meander lines; provided, that in the case of any lake containing less than 200 acres but not less than 150 acres within the meander lines, the authority herein granted shall apply where the lands, easements, or rights of way required are acquired by gift or purchase but not by condemnation and provided further, that public easements and public right of way may be acquired other than by condemnation to lakes of any size which are to be thereafter managed intensively for fishing. All (AREAS) *sites*, easements, and rights of way acquired hereunder shall be maintained by the commissioner (FROM THE GAME AND FISH FUND), except that the commissioner may make agreements with the county board if the connecting public highway is a county state-aid highway or county highway and the town board if the connecting public highway is a town road for the maintenance of the easements and rights of way to the (AREAS) *sites*. The county board and town board may expend money from their respective road and bridge funds for such maintenance in accordance with the agreement.

Sec. 18. Minnesota Statutes 1974, Section 97.48, Subdivision 25, is amended to read:

Subd. 25. The commissioner may, for purposes of identification, post any land under his jurisdiction acquired for public hunting grounds, food and cover planting areas, game refuges, wildlife lands and conservation area lands, (AS "WILDLIFE

MANAGEMENT AREA") so as to indicate the management purpose thereof.

Sec. 19. Minnesota Statutes 1974, Section 97.481, is amended to read:

97.481 [ACQUISITION OF WILDLIFE LANDS.] The commissioner of natural resources is hereby authorized and empowered to acquire, in the name of the state, by gift, lease, purchase and transfer of state lands, any such wildlife lands, such as marsh or wetlands, and the margins thereof, including ponds, small lakes and stream bottom lands, which he finds desirable to acquire in the interests of water conservation relating to wildlife development programs, and, he may also acquire for this purpose from any state agency, itself included, lands now in state ownership or tax-forfeited which are suitable for wildlife purposes, and when such lands are so acquired, he is authorized to develop the same in the interest of wildlife, recreational or public hunting areas as he shall deem desirable. No such lands shall be acquired until first approved for such purchase, or lease, by a majority of the members of the board of county commissioners in the counties where the land to be purchased, or leased, is located. In the counties in which a soil and water conservation district is organized the supervisors will act as counsellors to the board of county commissioners regarding the best utilization and capability of the land proposed for purchase, including the questions of drainage and flood control. The commissioner in the purchase of such wetlands must recognize that when a majority of land owners, or owners of a majority of the land in the watershed, petition for a drainage outlet, that the state should not interfere, or unnecessarily delay such drainage proceedings when such proceedings are conducted according to the Minnesota Drainage Code. In no case should state lands, so purchased, or leased, be used to produce crops which are in a surplus as defined by the federal government unless such crops are needed to sustain wildlife. No lands described herein shall be acquired unless there is acquired simultaneously therewith a right-of-way or easement from said lands to a public road so as to make entry upon said lands available to the public. *The commissioner may designate lands or interests in lands acquired pursuant to this section as wildlife management areas for the purposes of the outdoor recreation system.*

Sec. 20. Minnesota Statutes 1974, Section 99.251, is amended to read:

99.251 [MAINTENANCE OF CEMETERY IN WHITE-WATER WILDLIFE MANAGEMENT AREA.] The commissioner of natural resources of the state of Minnesota shall keep and maintain in a proper and decent manner and keep free of weeds any cemetery in the Whitewater (GAME REFUGE) *state wildlife management area.*

Sec. 21. Minnesota Statutes 1974, Section 104.35, Subdivision 3, is amended to read:

Subd. 3. Following the public hearing, and such additional public hearings as the commissioner shall deem necessary, and following review by the state planning agency as required by section 9, he may by order establish the river or segment thereof as a wild, scenic, or recreational river and shall adopt a management plan to govern the area. The commissioner shall notify and inform public agencies and private landowners of the plan and its purposes so as to encourage their cooperation in the management and use of their land in a manner consistent with the plan and its purposes.

Sec. 22. Minnesota Statutes 1974, Section 104.37, is amended to read:

104.37 [ACQUISITION OF INTERESTS IN LAND; DEVELOPMENT.] *Subdivision 1.* To further the purposes of sections 104.31 to 104.40, the commissioner of administration, for the commissioner of natural resources, may acquire the title, scenic easements or other interests in land, by purchase, grant, gift, devise, exchange, lease, or other lawful means. "Scenic easement" means an interest in land, less than the fee title, which limits the use of such land for the purpose of protecting the scenic, recreational, or natural characteristics of a wild, scenic or recreational river area. Unless otherwise expressly and specifically provided by the parties, such easement shall be (a) perpetually held for the benefit of the people of Minnesota; (b) specifically enforceable by its holder or any beneficiary; and (c) binding upon the holder of the servient estate, his heirs, successors and assigns. Unless specifically provided by the parties, no such easement shall give the holder or any beneficiary the right to enter on the land except for enforcement of the easement.

Subd. 2. The commissioner of natural resources may designate and develop appropriate areas of public land along wild, scenic, and recreational rivers as water waysides for facilities compatible with the class of river, including, as appropriate, primitive campsites, picnic sites, portages, water access sites, sanitation facilities, and interpretive display.

Subd. 3. The commissioner of natural resources may mark canoe and boating routes along a wild, scenic, or recreational river, consistent with the classification and characteristics of the river, including points of interest, portages, campsites, dams, rapids, waterfalls, whirlpools, and other hazards to navigation. Canoe routes, boating routes, campsites, and portages marked under this subdivision shall not be subject to the provisions of section 160.06.

Subd. 4. The commissioner of natural resources may designate all or a portion of a state wild, scenic, or recreational river

that possesses the necessary qualifications as a state trout stream, and make habitat improvement as may be necessary, desirable, and consistent with the classification of the river.

Sec. 23. Minnesota Statutes 1974, Section 138.09, is amended to read:

138.09 [COUNTY BOARDS MAY ACQUIRE HISTORIC SITES.] The board of county commissioners of any county is hereby authorized to acquire and maintain tracts of land within the county which are designated as having historical or archaeological significance and whose acquisition and maintenance are approved by the Minnesota historical society (IN ACCORDANCE WITH THE PROVISIONS OF SECTION 138.08) and to aid in the construction of markers on such lands.

Sec. 24. Minnesota Statutes 1974, Section 138.52, Subdivision 1, is amended to read:

138.52 [DEFINITIONS.] Subdivision 1. Land or water areas containing historic or archeological value for the purposes of sections 138.51 to 138.63 are designated as "state historic sites." (A "STATE HISTORIC SITE" IS ALSO AN AREA DESIGNATED BY THE MINNESOTA HISTORICAL SOCIETY AS A SITE POSSESSING HISTORICAL VALUE OF STATE OR NATIONAL SIGNIFICANCE.) The term "state historic site" includes the items defined in (THIS) section 138.72.

Sec. 25. Minnesota Statutes 1974, Section 138.53, Subdivision 49, is amended to read:

Subd. 49. Lac qui Parle Mission, owned by the state, is in Chippewa county and is (LOCATED WITHIN THE BOUNDARIES OF) *hereby renamed from Chippewa Mission State Wayside.*

Sec. 26. Minnesota Statutes 1974, Section 138.53, is amended by adding a subdivision to read:

Subd. 62. Fort Snelling, owned by the state, is in Dakota, Hennepin, and Ramsey counties and is located within the boundaries of Fort Snelling state park.

Sec. 27. Minnesota Statutes 1974, Section 138.53, is amended by adding a subdivision to read:

Subd. 63. Cantonment New Hope, owned by the state, is in Dakota county and is located within the authorized boundaries of Fort Snelling state park.

Sec. 28. Minnesota Statutes 1974, Section 138.53, is amended by adding a subdivision to read:

Subd. 64. Camp Coldwater, owned by the state, is in Hennepin county.

Sec. 29. Minnesota Statutes 1974, Section 138.53, is amended by adding a subdivision to read:

Subd. 65. Old Fort Snelling historic district is in Hennepin county, and consists of the area described in section 138.73, subdivision 13.

Sec. 30. Minnesota Statutes 1974, Section 138.56, Subdivision 1, is amended to read:

138.56 [STATE HISTORIC SITES; REGISTRY, LANDS OWNED BY THE CITIES AND COUNTIES OF MINNESOTA.] Subdivision 1. The land and water areas enumerated in this section are hereby designated by law as "state historic sites," and this section is a registry of state historic sites situated on property owned by the cities (OF ST. PAUL AND MINNEAPOLIS) and counties of the state of Minnesota.

Sec. 31. Minnesota Statutes 1974, Section 138.56, is amended by adding a subdivision to read:

Subd. 9. Browns Valley Man, owned by the city of Browns Valley, is in Traverse county and consists of block 23, Platteau Addition, city of Browns Valley.

Sec. 32. Minnesota Statutes 1974, Section 138.56, is amended by adding a subdivision to read:

Subd. 10. Washington County Courthouse, owned by Washington county, is in Washington county and consists of block 39, original town plat of Stillwater, township 30 north, range 20 west.

Sec. 33. Minnesota Statutes 1974, Section 138.56, is amended by adding a subdivision to read:

Subd. 11. Wasioja Seminary, owned by Dodge county, is in Dodge county and consists of one rectangular acre embracing the old seminary walls and the evergreens in front, whose dimensions are 11 rods east and west and 14 1/2 rods north and south, lying along the middle of the north line of the public square in the city of Wasioja.

Sec. 34. Minnesota Statutes 1974, Section 138.56, is amended by adding a subdivision to read:

Subd. 12. Taylors Falls Public Library, owned by the city of Taylors Falls, is in Chisago county and is located at 417 Bench Street in the city of Taylors Falls.

Sec. 35. Minnesota Statutes 1974, Section 138.585, Subdivision 1, is amended to read:

138.585 [STATE MONUMENTS.] Subdivision 1. The monuments, memorials, tablets, markers and cenotaphs enumerated in this section are "state monuments", officially established as such by the state of Minnesota (BETWEEN) *since* 1873 (AND 1929).

Sec. 36. Minnesota Statutes 1974, Section 138.585, is amended by adding a subdivision to read:

Subd. 25. Count Beltrami State Monument, in Beltrami county, in honor of Count Beltrami to commemorate the discovery of the height of land on the Continental Divide on August 23, 1823, established in 1945.

Sec. 37. Minnesota Statutes 1974, Section 138.585, is amended by adding a subdivision to read:

Subd. 26. Chief Sleepy Eyes State Monument, in Brown county, a 20-foot granite shaft in the city of Sleepy Eye, honoring Santee Sioux Chief Sleepy Eyes (Ishtaba); for whom the city is named, established in 1971.

Sec. 38. Minnesota Statutes 1974, Section 138.585, is amended by adding a subdivision to read:

Subd. 27. Sioux Indians State Monument, in Renville county a 50-foot granite shaft overlooking trunk highway 19 near Morton honoring the Indians who were friendly to white settlers during the Sioux Uprising of 1862, established in 1971.

Sec. 39. Minnesota Statutes 1974, Section 138.60, Subdivision 2, is amended to read:

Subd. 2. [PROHIBITIONS.] Neither the state nor any of the instrumentalities of government enumerated in subdivision 1 shall cause to change or alter the physical features or historic character of any site designated in (SECTION) *sections* 138.53 or 138.56 as a "state historic site" without first obtaining the prior approval thereof in writing of the Minnesota historical society. The state or such instrumentalities of government may appeal to the executive council from any ruling or action of the Minnesota historical society, within 30 days after receiving notice thereof, and after a hearing on the matter the executive council may take such action as it deems necessary including a decision as to whether or not the change or alteration should be approved.

Sec. 40. Minnesota Statutes 1974, Section 161.10, is amended to read:

161.10 [INVESTIGATIONS; RECOMMENDATIONS; REPORTS.] When practicable the commissioner shall investigate and determine the location of road material in the state, ascertain the most approved methods of construction and improvement of roads, investigate the most approved laws in relation to roads in other states and hold public meetings throughout the state when deemed advisable. On or before November 15 on each even-numbered year he shall make a printed report to the governor and the legislature stating the condition, management, and financial transactions of his department, including a statement of the expense incurred in maintaining such department; the number of miles of roads built or improved during the preceding two fiscal years and their cost; the general character and location of material suitable for road construction; the general character and needs of the roads of the state; *the name, location, size, and description of each state trail, state water access site, and state rest area established by him since his last report*; and recommend such legislation as he deems advisable. The report shall be transmitted by the governor to the legislature.

Sec. 41. [REPEALER.]. *Minnesota Statutes 1974, Sections 85.013, Subdivisions 2, 3, 4, 5b, 6, 7, 11, 17, 18, 25, 25a, and 27; 85.20 Subdivisions 2, 3, 4, and 5; 92.46, Subdivision 2; 138.08; 138.52, Subdivisions 2, 3, 4, 5, and 6; 138.53, Subdivisions 4, 11, 12, 17, 30, 48, and 61; 138.54; 138.55, Subdivisions 18 and 19; 138.57, Subdivisions 6 and 7; and 138.60, Subdivision 3 are repealed."*

Further amend the title as follows:

Delete lines 2 to 36 and insert the following:

"relating to outdoor recreation; establishing an outdoor recreation system; classifying units of the outdoor recreation system and specifying the purposes and administration of each class of units; providing for authorization, acquisition, and establishment of units; requiring master plans for all units; establishing an outdoor recreation advisory council; requiring a registry of units and reports on existing units and new units; providing for review of present classifications; changing names; amending Minnesota Statutes 1974, Sections 84.029, Subdivision 1; 84.03; 84.033; 97.48, Subdivisions 13, 15 and 25; 97.481; 99.251; 104.35, Subdivision 3; 104.37; 138.09; 138.52, Subdivision 1; 138.53, Subdivision 49, and by adding subdivisions; 138.56, Subdivision 1, and by adding subdivisions; 138.585, Subdivision 1, and by adding subdivisions; 138.60, Subdivision 2; 161.10; and repealing Minnesota Statutes 1974, Sections 85.013, Subdivisions 2, 3, 4, 5b, 6, 7, 11, 17, 18, 25, 25a, and 27; 85.20, Subdivisions 2, 3, 4, and 5; 92.46, Subdivision 2; 138.08; 138.52, Subdivisions 2, 3, 4, 5, and 6; 138.53, Subdivisions 4, 11, 12, 17, 30, 48, and 61; 138.54; 138.55, Subdivisions 18 and 19; 138.57, Subdivisions 6 and 7; 138.60, Subdivision 3."

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

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1058, A bill for an act relating to state parks; adding land to Helmer Myre state park; appropriating funds.

Reported the same back with the following amendments:

Page 2, line 5, after "Sec. 2." delete "There is appropriated to the commissioner of".

Page 2, delete lines 6 to 9 and insert "The state shall have the power to condemn the lands described in Section 1 pursuant to Minnesota Statutes, Chapter 117."

Further amend the title as follows:

Page 1, line 3, delete "; appropriating funds".

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

The report was adopted.

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

H. F. No. 292, A bill for an act relating to credit unions; application fees for new state chartered credit unions; amending Minnesota Statutes 1974, Section 52.01.

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

The report was adopted.

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

H. F. No. 347, A bill for an act relating to insurance premium financing; clarifying the definition of an open end premium finance agreement; allowing a finance charge for premiums added to a premium finance agreement; amending Minnesota Statutes 1974, Section 59A.08, Subdivision 3.

Reported the same back with the following amendments:

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

"Section 1. Minnesota Statutes 1974, Section 59A.08, Subdivision 3, is amended to read:

Subd. 3. The information required by subdivision 1 shall only be required in the initial *insurance premium finance* agreement (WHERE THE PREMIUM FINANCE AGREEMENT WHICH HAS BEEN ENTERED INTO PROVIDES FOR OPEN END TERMS DEFINED AS FOLLOWS: AN AGREEMENT WHICH PROVIDES THAT ADDITIONAL PREMIUMS REQUIRED ON ORIGINALLY FINANCED POLICIES MAY BE ADDED FROM TIME TO TIME ON WHICH A FINANCE CHARGE MAY BE ADDED FOR THE REMAINING TERM OF THE ORIGINAL FINANCE AGREEMENT. THE \$10 FLAT SERVICE FEE MAY NOT BE COLLECTED ON THESE ADDITIONAL PREMIUMS FINANCED) *entered into if said agreement is open end. An insurance premium finance agreement is open end if it provides that additional or subsequent insurance premiums may be financed and added to the initial insurance premium finance agreement from time to time.*

Additional or subsequent premiums may be added to an open end insurance premium finance agreement from time to time, provided that:

(a) *The additional or subsequent insurance premium to be added results from additional premiums required under policies presently being financed under the open end insurance premium finance agreement or from a renewal of a policy or from other policies owned or purchased by the insured.*

(b) *The insurance premium finance company receives written notice or advice from an insurer authorized to do business in this state or from an insurance agent licensed in this state acknowledging that the premium on an existing financed policy has been increased or that a policy has been renewed or that additional policies have or will be issued to the insured. The notice or advice shall contain the amount of the additional premium, the down payment collected by the insurer or agent, if any, and the amount of premium to be added to the open end insurance premium finance agreement.*

(c) *If the additional premiums to be added to the open end insurance premium finance agreement result from additional premiums required on policies presently financed under the agreement which are to be financed beyond the scheduled maturity of the original financing, the renewal of a policy or from an additional policy owned or purchased by the insured, the insurance premium finance company shall mail a notice to the insured at the address shown in the policy. Said notice shall contain:*

(1) *The information required by subdivision 1, notwithstanding that the notice is not signed by, nor on behalf of the insured;*

(2) *A conspicuous statement to the insured stating that he may tender the premiums in full or disaffirm the financing of the premium on the renewal or additional policies by mailing to the insurance premium finance company notice of his intention to do so within ten days after the insurance premium finance company mails to the insured the notice required by this subdivision;*

(3) *A conspicuous statement to the insured that the insurance premium finance company may, in event of default in payment of the additional premium, or any installment thereof cause the insured's insurance contract or contracts to be cancelled as provided in section 59A.11.*

(d) *At the time the notice of additional premium to be added to the open end insurance premium finance agreement is mailed to the insured as provided in clause (c), an employee of the insurance premium finance company shall prepare and sign a certificate or affidavit of mailing setting forth the following:*

(1) *The name of the employee who mailed the notice of the additional premium to be financed.*

(2) *That the employee mailing the notice is over 18 years of age.*

(3) *The date and place of the deposit of the notice in the mail.*

(4) *The name and address of the person to whom the notice was mailed as shown on the envelope containing the notice.*

(5) *That the envelope containing the notice was sealed and deposited in the mail with the proper postage thereon.*

A certificate or affidavit of mailing, prepared and signed as prescribed in this subdivision shall raise a rebuttable presumption that the notice was mailed to the insured at the address shown in the certificate or affidavit of mailing.

(e) *The insurance premium finance company may make a finance charge in accordance with section 59A.09 for additional premiums financed and added to an open end insurance premium finance agreement; however, only one flat rate service fee may be made or charged for each insurance premium finance agreement entered into and no additional flat service fee may be made or charged for adding additional or subsequent premiums to an open end insurance premium finance agreement for which a flat service fee was previously made or charged."*

Further, amend the title as follows:

Line 4, after "agreement;" insert "allowing additional premiums to be added to an open end insurance premium finance agreement, and prescribing the conditions therefor; prohibiting flat service fees for adding additional premiums;"

Line 4, after "for" insert "additional".

Line 5, delete "a" and insert "an open end insurance".

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

The report was adopted.

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

H. F. No. 404, A bill for an act relating to banks; cash reserves of banks and trust companies; recordkeeping of savings associations; amending Minnesota Statutes 1974, Sections 48.22; and 51A.19, Subdivision 4.

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

The report was adopted.

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

H. F. No. 460, A bill for an act relating to banks; establishing certain requirements on disclosure of interest rates.

Reported the same back with the following amendments:

Page 1, line 8, delete "both", delete "any" and insert "all".

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

The report was adopted.

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

H. F. No. 629, A bill for an act relating to commerce; industrial loan and thrift companies; permitting loans on real estate, extending the period of maturity, permitting certain charges on real estate loans, increasing the size of loans in ratio to com-

mitted reserves; amending Minnesota Statutes 1974, Sections 53.04; and 53.05.

Reported the same back with the following amendments:

Page 3, line 13, delete "*or, in*".

Page 3, delete line 14.

Page 3, line 15, delete "*insurance*".

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

The report was adopted.

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

H. F. No. 696, A bill for an act relating to small loan companies; application and license fees; amending Minnesota Statutes 1974, Sections 56.02 and 56.08.

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

The report was adopted.

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

H. F. No. 758, A bill for an act relating to insurance; clarifying when certain misstatements of mental condition shall not invalidate an insurance policy; amending Minnesota Statutes 1974, Section 61A.11.

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

The report was adopted.

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

H. F. No. 762, A bill for an act relating to commerce; limitations on powers of industrial loan and thrift companies; amending Minnesota Statutes 1974, Section 53.05.

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

The report was adopted.

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

H. F. No. 929, A bill for an act relating to banks; authorizing consumer banking facilities.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 10 the terms defined in this section have the meanings ascribed to them:

Subd. 2. "Bank" means a bank or savings bank organized under the laws of this state as defined in Minnesota Statutes, Section 47.02, or any national banking association having its principal office in this state, or credit union organized under the laws of this state or the federal government.

Subd. 3. "Consumer banking facility" means any manned or unmanned device located separate and apart from a bank's principal office or detached facility as authorized by Minnesota Statutes, Sections 47.51 to 47.57, which meets all of the following specifications:

(a) A consumer banking facility shall perform only services which may legally be provided by banks for their customers. However, a consumer banking facility located on the business premises of a person engaged in the sale of goods may be used to perform internal nonbanking functions for such persons.

(b) Banking services, when performed by a consumer banking facility, must be pursuant to the terms of an existing contractual arrangement between the bank providing its services and its customers.

(c) The person maintaining a consumer banking facility shall make it available for use by a bank located in Minnesota on a fair, equitable and nondiscriminatory basis consistent with the provisions of this act.

Subd. 4. "Municipality" means the geographical area within the legal boundaries of any city or organized town located in Minnesota.

Sec. 2. [AUTHORIZATION.] Subdivision 1. Thirty days after written notice has been filed with the commissioner of banks, any bank may establish and maintain at a specific location, one or more consumer banking facilities for use by its customers, or may provide for the use of such facility to its custom-

ers by entering into agreement with any person or persons maintaining one or more consumer banking facility. The commissioner of banks shall adopt rules and regulations specifying the contents of such notice. Written notification shall not be deemed filed until all information required by the commissioner of banks has been received by his office, which shall make such information available to any other bank requesting the use of any or all consumer banking facilities which are the subject of such notice.

Subd. 2. Subject to the notification procedures adopted by the commissioner of banks, a consumer banking facility may be established and maintained anywhere within a municipality in which no banks or detached facilities are located, or anywhere within a municipality in which at least one bank is located, provided a bank in that municipality, pursuant to the provisions of this section, has established and maintains or provides the use of one or more consumer banking facility located in one or more municipalities. The location and placement of consumer banking facilities shall not be designed to give or promote an unfair competitive advantage to any bank in Minnesota.

Sec. 3. [FUNCTIONS OF A CONSUMER BANKING FACILITY.] Subdivision 1. Banking transactions which may be performed through the use of a consumer banking facility shall be limited to only lawful banking services, provided the services performed are pursuant to the terms of a preexisting contractual agreement between the bank and its customers. In particular and not in limitation of the foregoing, deposits and withdrawals may be made through the use of a consumer banking facility, but accounts may not be opened at such facilities.

Subd. 2. The method by which a consumer banking facility performs banking transactions may include, but are not limited to, the utilization of electronic based systems.

Subd. 3. A consumer banking facility may be operated exclusively by bank customers or it may perform banking transactions through the assistance of any person provided that person is not employed by any bank, bank holding company or subsidiary. Such assistance shall not be deemed to be engaging in the business of banking. Persons assisting bank customers at the site of a consumer banking facility may be trained by bank employees and nothing in this section shall be construed to prohibit periodic servicing of a consumer banking facility by a bank employee.

Sec. 4. [ESTABLISHMENT AND MAINTENANCE OF A CONSUMER BANKING FACILITY.] Subdivision 1. One or more consumer banking facilities may be established and maintained by a bank, or a group or combination of banks or by a third party if the party establishing and maintaining a consumer banking facility, exclusive of any supporting equipment,

structure or system, limits its use to the performance of banking transactions for customers of Minnesota banks.

Subd. 2. All banks shall comply with the notification procedures adopted by the commissioner of banks prior to providing the services of a consumer banking facility to its customers. Nothing in sections 1 to 10 shall be construed to provide authority for a party, other than a bank, to engage in the business of banking. The activities of third parties referred to in sections 1 to 10 are limited to the ownership, operation and maintenance of consumer banking facilities and any supporting equipment, structures or systems.

Subd. 3. A bank, group or combination of banks or third party establishing and maintaining a consumer banking facility shall, upon written request, make the services available to any bank on a fair, equitable and nondiscriminatory basis approved by the commissioner of banks, which includes a pricing structure limited to the owner's direct costs, including a reasonable return on the capital expenditure incurred by the owner in that consumer banking facility.

Subd. 4. Sections 1 to 10 shall be construed as permitting the use of a consumer banking facility only to facilitate, between a bank and a customer thereof, banking transactions deemed a part of the authorized business of such bank as conducted at its principal office. Content, use and distribution of any information, advertising material, or the use of any other promotional effort, to the contrary, is prohibited. Consistent with the foregoing, any advertisement, either on or off a consumer banking facility, promoting the use or the location of a consumer banking facility which identifies any bank, group or combination of banks or any third parties owning or providing for the use of its services, is prohibited.

Provided, however, the following shall be expressly permitted:

(a) A simple directory listing placed at the site of a consumer banking facility identifying the particular banks using its services;

(b) The use and the name, either on or off the consumer banking facility, which does not promote or identify any particular bank, group or combination of banks or any third party;

(c) A direct mailing of any information from a bank to its customers identifying the location and use of any consumer banking facility which said banks will provide, under the provisions of sections 1 to 10, for its customers.

Sec. 5. [CONSUMER PRIVACY.] To protect the privacy of customers using consumer banking facilities, a consumer banking facility, financial institution, or commercial business,

except as provided by law, rule of the commissioner, or consent of a customer, shall not provide any information about a customer transaction or a customer account to any unauthorized party.

Sec. 6. [EXAMINATION.] A service corporation that provides any services to a consumer bank facility may be examined whenever the commissioner deems it necessary. The service corporation shall pay examination fees as determined by the commissioner.

Sec. 7. [ANTI-TRUST.] No financial institution, bank or bank holding company or service corporation engaged in consumer banking facility activities shall contract, combine or conspire to restrain trade in the market for consumer banking facilities or engage in anti-competitive practices to the detriment of the public interest.

Sec. 8. [RULES AND REGULATIONS.] The commissioner may promulgate such rules and regulations as are reasonably necessary to carry out and make effective the provisions and purposes of this act pursuant to Minnesota Statutes, Chapter 15.

Sec. 9. The authorization for banks to establish, maintain or use the services of a consumer banking facility granted in sections 1 to 10 is rescinded upon a binding ruling by a federal court, department or agency that any of the restrictions contained in sections 1 to 10 which regulate consumer banking facilities including the prohibition on opening new accounts at a consumer banking facility, the prohibition on advertising a consumer banking facility in a manner which identified it as belonging to a particular bank and the requirement that a consumer banking facility be available to all banks on a nondiscriminatory basis, do not apply to national banking associations.

Sec. 10. [VIOLATION; PENALTIES.] A violation of sections 1 to 10 shall be subject to penalties applicable to violations of laws affecting banks. In addition, a violation of sections 1 to 10 may be enjoined by a civil action for injunction by any aggrieved bank.

Sec. 11. This act is effective the day following its final enactment."

Further amend the title as follows:

Line 3, after "facilities" insert "; providing penalties".

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

The report was adopted.

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

H. F. No. 1121, A bill for an act relating to health care; providing that supervision of health maintenance organizations be removed from the state board of health and placed in the department of insurance; instructing the revisor of statutes to make certain changes in the statutes; amending Minnesota Statutes 1974, Section 62D.02, Subdivision 3.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Governmental Operations without further recommendation.

The report was adopted.

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

H. F. No. 1302, A bill for an act relating to insurance; providing for higher limits of liability coverage and uninsured motorist coverage; amending Minnesota Statutes 1974, Sections 65B.06; and 65B.49, Subdivision 6.

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

The report was adopted.

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

H. F. No. 1304, A bill for an act relating to banks; permitting revolving loan accounts.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 48.153, is amended to read:

48.153 [(INSTALLMENT LOANS: CHARGES INCLUDED IN PRINCIPAL.)) (ANY BANK ORGANIZED UNDER THE LAWS OF THIS STATE, OR ANY NATIONAL BANKING ASSOCIATION DOING BUSINESS IN THE STATE, MAKING ANY LOAN OF MONEY NOT EXCEEDING \$25,000 REPAYABLE IN INSTALLMENTS, MAY MAKE A CHARGE FOR SUCH LOAN COMPUTED AT A RATE NOT EXCEEDING SIX PERCENT PER ANNUM UPON THE TOTAL AMOUNT OF THE LOAN FROM THE DATE THEREOF UNTIL THE STATED MATURITY DATE OF THE FINAL IN-

STALLMENT THEREOF, WHICH SHALL NOT EXCEED 12 YEARS AND THIRTY TWO DAYS FROM THE DATE OF THE LOAN, NOTWITHSTANDING THAT SUCH LOAN IS REQUIRED TO BE REPAID IN INSTALLMENTS OR THAT THE LOAN IS SECURED BY MORTGAGE, PLEDGE, OR OTHER COLLATERAL OR BY A DEPOSIT ACCOUNT OPENED CONCURRENTLY WITH THE MAKING OF THE LOAN AND ASSIGNED AS COLLATERAL SECURITY THEREFOR, WHICH DEPOSIT ACCOUNT MAY EVIDENCE DEPOSITS MADE OR REQUIRED TO BE MADE PERIODICALLY, WITH OR WITHOUT INTEREST, THROUGHOUT THE TERM OF SAID LOAN. IF THE CHARGE COMPUTED ON ANY INSTALLMENT LOAN, SINGLE PAYMENT OR DEMAND LOAN SHALL BE LESS THAN \$10, THE AMOUNT SO CHARGED MAY NEVERTHESSS BE \$10. ANY CHARGE AUTHORIZED BY SECTIONS 48.153 TO 48.157 MAY BE INCLUDED IN THE PRINCIPAL AMOUNT OF THE NOTE OR OTHER INSTRUMENT EVIDENCING SAID LOAN AND THE AGGREGATE AMOUNT THEREOF BE PAYABLE IN INSTALLMENTS.)

[INSTALLMENT LOANS, FINANCE CHARGES, MINIMUM CHARGES.] *Any bank organized under the laws of this state, or any national banking association doing business in this state, making any loan of money not exceeding \$25,000 repayable in installments, may make a finance charge for such loan to be computed at a rate which does not exceed 11 percent per annum upon the unpaid principal balance of the amount financed. Installment payments shall not extend beyond a period of 12 years and 32 days from the date of the loan. The loan may be secured by a mortgage, pledge, or other collateral exclusive of real estate. Any savings bank organized pursuant to Minnesota Statutes, Chapter 50, and having its principal place of business in this state, may make a loan for consumer purposes to any natural person in an amount not exceeding \$5,000 repayable in installments, and may make a finance charge for such loan to be computed at a rate not exceeding 11 percent per annum on the unpaid principal balance of the amount financed. Installment payments shall not extend beyond a period of five years and 32 days from the date of the loan. The loan may be secured by a mortgage, pledge or other collateral exclusive of real estate. Charges in reference to installment loans under this section shall be computed and collected only on unpaid principal balance of the amount financed actually outstanding. One day's finance charge shall mean an amount equal to 1/365 of the per annum rate provided for in an installment loan. No finance charges on loans made under this section shall be compounded, paid or received in advance, added to, deducted or discounted from the amount financed. If the total finance charge determined on an installment loan, single payment or demand loan shall be less than \$10 the amount charged may nevertheless be \$10.*

Sec. 2. Minnesota Statutes 1974, Section 48.154, is amended to read:

48.154 ([PREPAYMENT; REFUND; LIMITATION.]) (THE BORROWER MAY REPAY THE ENTIRE BALANCE OF SUCH A LOAN AT ANY TIME, AND UPON SUCH PREPAYMENT THE BORROWER SHALL BE ENTITLED TO A REFUND, COMPUTED AT THE RATE AT WHICH THE ORIGINAL CHARGE WAS COMPUTED, UPON THE AMOUNT SO PREPAID FROM THE DATE OF SUCH PREPAYMENT TO THE STATED MATURITY DATE OF THE FINAL INSTALLMENT; PROVIDED, THAT IN ANY EVENT THE LENDER MAY RETAIN AT LEAST \$5 OF THE ORIGINAL CHARGE.)

[PREPAYMENT, EXTENSION OF TERMS.] *The borrower may repay the entire balance or any portion of the balance of an installment loan in advance without penalty. An installment loan contract may provide that the parties, before or after default, may agree in writing to an extension of all or part of the unpaid installments and collect as an extension fee a finance charge not exceeding that rate agreed to in the original loan contract. No such extension shall be permitted to cause repayment of a loan to exceed those maturities set down in section 48.153. One day's finance charge shall mean an amount equal to 1/365 of the per annum rate provided for in an installment loan.*

Sec. 3. Minnesota Statutes 1974, Section 48.155, is amended to read:

48.155 [ALLOWABLE ADDITIONAL CHARGES.] No charges other than those provided for in sections 48.153 and 48.154 shall be made directly or indirectly for any such *installment* loan except that there may be charged to the borrower or included in the amount financed:

((A) IN CASE OF DEFAULT, TO COLLECT A DELINQUENCY AND COLLECTION CHARGE ON EACH INSTALLMENT IN ARREARS FOR A PERIOD OF NOT LESS THAN TEN DAYS IN AN AMOUNT NOT IN EXCESS OF FIVE PERCENT OF THE UNPAID AMOUNT OF EACH INSTALLMENT OR \$5, WHICHEVER IS LESS. A DELINQUENCY CHARGE MAY BE COLLECTED ONLY ONCE ON AN INSTALLMENT HOWEVER LONG IT REMAINS IN DEFAULT. NO DELINQUENCY CHARGE MAY BE COLLECTED ON AN INSTALLMENT WHICH IS PAID IN FULL WITHIN 10 DAYS AFTER ITS SCHEDULED INSTALLMENT DUE DATE EVEN THOUGH AN EARLIER MATURING INSTALLMENT OR A DELINQUENCY CHARGE ON AN EARLIER INSTALLMENT MAY NOT HAVE BEEN PAID IN FULL. FOR PURPOSES OF THIS PARAGRAPH PAYMENTS ARE APPLIED FIRST TO CURRENT INSTALLMENTS AND THEN TO DELINQUENT INSTALLMENTS;

((B)) (a) Any lawful fees paid or to be paid by the lender (FOR ANY ABSTRACT OR) to any public officer for filing, recording, or releasing in any public office (OR FOR ACKNOWLEDGING) any instrument securing the loan;

((C)) (b) Any lawful premium or charge for insurance protecting the lender against the risk of loss from not filing or recording a security agreement or financing statement and in lieu of filing thereof. Such premium or charge shall not exceed the actual premium or charge made by the insurance company to the lender and in no event in excess of the costs if the document were actually filed, recorded, or released in any public office;

((D)) (c) The premium on any life, property or other insurance taken as security for the loan; provided, that the borrower has acknowledged by his signature that he has been notified in writing that he may (HIMSELF), at his own cost, procure and deposit with the lender (ANY) such insurance if written by a responsible company. Such premium may be included as part of the loan.

Sec. 4. Minnesota Statutes 1974, Chapter 48, is amended by adding a section to read:

48.159 [OPEN END LOAN ACCOUNT ARRANGEMENTS.]

Subdivision 1. Any bank organized under the laws of this state, any national banking association doing business in this state, and any savings bank organized and operated pursuant to Minnesota Statutes, Chapter 50, shall have the power to extend credit through an open end loan account arrangement with a debtor, pursuant to which the debtor may obtain loans from time to time by cash advances, purchase or satisfaction of the obligations of the debtor incurred pursuant to a credit card plan, or otherwise under a credit card or overdraft checking plan.

Subd. 2. No bank shall extend credit which would cause the total outstanding balance of the debtor on accounts created pursuant to the authority of this section to exceed \$25,000. No savings bank shall extend credit which would cause the outstanding balance of the debtor to exceed \$5,000, nor shall it extend such credit for any purposes other than personal, family or household purposes, nor shall it extend such credit to any person other than a natural person.

Subd. 3. A bank or savings bank may collect a periodic rate of finance charge in connection with extensions of credit pursuant to this section which does not exceed one percent per month computed on an amount no greater than the average daily balance of the account during each monthly billing cycle. If the billing cycle is other than monthly, the maximum finance charge

for that billing cycle is that percentage which bears the same relation to one percent as the number of days in the billing cycle bears to 30.

Subd. 4. No charges other than those provided for in subdivision 3 shall be made directly or indirectly for any credit extended under the authority of this section, except that there may be charged to the debtor annual charges, not to exceed \$15 per annum, payable in advance, for the privilege of using a bank credit card which entitles the debtor to purchase goods or services from merchants, under an arrangement pursuant to which the debts resulting from the purchases are paid or satisfied by the bank or savings bank and charged to the debtor's open end loan account with the bank or savings bank.

Subd. 5. If the balance in a revolving loan account under a credit card plan is attributable solely to purchases of goods or services charged to the account during one billing cycle, and the account is paid in full before the due date of the first statement issued after the end of that billing cycle, no finance charge shall be charged on that balance.

Sec. 5. Minnesota Statutes 1974, Sections 50.161, 50.162, 50.163, 50.164, and 50.165 are repealed."

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

"A bill for an act relating to banks and savings banks; providing for installment and open end loans; amending Minnesota Statutes 1974, Chapter 48, by adding a section; Sections 48.153; 48.154; 48.155; and repealing Minnesota Statutes 1974, Sections 50.161; 50.162; 50.163; 50.164 and 50.165."

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

The report was adopted.

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

H. F. No. 1376, A bill for an act relating to insurance; examination fees; abstract or summary of the annual statement; amending Minnesota Statutes 1974, Sections 60A.03, Subdivision 5; 60A.13, Subdivision 3; and 60A.14, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 19, after "by" insert "each".

Page 1, line 20, strike "a".

Page 1, line 22, delete "or persons".

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

The report was adopted.

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

H. F. No. 1377, A bill for an act relating to financial institutions and mortgagees; amending Minnesota Statutes 1974, Sections 47.20; and 47.21.

Reported the same back with the following amendments:

Page 1, line 8, after "ACTS.]" insert "Subdivision 1."

Page 1, line 18, delete "the federal national".

Page 1, delete line 19.

Page 1, line 20, delete "corporation,".

Page 2, line 10, delete ";," insert a period.

Page 2, delete lines 11 to 19 and insert:

"Subd. 2. Mortgagees or lenders approved or certified by the federal national mortgage association or the federal home loan mortgage corporation may engage in the acts authorized by subdivision 1. The acts authorized by subdivision 1 shall include the making of loans or advances of credit and purchases of obligations representing loans or advances of credit which are pursuant to and authorized by the Emergency Home Finance Act of 1970, Title 12, U.S.C. Sections 82, 371, 1430, 1451-1459, 1464, 1709-1, 1710 note, 1715z-3, 1715z-8, 1717, 1719, 1720, 1726, 1730a, 1749; Title 42, U.S.C. Sections 1452 note, 3906, 3941, also known as: Pub. L. 91-351, July 24, 1973, 84 Stat. 450-464, as amended.

Subd. 3. No loan or advance of credit made pursuant to subdivisions 1 or 2 shall contain a provision requiring or permitting the imposition of a penalty in the event the loan or advance of credit is prepaid.

Subd. 4. No loan nor advance of credit made pursuant to subdivisions 1 or 2 shall contain a provision requiring or permitting the imposition of a fee or penalty in excess of one tenth of one percent of the remaining unpaid principal balance in the event

the loan or advance of credit and the obligation incurred thereby is assumed by another person.

Subd. 5. No loan nor advance of credit pursuant to subdivisions 1 or 2 shall be at a rate of interest on the face of the mortgage note in excess of that rate as prescribed by the secretary of housing and urban development."

Page 2, line 30, after "47.20," delete the new language and strike the old language and insert "subdivisions 1 and 2."

Page 3, after line 9, insert:

"Sec. 3. This act is effective the day following final enactment and Minnesota Statutes, Section 47.20, Subdivision 2, shall expire July 30, 1976."

Further amend the title as follows:

Page 1, line 3, after "47.20" insert ", by adding subdivisions".

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

The report was adopted.

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

H. F. No. 1494, A bill for an act relating to insurance; providing for use of life insurance mortality tables and interest rates by fraternal beneficiary associations; amending Minnesota Statutes 1974, Sections 64A.21; 64A.24, Subdivision 1; 64A.25, Subdivision 4.

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

The report was adopted.

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

S. F. No. 199, A bill for an act relating to commerce; authorizing state banks to acquire and lease personal property to customers; amending Minnesota Statutes 1974, Chapter 48, by adding a section.

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

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 349, A bill for an act relating to elections; date and terms of office of board members in independent school districts; amending Minnesota Statutes 1974, Sections 123.32, Subdivisions 1 and 4; 123.33, Subdivision 4; and 123.34, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 11, after "Subdivision 1." strike the remainder of the line.

Page 1, line 12, strike "the provisions of subdivision 22, the annual" and insert "*The regular*".

Page 1, line 14, after the period insert "*The statutes governing general and primary elections shall govern independent school district elections as far as they are applicable, whether such elections are held in the odd numbered or even numbered year.*".

Page 2, line 3, strike "45" and insert "70".

Page 2, line 4, strike "21" and insert "56" and after the period insert "*Within ten calendar days after the last day for filing, the clerk shall forward to the county auditor, or county auditors if the school district is in more than one county, the names of such candidates.*".

Page 2, after line 12, add new sections to read:

"Sec. 4. Minnesota Statutes 1974, Section 123.32, Subdivision 5, is amended to read:

Subd. 5. The clerk shall (PREPARE) *cause to be prepared and may contract for the preparation of*, at the expense of the district, necessary ballots for the election of officers(, PLACING THEREON THE NAMES OF THE PROPOSED CANDIDATES WITH THE SAME NUMBER OF BLANK SPACES FOR THE INSERTION OF NAMES OF OTHER CANDIDATES AS THERE ARE MEMBERS TO BE ELECTED. THE NAME OF EACH CANDIDATE FOR OFFICE SHALL BE ROTATED WITH THE NAMES OF THE OTHER CANDIDATES FOR THE SAME OFFICE SO THAT THE NAME OF EACH CANDIDATE APPEARS SUBSTANTIALLY AN EQUAL NUMBER OF TIMES AT THE TOP, AT THE BOTTOM, AND AT EACH INTERMEDIATE PLACE IN THE GROUP OF CANDIDATES FOR THAT OFFICE. THE BALLOTS SHALL BE MARKED AND INITIALED BY AT LEAST TWO JUDGES AS OFFICIAL BALLOTS AND SHALL BE USED EXCLUSIVELY AT THE ELECTION). Any proposi-

tion to be voted upon shall be stated on a separate ballot. Voting shall be by secret ballot. The facsimile signature of the clerk shall appear on the backs of the ballots.

Sec. 5. Minnesota Statutes 1974, Section 123.32, Subdivision 23, is amended to read:

Subd. 23. ((1) UNLESS ACTION IS TAKEN BY THE BOARD UNDER SUBPARAGRAPHS (2) AND (3) OF THIS SUBDIVISION, IN A DISTRICT WHICH IS RECLASSIFIED TO AN INDEPENDENT DISTRICT FROM A COUNTY DISTRICT OR A COMMON DISTRICT CONTAINING TEN OR MORE TOWNSHIPS, BY PROVISIONS OF THIS CODE, THE BOARD OF SUCH DISTRICT SHALL CONTINUE TO GOVERN THE DISTRICT UNTIL JULY 1 FOLLOWING THE NEXT ANNUAL ELECTION AS PROVIDED FOR INDEPENDENT DISTRICTS, AT WHICH ELECTION SIX MEMBERS SHALL BE ELECTED AT LARGE FROM THE DISTRICT, TWO MEMBERS FOR A ONE YEAR TERM FROM JULY 1 NEXT FOLLOWING THE ELECTION, TWO MEMBERS FOR A TWO YEAR TERM FROM SAID JULY 1, AND TWO MEMBERS FOR A THREE YEAR TERM FROM SAID JULY 1, TO SERVE UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES; IF SUCH DISTRICT IS RECLASSIFIED TO AN INDEPENDENT DISTRICT FROM A COMMON DISTRICT OF TEN OR MORE TOWNSHIPS CONTAINING LESS THAN TEN SCHOOLS, THE BOARD OF SUCH DISTRICT SHALL CONTINUE TO GOVERN THE DISTRICT, AND THE MEMBERS PRESENTLY SERVING SHALL CONTINUE TO THE END OF THEIR TERM. AT THE NEXT ANNUAL ELECTION OF SCHOOL BOARD MEMBERS FOLLOWING JULY 1 FOLLOWING THE ADOPTION OF THE CODE, TWO MEMBERS SHALL BE ELECTED FOR A THREE YEAR TERM AND ONE MEMBER FOR A TWO YEAR TERM EACH COMMENCING ON JULY 1 NEXT FOLLOWING THE ELECTION. THEREAFTER, MEMBERS SHALL BE ELECTED AS IN INDEPENDENT DISTRICTS.)

((2)) (1) In any district which is reclassified from a common district of ten or more townships to an independent district by the provisions of this code, the election of the board members (MAY) shall be held biennially concurrently with the general elections in the areas (BY RESOLUTION OF THE BOARD MADE WITHIN 90 DAYS OF THE ADOPTION OF THIS CODE). Board members presently serving shall continue in office until the expiration of the term to which they were elected. At the next general election following the adoption of the code, board members shall be elected to fill all vacancies then occurring and any vacancies caused by reclassification to an independent district. Provided that three board members shall be elected for a term of four years each and any necessary additional board members shall be elected for a term of two years each, to serve until a successor is elected and qualifies. The term of members

shall commence on the first Monday in January following the general election. Thereafter, three members shall be elected at each general election for a term of four years from the first Monday in January following the general election.

((3)) (2) If a reclassified district was a county district and if the board of such district determines, by resolution, to retain its organization providing for area representation and a five man board, a resolution affecting such organization may be adopted by the board at any time before 30 days before the next election following the effective date of this code. The resolution, if adopted, shall divide the district into five election districts coterminous with the county commissioner districts, and shall specify the terms to which members from each election district shall be elected so as to provide for a continuation of the present organizational structure of the board. In a district which is reclassified to an independent school district from a county district by provisions of this code, the election of board members (MAY) shall be held biennially from county commissioner districts as now established concurrently with the general elections in the areas (UPON RESOLUTION OF THE BOARD ADOPTED AT LEAST 30 DAYS BEFORE THE ELECTION NEXT FOLLOWING THE EFFECTIVE DATE OF THIS CODE). (IF SUCH A RESOLUTION IS ADOPTED,) board members presently serving shall continue in office until the expiration of the term to which they were elected to serve until a successor is elected and qualified. Thereafter, vacancies caused by expiration of term shall be filled at each general election for a term of four years from the first Monday in January following the general election. Districts reclassified as independent districts that were county districts shall also have the powers and duties contained in sections 128.03 to 128.06 in addition to their status as an independent district.”.

Page 2, after line 32, add new sections to read:

“Sec. 7. Minnesota Statutes 1974, Section 123.32 is amended by adding a subdivision to read:

Subd. 2a. For the purposes of independent school district elections, election precincts shall be those established according to the provisions of Laws 1975, Chapter 5, Sections 67, 68, and 69. A separate ballot printed on buff color paper shall be used for school district elections. Where voting machines are used, the school district ballot shall follow the nonpartisan canary ballot, and in precincts containing more than one school district or more than one school district election district, separate voting machines shall be used, and shall be allocated between the school districts or school district election districts in proportion to the number of voters in each.

If no other election is held in any precinct at the time of an independent school district election, the school district shall re-

imburse the city or town for the cost of the election in that precinct.

The secretary of state shall promulgate rules in accordance with sections 15.0411 to 15.0426 in order to facilitate the coordination of independent school district elections with state and municipal elections.

Sec. 8. Minnesota Statutes 1974, Section 200.01, Subdivision 1, is amended to read:

[ELECTION.] The word "election" means any election (EXCEPT THOSE HELD IN ANY SCHOOL DISTRICT) unless otherwise specifically provided by law, at which the electors of the state or any subdivision thereof nominate or choose by ballot public officials or decide any public question lawfully submitted to them.

Sec. 9. Laws 1975, Chapter 5, Section 110, Subdivision 1, is amended to read:

Sec. 110. [204A.49] [BALLOTS, RETURNS, DUTIES.] Subdivision 1. [COUNTY AUDITOR.] The auditor of every county shall remain in his office to receive delivery of the things required to be delivered to him, and to permit public inspection of the summary statements, and to tabulate the votes until all have been tabulated and the results made known, or until 24 hours have elapsed since the closing of the polls, whichever occurs first. *Except for ballots of independent school district elections, which shall be transmitted to the clerks of the respective school districts,* the county auditor shall file all envelopes containing ballots delivered to him in his office and shall keep them in a safe place with seals unbroken unless previously opened by proper authority for examination or recount, and in that event, the auditor shall cause the envelopes to be sealed again with the names of the persons making the inspection or recount endorsed thereon. The envelopes may be opened by the county canvassing board, if necessary to procure any election returns that may inadvertently have been sealed up with the ballots by the judges; and the envelopes shall be sealed again and endorsed in the manner provided in this subdivision. Where ballots are strung and replaced in the boxes, and the boxes are locked and sealed with the ballots within, the ballots shall be stored in such manner as to admit at all times of actual, visual inspection of the exterior of the boxes, except that if the boxes are needed for use in another election, the ballots may be withdrawn from the boxes and wrapped and tied securely, and sealed and endorsed in the manner provided in this subdivision."

Page 3, after line 5, add a new section to read:

"Sec. 11. Minnesota Statutes 1974, Sections 123.31 and 123.32, Subdivisions 2, 3, 6, 7, 24, 25, 26, and 27 are repealed."

Renumber the sections accordingly.

Further, amend the title as follows:

Page 1, line 2, after the semicolon insert "providing for the election,".

Page 1, line 5, after "Subdivision 1" insert ", 4, 5," and after the word "and" strike "4" and insert "23 and by adding a subdivision".

Page 1, line 5, after "Subdivision 4;" delete "and".

Page 1, line 6, after "Subdivision 1" insert "; and 200.02, Subdivision 1; and Laws 1975, Chapter 5, Section 110, Subdivision 1; repealing Minnesota Statutes 1974, Sections 123.31; and 123.32, Subdivisions 2, 3, 6, 7, 24, 25, 26, and 27".

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

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1061, A bill for an act relating to ethics in government; redefining political party; amending Minnesota Statutes 1974, Section 10A.27, Subdivision 4.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Section 10A.27, Subdivision 1, is amended to read:

10A.27 [ADDITIONAL LIMITATIONS.] Subdivision 1. No political committee, political fund, or individual, except (A POLITICAL PARTY OR) the principal campaign committee of a candidate shall make expenditures on behalf of or in opposition to the opponent of a candidate, or transfer funds to the principal campaign committee of a candidate, in an amount in excess of ten percent of the amount that may be spent by or on behalf of that candidate as set forth in section 10A.25.

Sec. 2. [REPEALER.] *Minnesota Statutes 1974, Section 10A.27, Subdivisions 2 and 4, are repealed.*"

Amend the title as follows:

Page 1, line 4, after "Subdivision" delete "4" and insert "1; repealing Minnesota Statutes 1974, Section 10A.27, Subdivisions 2 and 4".

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

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1062, A bill for an act relating to public safety; providing safety devices on certain equipment; providing penalties.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. A crawler crane, a locomotive crane or a truck crane, as defined in the definitions of occupational safety and health administration standards of the United States Department of Labor, which operates upon a railroad track with the boom which extends 12 feet or more vertically above the ground or the rails must be equipped with a warning device able to detect any electrical line which comes within 15 feet of the boom. When an electrical line is detected, no person is required to operate the crane unless the electricity is shut off or the electrical line is rerouted in a manner to prevent contact with the machine. Violation of this section by any person or corporation is a misdemeanor.

Sec. 2. A railroad company operating a crane specified in section 1 shall be deemed to be in compliance with the provisions of section 1 if by the first day of October, 1975, it has one third of its specified cranes equipped with a warning device as required in section 1; and, if by the first day of October, 1976, an additional one third of said cranes shall be so equipped; and, if by the first day of October, 1977, the remainder of said cranes shall be so equipped.

Sec. 3. This act is effective commencing July 1, 1975."

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

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1127, A bill for an act relating to veterans; authorizing the apportionment of Vietnam veterans bonus payments between surviving parents in certain instances; amending Minnesota Statutes 1974, Section 197.971, Subdivision 4.

Reported the same back with the following amendments:

Page 2, line 3, after "parent" insert "*and where one or both parents survive but a surviving person in loco parentis had actual or legal custody of the deceased veteran the bonus review board may equitably apportion among the surviving parents and the surviving person in loco parentis the adjusted compensation*".

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

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1185, A bill for an act relating to veterans; providing a Vietnam veterans bonus to the next of kin of those veterans missing in action; amending Minnesota Statutes 1974, Sections 197.971, Subdivision 2 and by adding subdivisions; 197.972; 197.973; and 197.976, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 23, delete "*surviving*".

Page 1, line 23, delete "*if not*".

Page 1, delete line 24.

Page 2, delete lines 1 to 4 and insert "*the children of the veteran if no spouse, the mother, the father, a person standing in loco parentis, in the order named*".

Page 2, line 24, after "*or*" and before "*who*" insert "*the next of kin of any veteran*".

Page 2, line 31, delete "*If the veteran is missing in*".

Page 2, line 32, delete "*action, payment shall be made to next of kin*."

Page 3, after line 26, insert the following:

"Sec. 7. Laws 1975, Chapter 3, Section 1, is amended to read:

Section 1. There is hereby appropriated to the veterans adjusted compensation fund from the general fund \$5,000,000 or so much thereof as may be necessary, for paying adjusted compensation to Vietnam veterans under the provisions of Minnesota Statutes (1974) , Sections 197.971 to 197.986.”.

Renumber the remaining section.

Further, amend the title as follows:

Page 1, line 7, after “2” insert “; and Laws 1975, Chapter 3, Section 1”.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 583, A bill for an act relating to retirement; amendments to the public employees retirement law; providing that in the event a surviving spouse is remarried and such marriage is annulled, monthly survivor benefits shall be reinstated; amending Minnesota Statutes 1974, Sections 353.31, Subdivision 1; and 353.657, Subdivision 2.

Reported the same back with the following amendments:

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

“Section 1. Minnesota Statutes 1974, Chapter 356, is amended by adding a section to read:

[356.31] [RESTORATION OF SURVIVOR BENEFITS.]
Subdivision 1. [RESTORATION UPON TERMINATION OF REMARRIAGE.] *Notwithstanding any provision to the contrary of the laws governing any of the retirement funds enumerated in subdivision 2, any person who was receiving a surviving spouse's benefit from any of such funds and whose benefit terminated solely because of remarriage shall, if the remarriage terminates for any reason, again be entitled upon reapplication to a surviving spouse's benefit; provided, however, that such person shall not be entitled to retroactive payments for the period of remarriage. The benefit shall resume at the level which such person would have been receiving if there had been no remarriage. This section shall apply prospectively to any person who first becomes entitled to receive a surviving spouse's benefit on or after the effective date of this act, and shall also apply retroactively to any person who first became entitled to receive a*

surviving spouse's benefit before the effective date of this act; provided, however, that no such person shall be entitled to retro-active payments for any period of time prior to the effective date of this act.

Subd. 2. [COVERED FUNDS.] The provisions of this section shall apply to the following retirement funds:

(1) Public employees retirement fund, established pursuant to chapter 353;

(2) Public employees police and fire fund, established pursuant to chapter 353;

(3) Highway patrolmen's retirement fund, established pursuant to chapter 352B;

(4) Legislators' retirement plan, established pursuant to chapter 3A;

(5) Elective state officers retirement plan, established pursuant to chapter 352C;

(6) Teachers retirement fund, established pursuant to chapter 354;

(7) Minneapolis municipal employees retirement fund, established pursuant to chapter 422A.

Sec. 2. Minnesota Statutes 1974, Chapter 356, is amended by adding a section to read:

[356.32] [PROPORTIONATE ANNUITY IN CERTAIN CASES.] Subdivision 1. [PROPORTIONATE RETIREMENT ANNUITY.] Notwithstanding any provision to the contrary of the laws governing any of the retirement funds enumerated in subdivision 2, any person who is employed in a position covered by any such fund, who has credit for at least three years but less than ten years of allowable service in such fund or a combination of such funds, and who is required to terminate service at age 65 or earlier pursuant to a mandatory retirement statute or a uniformly applied mandatory retirement policy established by the employer, shall be entitled upon application to a proportionate retirement annuity from each such fund in which he has allowable service credit, based upon his allowable service credit at the time of mandatory retirement; provided, however, that nothing in this section shall prevent the actuarial reduction of an annuity for which application is made prior to normal retirement age.

Subd. 2. [COVERED FUNDS.] The provisions of this section shall apply to the following retirement funds:

(1) *State employees retirement fund, established pursuant to chapter 352;*

(2) *Correctional employees retirement program, established pursuant to chapter 352;*

(3) *Highway patrolmen's retirement fund, established pursuant to chapter 352B;*

(4) *Public employees retirement fund, established pursuant to chapter 353;*

(5) *Public employees police and fire fund, established pursuant to chapter 353;*

(6) *Teachers retirement fund, established pursuant to chapter 354.*

Sec. 3. *This act is effective the day following final enactment."*

Further, amend the title as follows:

Page 1, line 2, delete "amendments to the public".

Page 1, line 3, delete "employees retirement law;"

Page 1, line 5, delete "is annulled" and insert "terminates".

Page 1, line 6, after "reinstated;" insert "providing for proportionate annuities in certain cases;"

Page 1, line 7, after "1974," delete the balance of the line.

Page 1, line 8, delete "Subdivision 2" and insert "Chapter 356, by adding sections".

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 584, A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; providing that workmen's compensation payments are not salary; venue in law suits to be Ramsey county; monthly benefits payable to a public body under certain circumstances; if spouse

survives a deceased annuitant, annuity shall be paid through date of death and survivor benefits to commence with first day following date of death; disability benefits to be reduced by amounts paid under workmen's compensation law after deduction of attorney fees; amending Minnesota Statutes 1974, Sections 353.01, Subdivisions 10 and 24; 353.08; 353.15; 353.29, Subdivisions 7 and 8; 353.31, Subdivision 8; 353.32, Subdivision 5; 353.33, Subdivisions 2, 5, and 7; 353.46, Subdivision 3; 353.656, Subdivisions 1 and 2; and 353.657, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, after line 20, add a new section to read:

"Section 1. Minnesota Statutes 1974, Section 353.01, Subdivision 6, is amended to read:

Subd. 6. [GOVERNMENTAL SUBDIVISION.] "Governmental subdivision" means a county, city, town, school district within this state, or a department or unit of state government, the League of Minnesota Municipalities, or any public body whose revenues are derived from taxation, fees, assessments or from other sources, but does not mean any municipal housing and redevelopment authority organized under the provisions of sections 462.415 to 462.711; or any port authority organized pursuant to chapter 458; or any soil conservation district organized pursuant to chapter 40; or any hospital district organized or re-organized prior to the effective date of this act pursuant to legislation enacted by the 1959 Legislature."

Page 2, after line 14, add new sections to read:

"Sec. 4. Minnesota Statutes 1974, Chapter 353, is amended by adding a section to read:

[353.017] [EMPLOYEES OF LABOR ORGANIZATIONS.]
Subdivision 1. [QUALIFICATIONS.] *A former member of the association who is an employee of a labor organization that represents public employees who are association members may elect pursuant to subdivision 2 to be a coordinated member with respect to his service with such labor organization unless specifically exempt under section 353.01, subdivision 2b.*

Subd. 2. [ELECTION.] *A person described in subdivision 1 will be covered by the association if written election to be covered is delivered to the board before July 1, 1976 or within 30 days of being employed by such labor organization, whichever is later.*

Subd. 3. [CONTRIBUTIONS.] *The employee, employer and additional employer contributions shall be the obligation of the employee who elects coverage herein in accord with chapter 353; provided, however, the employer, labor organization, may*

pay the employer and additional employer contributions. The employer shall, in any event, deduct the necessary contributions from the employee's salary and remit all contributions to the public employees retirement association pursuant to section 353.27, subdivisions 4, 7, 10, 11, and 12.

Subd. 4. [PURCHASE OF PRIOR SERVICE CREDIT.] Any former member who elects membership pursuant to this section shall be allowed to make payment for service rendered prior to July 1, 1975 in a labor organization designated in subdivision 1 provided the organization makes satisfactory certification of such service. Payment shall be limited to five years of service beginning with the service last rendered and shall include all employee, employer and additional employer contributions at the rates in effect when the service was rendered plus interest at the rate of six percent per annum from the year of purchase to the date payment is made. Payment must be made in one lump sum prior to July 1, 1980 or prior to retirement, whichever is earlier, and no allowable service with respect to such payment shall be credited to the employee's account until payment is received in the public employees retirement association office.

Subd. 5. [BOARD MEMBERSHIP EXCLUDED.] Persons who become association members pursuant to this section shall not be eligible for election to the board of trustees.

Sec. 5. Minnesota Statutes 1974, Section 353.03, is amended by adding a subdivision to read:

Subd. 2a. [EXTENSION OF TERMS.] Notwithstanding the provisions of subdivision 1, no board election shall be held in the year 1975 and the terms of office of all board members are hereby extended for one year.

Sec. 6. Minnesota Statutes 1974, Section 353.03, Subdivision 3, is amended to read:

Subd. 3. [OFFICERS; EMPLOYEES; BYLAWS.] The board shall elect a chairman and vice chairman, and shall appoint (A SECRETARY) an executive director and (SUCH) other employees and may adopt bylaws, (RETAIN AN APPROVED ACTUARY) and procure other services as it may reasonably deem necessary and fix their compensation subject to subdivision 2 hereof. Except in subdivision 3a, whenever the terms "secretary", "secretary of the board" or "secretary of the board of trustees" appear in this chapter the revisor of statutes is herein directed to substitute therefor, "executive director".

Sec. 7. Minnesota Statutes 1974, Section 353.03, is amended by adding a subdivision to read:

Subd. 3a. [DUTIES AND POWERS OF THE EXECUTIVE DIRECTOR.] The management of the association is vested in the executive director who shall be the executive and administrative head of the association. He shall act as adviser to the board on all matters pertaining to the association. He shall also act as the secretary of the board. It is the duty of the executive director and he has the power to:

- (1) Attend all meetings of the board;*
- (2) Prepare and recommend to the board rules and regulations for the purpose of carrying out the provisions of chapter 353;*
- (3) Establish and maintain an adequate system of records and accounts following recognized accounting principles and controls;*
- (4) Designate an assistant director with the approval of the board and appoint such employees, both permanent and temporary, as are necessary to carry out the provisions of said chapter, and with the approval of the board fix their compensation;*
- (5) Organize the work of the association as he deems necessary to fulfill the functions of the association, and define the duties of its employees and delegate to them any of his powers or duties, subject to his control and under such conditions as he may prescribe;*
- (6) With the approval of the board, contract for actuarial services, professional management services, and consulting services as may be necessary and fix the compensation therefor. Such contracts shall not be subject to the competitive bidding procedure prescribed by chapter 16. Professional management services may not be contracted for more often than once in every six years. Copies of all professional management survey reports shall be sent directly to the legislature and the legislative auditor at the same time reports are furnished the board. Only management firms experienced in conducting management surveys of federal, state or local public retirement systems shall be qualified to contract with the director hereunder;*
- (7) With the approval of the board provide inservice training for all employees of the association;*
- (8) Make refunds of accumulated contributions to former members and to the designated beneficiary, surviving spouse, legal representative or next of kin of deceased members or deceased former members, all as provided in chapter 353;*
- (9) Determine the amount of the annuities and disability benefits of members covered by the association and authorize payment thereof beginning as of the dates such annuities and*

benefits begin to accrue, all in accordance with the provisions of said chapter;

(10) Pay annuities, refundments, survivor benefits, salaries and all necessary operating expenses of the association;

(11) Prepare and submit to the board and the legislature an annual report covering the operation of the association, as required by Minnesota Statutes, Chapter 356;

(12) With the approval of the board, perform such other duties as may be required for the administration of the association and the other provisions of this chapter and for the transaction of its business.

Sec. 8. Minnesota Statutes 1974, Section 353.03, is amended by adding a subdivision to read:

Subd. 5. [APPLICATION OF LAWS.] Laws applicable to state agencies and agencies with statewide jurisdiction shall not be construed to apply to the association unless such laws make specific reference to this subdivision; provided, however, the applicable provisions of Minnesota Statutes, Chapters 355 and 356 shall apply to the association."

Page 3, line 7, after "refund." insert "Upon the request of a retired, disabled or former member, the association may mail the annuity, benefit or refund check to a banking institution, savings association or credit union for deposit to such person's account or joint account with his spouse."

Page 3, line 25, after "to" insert "the".

Page 3, line 25, after "of" insert "such".

Page 3, line 25, after "through" insert "the".

Page 6, after line 31, add a new section to read:

"Sec. 18. Minnesota Statutes 1974, Section 353.37, is amended to read:

353.37 [PUBLIC RE-EMPLOYMENT OF ANNUITANT, EFFECT ON ANNUITIES.] The annuity of a person otherwise eligible therefor under this chapter shall be suspended if he re-enters and as long as he remains in public service as a non-elective employee of a governmental subdivision, if his earned compensation for such service exceeds (\$2,000) \$3,000 in any calendar year. The suspension of the annuity shall commence as of the first of the month in which the maximum permitted

compensation is exceeded as herein provided, but shall not apply to any months in which the annuitant is not actually employed in non-elective service in a position covered by chapter 353. Any annuitant of the association, who is elected to public office after his retirement following June 30, 1959 shall be entitled to hold such office and receive his annuity otherwise payable from the public employees retirement association from and after July 1, 1959. Upon proper showing by an annuitant that this ineligibility no longer exists, the monthly annuity payments shall be resumed. Public service performed by an annuitant subsequent to his retirement under this chapter does not increase or decrease any annuity when payments thereof are resumed. The annuitant is not required to make any further contributions to the retirement fund by reason of this subsequent public service."

Page 9, after line 1, add new sections to read:

"Sec. 23. Minnesota Statutes 1974, Section 353.71, is amended by adding a subdivision to read:

Subd. 5. [EARLY RETIREMENT.] The requirements and provisions for retirement prior to age 65 contained in section 353.30, subdivisions 1 and 1a, shall also apply to a person fulfilling such requirements with a combination of service as provided in subdivision 1.

Sec. 24. *This act is effective July 1, 1975."*

Renumber the sections accordingly.

Further, amend the title as follows:

Page 1, line 14, after "Subdivisions" insert "6," and after "24," insert "353.03, Subdivision 3, and by adding subdivisions,".

Page 1, line 17, after "7," insert "353.37,".

Page 1, line 18, after "2," delete "and".

Page 1, line 19, after "subdivision" insert "; 353.71, by adding a subdivision; and Chapter 353, by adding a section".

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 593, A bill for an act relating to retirement; computation of legislative annuities; miscellaneous changes in the Min-

nesota state retirement system law; amending Minnesota Statutes 1974, Chapters 3A; 352; and 352B, by adding sections; Sections 3A.01, Subdivisions 2 and 4; 3A.02, Subdivisions 1, 3, and 4; 3A.04, Subdivisions 1 and 2; 3A.05; and 3A.10, Subdivision 1; 352.01, Subdivision 17; 352.03, Subdivisions 4, 11, and by adding a subdivision; 352.04, by adding a subdivision; 352.113, Subdivisions 1, 5, and 12; 352.115, Subdivisions 2, 10, and 11; 352.12, Subdivisions 1, 2, 6, 7, 8, and 11; 352.15; 352.22, Subdivisions 3 and 8; 352.72, Subdivision 2, and by adding subdivisions; 352.91, by adding a subdivision; 352.93, Subdivision 1; 352B.03, Subdivisions 1 and 2; 352D.015, Subdivision 9; 352D.02, Subdivisions 1 and 3; 352D.05, Subdivision 3; 352D.06, Subdivisions 1 and 2; 352D.065, Subdivisions 2 and 3; and 352D.075, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Sections 352.28; 352.32; 352.38; 352.715; 352B.01, Subdivision 5; 352B.021; 352B.04; 352D.015, Subdivision 10; 352D.05, Subdivision 2; 352D.065, Subdivision 1; 352D.075, Subdivision 1; and 352D.085, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 32, after "legislature" insert "*or former legislator*".

Page 2, line 2, strike "member of the legislature" and insert "*legislator*".

Page 2, line 4, strike "member of the legislature's" and insert "*legislator's*".

Page 2, line 5, after "legislature" insert "*or former legislator*".

Page 2, line 21, strike "member of the legislature" and insert "*former legislator*".

Page 3, line 3, strike "period of his service" and insert "*final term of office*".

Page 3, line 4, strike "since January 1, 1973,".

Page 3, line 21, strike "retire" and insert "*terminate service*".

Page 3, line 22, strike "who retires".

Page 3, line 23, strike "after January 1, 1973".

Page 3, line 23, delete "*Clause*" and insert "*Clauses (1) and*".

Page 3, line 25, after the period, insert "*Any former legislator who was in office on or after January 1, 1965, who had at least eight years of service but less than ten years of service as a member of the legislature, and who took a refund of his contributions,*

may upon application to the director repay to the director for credit to his account all refundments taken plus interest thereon at six percent per annum compounded annually. Upon repayment of the refundment, he shall then be entitled when other otherwise qualified to a retirement allowance pursuant to subdivision 1, provided however that the retirement allowance shall be based on his salary at the time of his termination of service as a member of the legislature."

Page 4, strike line 7.

Page 4, after line 16, add a new section to read:

"Sec. 6. Minnesota Statutes 1974, Section 3A.03, Subdivision 2, is amended to read:

Subd. 2. [REFUNDMENT.] (1) Any person who has made contributions pursuant to subdivision 1 who is no longer a member of the legislature and has less than eight years service as a member of the legislature and is not receiving, has not received, or is not entitled to receive any allowance or benefit under sections 3A.01 to 3A.10 is entitled to receive upon application to the director a refundment of all contributions credited to his account without interest thereon. The moneys required for such refundments are appropriated annually to the director from the general fund in the state treasury.

(2) The refundment of contributions as provided in clause (1) above terminates all rights of a former member of the legislature or his survivors under sections 3A.01 to 3A.10. Should the former member of the legislature again be a member of the legislature after having taken a refundment as provided above, he shall be considered a new member. However, such new member may (RECEIVE CREDIT FOR THE SERVICES RENDERED AS A PRIOR MEMBER OF THE LEGISLATURE PROVIDING HE COMPLIES WITH THE REQUIREMENTS OF SECTION 3A.02, SUBDIVISION 2, AND IN ADDITION THERETO, PAYS INTEREST AT THE RATE OF FIVE PERCENT PER ANNUM ON THE AMOUNT OF HIS PRIOR REFUNDMENT, WHICH HE REPAYS) *reinstate the rights and credit for service forfeited, provided the new member repays all refundments taken plus interest thereon at six percent per annum compounded annually.*

(3) No person shall be required to apply for or accept a refundment."

Page 6, line 11, after the period, insert "*With respect to applications made after July 1, 1975, no payment shall be retroactive for more than 12 months prior to the month the application is filed with the director.*"

Page 6, line 29, delete "*who has at least eight years of legislative*".

Page 6, line 30, delete "*service and*".

Page 8, after line 5, add a new section to read:

"Sec. 12. Minnesota Statutes 1974, Section 43.051, Subdivision 1, is amended to read:

43.051 [AGE FOR RETIREMENT.] Subdivision 1. Notwithstanding the provisions of sections 197.45, 197.46, 197.47, 43.30, effective July 1, 1974, an officer or employee of the state of Minnesota in the classified or unclassified service of the state civil service and who is subject to the provisions of the Minnesota state retirement system must retire from his employment by the state if such officer or employee has reached the age of 68 prior to July 1, 1974, or upon reaching the age of 68. Effective July 1, 1975, an officer or employee of the state of Minnesota in the classified or unclassified service of the state civil service and who is subject to the provisions of the Minnesota state retirement system must retire from his employment by the state if such officer or employee has reached the age of 65 prior to July 1, 1975, or upon reaching the age of 65. The mandatory retirement age for all other classified officers and employees of the state, if not otherwise provided for by law, shall be 70. Nothing in this subdivision shall apply to persons in the *legislative branch or judicial branch*."

Page 9, delete line 32.

Page 10, delete lines 1 to 5.

Page 12, line 7, delete "\$2,500" and insert "\$3,000".

Page 12, line 12, delete "\$2,500" and insert "\$3,000".

Page 17, line 26, delete "*administration*" and insert "*finance*".

Page 21, delete lines 14 to 32.

Page 22, delete lines 1 to 19.

Page 22, lines 29, after "*service*" insert "*and shall be applicable to employees retiring after July 1, 1974*".

Page 23, line 2, after "*be*" insert "*not less than the benefit*".

Page 27, line 19, after the period, insert "*This subdivision shall also be applicable to any person who was an employee in an eligi-*

ble position on or after January 1, 1975, has terminated service before the effective date of this act with less than ten years of allowable service, and has not taken a refund of his contribution."

Page 31, after line 32, insert a new section to read:

"Sec. 52. Notwithstanding the provisions of Minnesota Statutes, Section 352.115, Subdivision 10, a permanent employee of the legislature who has been paid a retirement annuity from the Minnesota state retirement system for a period of time and who desires to reinstate the allowable service credit upon which the annuity is based and to be covered by the Minnesota state retirement system for his current period of employment shall be entitled to such service credit and coverage upon repayment in a lump sum to the retirement fund within 90 days after the effective date of this act an amount equal to

(1) the total of the retirement annuities paid him and (2) the employee contributions due on his salary as required by section 352.04 together with interest thereon at the rate of six percent per annum. Upon repayment there shall be transferred from the adjustable fixed benefit fund to the retirement fund an amount equal to the amount transferred to the adjustable fixed benefit fund on behalf of that employee at his earlier date of retirement less an amount equal to the annuities paid to the employee. Upon subsequent retirement of that employee, his retirement annuity shall be computed on the basis of his total allowable service and the law then in effect."

Renumber the sections accordingly.

Further, amend the title as follows:

Page 1, line 3, after "annuities;" insert "mandatory age for legislative employees;"

Page 1, line 7, after "Subdivisions 1, 3, and 4;" insert "3A.03, Subdivision 2;"

Page 1, line 9, after "Subdivision 1;" insert "43.051, Subdivision 1;"

Page 1, line 11, delete "352.04, by adding a subdivision;"

Page 1, line 15, delete "subdivisions" and insert "a subdivision".

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1006, A bill for an act relating to landscape architects; providing for registration and regulation; amending Minnesota Statutes 1974, Sections 326.02, Subdivisions 1 and 5, and by adding a subdivision; 326.03, Subdivisions 1 and 4; 326.04; 326.05; 326.06; 326.07; 326.08, Subdivision 2; 326.09; 326.10, Subdivisions 1, 2 and 7; 326.11, Subdivision 1; 326.12; 326.13; and 326.14.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert the following:

“Section 1. Minnesota Statutes 1974, Section 326.02, Subdivision 1, is amended to read:

326.02 [REGISTRATION OF ARCHITECTS, ENGINEERS, SURVEYORS AND LANDSCAPE ARCHITECTS.] Subdivision 1. [REGISTRATION MANDATORY.] In order to safeguard life, health, and property, and to promote the public welfare, any person in either public or private capacity practicing, or offering to practice, architecture, professional engineering, (OR) land surveying *or landscape architecture* in this state, either as an individual, a co-partner, or as agent of another, shall be registered as hereinafter provided. It shall be unlawful for any person to practice, or to offer to practice, in this state, architecture, professional engineering, (OR) land surveying *or landscape architecture*, or to solicit or to contract to furnish work within the terms of sections 326.02 to 326.16, or to use in connection with his name, or to otherwise assume, use or advertise any title or description tending to convey the impression that he is an architect, professional engineer (hereinafter called engineer) (OR), land surveyor *or landscape architect*, unless such person is qualified by registration under sections 326.02 to 326.16.

Sec. 2. Minnesota Statutes 1974, Section 326.02, is amended by adding a subdivision to read:

Subd. 4a. [PRACTICE OF LANDSCAPE ARCHITECTURE.] *Any person shall be deemed to be practicing landscape architecture, within the meaning of sections 326.02 to 326.16, who holds himself out as able to perform or who does perform any professional service in connection with the development of land areas where the dominant purpose of the service is the preservation, enhancement or determination of proper land uses, natural land features, ground cover and planting, naturalistic and aesthetic values, the settings, approaches or environment for structures or other improvements, natural drainage and the consideration and determination of inherent problems of the land*

relating to erosion, wear and tear, blight and hazards. This practice shall include the location and arrangement of tangible objects and features incidental and necessary to the purposes outlined but shall not include the design of structures or facilities with separate and selfcontained purposes as ordinarily included in the practice of engineering or architecture or the preparation of preliminary subdivision plats, boundary surveys or final land plats.

Nothing contained in sections 326.02 to 326.16 concerning landscape architects shall be construed:

(a) To apply to a professional engineer or land surveyor duly registered under the laws of this state;

(b) To apply to an architect registered under the laws of this state;

(c) To apply to a land surveyor registered under the laws of this state;

(d) To prevent a registered architect or professional engineer from doing landscape planning and designing;

(e) To prevent a registered land surveyor from designing preliminary subdivision plans or land use plans;

(f) To exclude nurserymen from the preparation of landscape plans appropriate to the normal operation of their business;

(g) To authorize a landscape architect to engage in the practice of architecture, engineering, or land surveying;

No person shall use the designation landscape architect or any title or device indicating or representing that the person is a landscape architect or is practicing landscape architecture unless the person is registered under the provisions of sections 326.02 to 326.16.

Sec. 3. Minnesota Statutes 1974, Section 326.02, Subdivision 5, is amended to read:

Subd. 5. [LIMITATION.] The provisions of sections 326.02 to 326.16 shall not apply to the preparation of plans and specifications for the erection, enlargement, or alteration of any building or other structure by any person, for his exclusive occupancy or use, unless such occupancy or use involves the public health or safety or the health or safety of the employees of said person, or of the buildings listed in section 326.03, subdivision 2, nor to any detailed or shop plans required to be furnished by

a contractor to a registered engineer, *landscape architect*, or architect, nor to any standardized manufactured product, nor to any construction superintendent supervising the execution of work designed by an architect, *landscape architect*, or engineer registered in accordance with section 326.03, nor to the planning for and supervision of the construction and installation of work by an electrical contractor or master plumber as defined in and licensed pursuant to this chapter, where such work is within the scope of such licensed activity and not within the practice of professional engineering or architecture as defined in section 326.02, subdivisions 2 and 3.

Sec. 4. Minnesota Statutes 1974, Section 326.03, Subdivision 1, is amended to read:

326.03 [REGISTRATION REQUIRED.] Subdivision 1. No person, except an architect, engineer (OR), land surveyor or *landscape architect*, registered as provided for in sections 326.02 to 326.15 shall practice architecture, professional engineering, (OR) land surveying or *landscape architecture*, respectively, in the preparation of plans, specifications, report, plats or other architectural, engineering, (OR) land surveying or *landscape architectural* documents, or in the observation of architectural, engineering, (OR) land surveying or *landscape architectural* projects.

Sec. 5. Minnesota Statutes 1974, Section 326.03, Subdivision 4, is amended to read:

Subd. 4. The provisions hereof shall not apply to any person holding an elective office when in discharging the duties thereof such person is required to do work or perform service of the character of work or service usually done or performed by an architect, engineer, (OR) land surveyor or *landscape architect*.

Sec. 6. Minnesota Statutes 1974, Section 326.04, is amended to read:

326.04 [STATE BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, AND SURVEYORS.] To carry out the provisions of sections 326.02 to 326.15 there is hereby created a state board of registration for architects, engineers, (AND) land surveyors, and *landscape architects* (hereinafter called the board) consisting of (FIFTEEN) *sixteen* members, who shall be appointed by the governor. Three members shall be registered architects, five members shall be registered engineers, *one member shall be a landscape architect*, one member shall be a registered land surveyor and six members shall be public members as defined for purposes of Laws 1973, Chapter 638. Not more than one member of said board shall be from the same branch of the profession of engineering. The members of the first board shall be appointed to serve for the following terms: two members for one year; two members for two years; two

members for three years; and one member for four years, said term ending on the first day of January of the succeeding years. On the expiration of each of said terms the term of office of each newly appointed or reappointed member of the board shall be for a period of four years and shall terminate on the first day of January; except that each member shall hold over after the expiration of his term until his successor shall have been duly appointed and qualified. The two engineering members of the board added by this amendment shall be appointed for the following term: one for a term ending on the first day of January of the next succeeding year, and one for a term ending on the first day of January of the second succeeding year following his appointment. *The first landscape architect member shall be appointed as soon as possible and no later than 60 days after the effective date of this act and shall serve for a term to end on January 1, 1977.* Thereafter their successors shall be appointed for a term of four years as provided for the other members of the board. Each public member of the board shall be appointed for a term of four years, provided that of the initial public members appointed two shall serve for a term of one year, two shall serve for a term of two years, and two shall serve for a term of three years. The governor may remove any member of the board for misconduct, incompetency or neglect of duty. Vacancies in the membership of the board, however created, shall be filled by appointment by the governor for the unexpired term.

Sec. 7. Minnesota Statutes 1974, Section 326.05, is amended to read:

326.05 [QUALIFICATIONS OF BOARD MEMBERS.] Each member of the board shall be a citizen of the United States and a resident of this state at the time of his appointment. Each member except the public members shall have been engaged in the practice of his profession for at least ten years and shall have been in responsible charge of work for at least five years. Each such member shall be a member in good standing of a recognized society of architects, engineers, (OR) land surveyors *or landscape architects*; and, except as provided in section 326.06, shall be a registered architect, registered engineer, (OR) registered land surveyor *or registered landscape architect*.

Sec. 8. Minnesota Statutes 1974, Section 326.06, is amended to read:

326.06 [GENERAL POWERS AND DUTIES OF BOARD.] Each member of the board shall receive a certificate of appointment from the governor, and, before beginning his term of office, shall file with the secretary of state the constitutional oath of office. The board, or any committee thereof, shall be entitled to the services of the attorney general in connection with the affairs of the board, and the board shall have power to compel the attendance of witnesses, administer oaths, and take testimony and proofs concerning all matters within its jurisdiction. The board shall adopt and have an official seal, which shall be affixed to

all certificates of registration granted; shall make all bylaws and rules, not inconsistent with law, needed in performing its duties; and shall fix standards for determining the qualifications of applicants for certificates, which shall not exceed the requirements contained in the curriculum of a recognized school of architecture, *landscape architecture* or engineering.

Sec. 9. Minnesota Statutes 1974, Section 326.07, is amended to read:

326.07 [BOARD, MEETINGS OF, OFFICERS, QUORUM.] The board shall hold a meeting within 30 days after its members are first appointed, and thereafter shall hold at least two regular meetings each year. Special meetings shall be held at such times as the bylaws of the board may provide. Notice of all meetings shall be given in such manner as the bylaws may provide. The board shall elect annually from its members a chairman, a vice-chairman (AND) , a (SECRETARY TREASURER) *secretary and a treasurer*. A quorum of the board shall consist of not less than (EIGHT) *nine* members, of whom (TWO) *three* shall be architects or *landscape architects or land surveyors*, three engineers, and three public members.

Sec. 10. Minnesota Statutes 1974, Section 326.08, Subdivision 2, is amended to read:

Subd. 2. Any member of the board, the executive secretary of the board, or the attorney for the board may be authorized by the board to attend any architectural, engineering, (OR) land surveying or *landscape architectural* conference or meeting held outside of this state, the major purpose of which is the consideration of problems directly associated with the registration of architects, professional engineers, (OR) land surveyors or *landscape architects*. In addition to any subsistence and travel allowance prescribed by law for travel outside of the state, a member of the board who attends such an architectural, engineering, (OR) land surveying or *landscape architectural* conference or meeting pursuant to authorization by the board shall receive \$35 for each day or portion thereof he attends the conference or meeting or travels to or from the conference or meeting.

Sec. 11. Minnesota Statutes 1974, Section 326.09, is amended to read:

326.09 [RECORDS AND REPORTS OF BOARD.] The board shall keep a record of its proceedings and a register of all applicants for registration, showing for each the date of application, name, age, educational and other qualifications, place of business, and the place of residence, whether or not an examination was required and whether the applicant was rejected or a certificate of registration granted, and the date of such action. The books and register of the board shall be prima facie evidence of all matters recorded therein. A roster showing the names and

places of business (AND) or of residence of all registered architects, engineers, (AND) land surveyors and landscape architects shall be prepared by the (SECRETARY-TREASURER) *executive secretary* of the board during the month of (JANUARY) July, of each even numbered year (;) . *Roster supplements listing newly registered persons shall be published semi-annually between publications of the biennial roster.* (SUCH ROSTER SHALL) *Rosters may* be printed out of the funds of the board, as provided in section 326.08. On or before the first day of October in each even numbered year, the board shall submit a biennial report to the governor covering its activities during the two preceding fiscal years, together with a complete statement of the receipts and expenditures of the board, signed by the chairman and the (SECRETARY-TREASURER) *treasurer*, and a copy of the roster , *with supplements*, of registered architects, registered engineers, (AND) registered land surveyors and *registered landscape architects.*

Sec. 12. Minnesota Statutes 1974, Section 326.10, is amended to read:

326.10 [CERTIFICATES OF REGISTRATION.] Subdivision 1. [ISSUANCE.] The board shall on application therefor on a prescribed form, and (THE) *upon* payment of a fee (OF \$15) *prescribed by rule of the board*, issue a certificate of registration as an architect, engineer, (OR) land surveyor or *landscape architect*. A separate fee shall be paid for each profession registered.

(1) To any person over 25 years of age, (WHO IS A CITIZEN OF THE UNITED STATES OR CANADA, OR WHO HAS MADE DECLARATION OF HIS INTENTION TO BECOME A CITIZEN OF THE UNITED STATES; WHO SPEAKS AND WRITES THE ENGLISH LANGUAGE;) who is of good moral character and repute, (AND HAS BEEN ACTIVELY ENGAGED FOR EIGHT OR MORE YEARS IN ARCHITECTURAL OR ENGINEERING WORK, OR ENGAGED FOR SIX OR MORE YEARS IN LAND SURVEYING. THE CHARACTER OF SUCH WORK SHALL BE SATISFACTORY TO THE BOARD. EACH SCHOLASTIC YEAR OF TEACHING OR OF STUDY SATISFACTORYLY COMPLETED OF ARCHITECTURE IN A SCHOOL OR COLLEGE OF ARCHITECTURE ACCREDITED BY THE NATIONAL ARCHITECTURAL ACCREDITING BOARD, OR FOR EACH SCHOLASTIC YEAR OF TEACHING OR OF STUDY SATISFACTORYLY COMPLETED OF ENGINEERING IN AN ENGINEERING CURRICULUM ACCREDITED BY THE ENGINEERS' COUNCIL FOR PROFESSIONAL DEVELOPMENT, OR FOR THE LAND SURVEYOR EACH SCHOLASTIC YEAR OF TEACHING OR OF STUDY SATISFACTORYLY COMPLETED IN AN ENGINEERING AND LAND SURVEYING CURRICULUM ACCREDITED BY THE ENGINEERS' COUNCIL FOR PROFESSIONAL DEVELOPMENT, SHALL BE CONSID-

DERED AS EQUIVALENT TO ONE YEAR OF SUCH ACTIVE ENGAGEMENT, PROVIDED, HOWEVER, THAT THREE YEARS OF ACTUAL EXPERIENCE OF A STANDARD SATISFACTORY TO THE BOARD SHALL BE REQUIRED IN ADDITION TO SCHOOL ATTENDANCE) *and who has the experience and educational qualifications which the board by rule may prescribe.*

(AN HONORABLY DISCHARGED VETERAN OF WORLD WAR I OR WORLD WAR II SHALL BE GIVEN CREDIT FOR SUCH EXPERIENCE OR EDUCATION GAINED IN THE ARMED SERVICES OF THE UNITED STATES AS MEETS THE STANDARDS FIXED BY THE BOARD.)

(2) To any person who holds (A LIKE) *an unexpired certificate of registration issued to him by proper authority in the District of Columbia, (IN) any state or territory of the United States, (OR IN ANY PROVINCE OF CANADA) or any foreign country, in which the requirements for registration of architects, engineers, (OR) land surveyors or landscape architects (ARE), respectively, at the time of registration in the other jurisdiction, were equal, in the opinion of the board, to those fixed by the board and by the laws of this state, and in which similar privileges are extended to the holders of certificates of registration issued by this state. The board may require such person to submit a certificate of his technical qualification from the National Council of Architectural Registration Boards in the case of an architect, (AND) from the National Council of Engineering Examiners in the case of an engineer, and from the National Council of Landscape Architects Registration Board in the case of a landscape architect.*

Subd. 2. [EXAMINATION.] The board may subject any applicant *for registration, or for certification as an engineer-in-training or land surveyor-in-training, to such examinations as may be deemed necessary to establish his qualifications.*

In determining the qualifications in such cases of applicants for registration as architects, a majority vote of the architect members of the board only shall be required; (AND) in determining the qualifications in such cases of applicants for registration as engineers, a majority vote of the engineer members of the board only, shall be required; and in determining the qualifications of applicants for registration as land surveyors, the affirmative vote of the land surveyor member and of one engineer of the board only, shall be required; *and in determining the qualifications of applicants for registration as landscape architects, the affirmative vote of the landscape architect member of the board and of one architect member or one civil engineer member of the board only, shall be required.*

Subd. 4. [EXPIRATION.] Certificates of registration shall expire on the last day of the (CALENDAR) *fiscal year (FOR)*

next succeeding the year in which they are issued and shall become invalid on that date unless renewed. It shall be the duty of the (SECRETARY-TREASURER) executive secretary of the board to notify, by mail, every person registered of the date of the expiration of his certificate and the amount of fee required for its renewal (FOR ONE YEAR); such notice shall be mailed to the registrant at his address as shown on the records of the board at least one month in advance of the date of the expiration of the certificate. Renewal may be effected on or before (DECEMBER 31) June 30 of (EACH) the year of expiration by the payment of a fee (OF NOT TO EXCEED \$15) in such manner and in such amount as the board, by rule, shall determine for each profession.

Subd. 5. [DELAYED RENEWAL FEE.] The failure on the part of any registrant to renew his certificate (ANNUALLY) before (DECEMBER 31) June 30 of the year of expiration shall not deprive such person of his right of renewal thereafter, but the fee to be paid for the late renewal of the certificate shall be \$3 for each profession in addition to the renewal fee for each profession.

Subd. 7. [ENGINEER-IN-TRAINING; LAND SURVEYOR-IN-TRAINING.] ((1) ANY APPLICANT FOR CERTIFICATION AS AN ARCHITECT-IN-TRAINING WHO IS A GRADUATE WITH A BACHELOR OF ARCHITECTURE DEGREE FROM AN ACCREDITED SCHOOL OR COLLEGE OF ARCHITECTURE OR WHO HAS HAD EQUIVALENT EDUCATION OR EXPERIENCE OR A COMBINATION THEREOF OF A GRADE AND CHARACTER ACCEPTABLE TO THE BOARD SHALL RECEIVE FROM THE BOARD, UPON PASSING AN EXAMINATION IN FUNDAMENTAL ARCHITECTURAL SUBJECT, A CERTIFICATE STATING THAT HE HAS PASSED SUCH EXAMINATION AND THAT HIS NAME HAS BEEN RECORDED AS AN ARCHITECT-IN-TRAINING.)

((2)) (1) (ANY) An applicant for certification as an engineer-in-training who is a graduate with a bachelor of engineering degree from a school or college having an (ACCREDITED) engineering curriculum accredited by the engineers' council for professional development or (WHO HAS HAD EQUIVALENT EDUCATION OR EXPERIENCE OR A COMBINATION THEREOF OF A GRADE AND CHARACTER ACCEPTABLE TO THE BOARD) whose education, in the opinion of the board, is equivalent thereto, shall receive from the board, upon passing an examination in fundamental engineering subjects, a certificate stating that he has passed such examination and that his name has been recorded as an engineer-in-training.

((3)) (2) (ANY) An applicant for certification as a land surveyor-in-training who has had a minimum of four years of qualifying experience of a character satisfactory to the board,

of which a formal education *in an accredited engineering or land surveying curriculum* may constitute a part thereof, shall receive from the board, upon passing a written examination (ON) in the fundamentals of mathematics and the basic principles of land surveying, a certificate stating that he has passed such examination and that his name has been recorded as a land surveyor-in-training.

(3) *Any applicant for certification as a landscape architect-in-training who is a graduate with a degree from a school or college having a landscape architecture curriculum accredited by the American society of landscape architects committee on education or who has had equivalent education or experience or a combination thereof of a grade and character acceptable to the board shall receive from the board, upon passing an examination in fundamental landscape architectural subjects, a certificate stating that he has passed that examination and that his name has been recorded as a landscape architect-in-training.*

Sec. 13. Minnesota Statutes 1974, Section 326.11, Subdivision 1, is amended to read:

326.11 [CERTIFICATES OF REGISTRATION, REVOCATION, REISSUE, DUPLICATES.] Subdivision 1. [REVO-CATION.] The board shall have the power to revoke or suspend as hereinafter provided, the certificate of registration of any architect, engineer, (OR) land surveyor or *landscape architect*, who is found guilty by the board of any fraud or deceit in obtaining a certificate of registration, or attaching his seal or signature to any plan, specification, report, plat, or other architectural, engineering, (OR) land surveying or *landscape architectural* document not prepared by him or under his direct supervision, or of gross negligence, incompetency, or misconduct in the practice of architecture, engineering, (OR) land surveying or *landscape architecture*, or upon conviction of any violation of sections 326.02 to 326.16 or amendments thereof, or of any crime involving moral turpitude or upon adjudication of insanity or incompetency, and in the case of such conviction or adjudication, such revocation or suspension may be made by the board on its own motion on the filing with its (SECRETARY-TREASURER) *secretary* of a copy of the minutes of such conviction and judgment or adjudication, duly certified by the clerk in whose custody they are, the same to be conclusive evidence of such conviction or adjudication.

Sec. 14. Minnesota Statutes 1974, Section 326.11, Subdivision 2, is amended to read:

Subd. 2. [CHARGES.] Any person may prefer charges of such fraud, deceit, misuse of seal or signature or of (SUCH) gross negligence, incompetency, or misconduct against any person registered hereunder. Such charges shall be in writing, sworn to by the complainant, filed with the (SECRETARY-TREA-

SURER) *secretary* and submitted by him to the board; and, unless dismissed without hearing by the board as unfounded or (TRIVAL) *no warranting further proceedings*, shall be heard or determined by the board within three months after the date of such filing with the (SECRETARY-TREASURER) *secretary*. A time and place for such hearing shall be fixed by the board.

Sec. 15. Minnesota Statutes 1974, Section 326.11, Subdivision 4, is amended to read:

Subd. 4. [HEARING.] *The hearing, and all proceedings to revoke or suspend a certificate of registration, shall be conducted in accordance with the provisions of Minnesota Statutes, Chapter 15, for the conduct of contested cases.* At the hearing the accused shall have the right to appear personally and by counsel, to cross-examine witnesses against him, and to produce evidence and witnesses in his defense. If, after said hearing, (SIX) *ten* or more members vote in favor of finding the accused guilty of any charge made against him, the board may revoke or suspend the certificate of registration of the accused.

Sec. 16. Minnesota Statutes 1974, Section 326.11, Subdivision 5, is amended to read:

Subd. 5. [RE-ISSUE.] The board may re-issue a certificate of registration to any person whose certificate has been revoked, provided (SIX) *ten* or more members of the board vote in favor of such reissuance for reasons the board may deem sufficient.

Sec. 17. Minnesota Statutes 1974, Section 326.12, is amended to read:

326.12 [CERTIFICATES AS EVIDENCE; SEALS OF REGISTRANTS.] Subdivision 1. [JUDICIAL PROOF.] The issuance of a certificate of registration by the board shall be evidence that the person named therein is entitled to all the rights and privileges of a registered architect, registered engineer, (OR) registered land surveyor or *registered landscape architect* while the certificate remains unrevoked or has not expired or has not been suspended.

Subd. 2. [SEAL.] Each registrant may, upon registration, obtain a seal of a design approved by the board, bearing the registrant's name and the legend "registered architect," "registered professional engineer," (OR) "registered land surveyor" or "*registered landscape architect*." Plans, specifications, plats, reports, and other documents prepared by a registrant may be stamped with the seal during the life of registrant's certificate. A rubber stamp facsimile thereof may be used in lieu of the seal on tracings from which prints are to be made or on papers which would be damaged by the regular seal. It shall be unlawful for

any one to stamp or seal any document with the stamp or seal after the certificate of the registrant named thereon has expired, been revoked or suspended, unless said certificate shall have been renewed or reissued.

Subd. 3. [CERTIFIED SIGNATURE.] Each plan, specification, plat, report, or other document which sections 326.02 to 326.16 require be prepared by a registered architect, registered engineer, (OR) registered land surveyor or *registered landscape architect* shall bear the signature of the person preparing it, or the signature of the person under whose direct supervision it was prepared. Each signature shall be accompanied by a certification that the signer is registered under sections 326.02 to 326.16, by the person's registration number, and by the date on which the signature was affixed. The provisions of this paragraph shall not apply to documents of an intra-office or intra-company nature.

Sec. 18. Minnesota Statutes 1974, Section 326.13, is amended to read:

326.13 [PRACTICE EXEMPT.] (REGISTRATION UNDER THE PROVISIONS OF SECTIONS 326.02 TO 326.15 SHALL NOT BE REQUIRED FOR THE FOLLOWING TYPES OF PROFESSIONAL PRACTICE) *Practice of architecture, engineering or land surveying in this state prior to registration by the board shall be permitted under the following conditions and limitations:*

(1) (PRACTICE AS AN ARCHITECT OR AN ENGINEER, IN THIS STATE,) By any person or *firm* not a resident of and having no established place of business in this state, or any person or *firm* resident in this state, but whose arrival in the state is recent; provided, however, such (PERSON SHALL HAVE FILED AN APPLICATION FOR REGISTRATION AS AN ARCHITECT OR AN ENGINEER, AND SHALL HAVE PAID THE FEE PROVIDED FOR IN SECTION 326.10. SUCH EXEMPTION SHALL CONTINUE FOR ONLY SUCH REASONABLE TIME AS THE BOARD REQUIRES IN WHICH TO CONSIDER AND GRANT OR DENY THE APPLICATION FOR REGISTRATION; AND, PROVIDED, SUCH) person or *a person connected with such firm:*

(a) is (LEGALLY) *registered and qualified to practice such profession in (HIS OWN) a state or country (IN WHICH THE REQUIREMENTS AND QUALIFICATIONS FOR OBTAINING A CERTIFICATE OF REGISTRATION ARE NOT LOWER THAN THOSE SPECIFIED IN SECTIONS 326.02 TO 326.15;)* to which the board grants registration by comity in accordance with the provisions of section 326.10, subdivision 1, clause (2); and

(b) *shall have filed an application for registration as an architect or an engineer, shall have paid the fee provided for in sec-*

tion 326.10, and shall have been notified by the board that the applicant meets the requirements for registration in this state and is entitled to receive a certificate of registration;

(c) notwithstanding the provisions of paragraph (b) and prior to the notification provided for therein, an applicant who meets the requirements of paragraph (a) shall be permitted to practice in this state provided that such practice is limited solely to solicitation of work within the terms of sections 326.02 to 326.16;

(2) Practice as an architect, an engineer, (OR) a land surveyor or a landscape architect by any person not a resident of, and having no established place of business in, this state, as a consulting associate of an architect, an engineer, (OR) a land surveyor or a landscape architect registered under the provisions of sections 326.02 to 326.15; provided, the non-resident is registered and qualified (FOR SUCH PROFESSIONAL SERVICE IN HIS OWN) to practice his profession in a state or country to which the board grants registration by comity in accordance with the provisions of section 326.10, subdivision 1, clause (2);

(3) Practice as an architect, an engineer, (OR) a land surveyor or a landscape architect solely as an officer or employee of the United States.

Sec. 19. Minnesota Statutes 1974, Section 326.14, is amended to read:

326.14. [CORPORATIONS AND PARTNERSHIPS AUTHORIZED.] A corporation (OR), partnership or other firm may engage in work of an architectural or engineering character, (OR) in land surveying or in landscape architecture in this state, provided the person or persons connected with such corporation (OR), partnership or other firm in responsible charge of such work is or are registered as herein required for the practice of architecture, engineering (AND), land surveying and landscape architecture.”.

Further amend the title:

Line 2, after “to” insert “architects, engineers, surveyors and”.

Line 3, after “regulation” insert “of landscape architects; changing the number of board members required to revoke, suspend or reissue a certification of registration”.

Line 7, after “326.10” delete the comma.

Line 8, delete “Subdivisions 1, 2 and 7”.

Line 8, delete “Subdivision ” and insert “Subdivisions”.

Line 8, after the second "1" insert "2, 4, and 5".

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1007, A bill for an act relating to fair labor standards; excluding conservation officers from the operation of certain laws; amending Minnesota Statutes 1974, Section 177.23, Subdivision 7.

Reported the same back with the following amendments:

Page 2, after line 32, add the following new section:

"Sec. 2. *Minnesota Statutes 1974, Section 43.16, is repealed.*"

Further amend the title:

Page 1, line 2, delete "relating to fair labor standards" and insert "relating to employment".

Page 1, line 4, delete "certain laws" and insert "the fair labor standards act; repealing certain job application requirements".

Page 1, line 5, after "Subdivision 7" insert "; repealing Minnesota Statutes 1974, Section 43.16".

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1133, A bill for an act relating to police pensions in the city of Duluth; amending Laws 1953, Chapter 91, Section 1, Subdivisions 7; and 8, as amended; Section 7; and Section 11, Subdivisions 1, as amended; and 2.

Reported the same back with the following amendments:

Page 1, line 14, strike "one year" and insert "*a total of three years*".

Page 4, line 3, delete "23" and insert "22".

Page 4, line 13, after "remarry," insert "his or".

Page 4, lines 13 and 14, reinstate the stricken language.

Page 4, lines 14 to 18, delete the new language.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1441, A bill for an act relating to municipalities; industrial development; authorizing municipalities to enter into certain loan agreements and sale contracts; amending Minnesota Statutes 1974, Sections 474.01, Subdivisions 1, 5, 6, 7 and 8; 474.02, Subdivisions 1, 2, 3, 4, and by adding subdivisions; 474.03; 474.04; 474.05; 474.06; 474.08; 474.09; 474.10, Subdivisions 1 and 4; 474.11; 474.12; and 474.13; Chapter 474, by adding sections; repealing Minnesota Statutes 1974, Section 474.02, Subdivisions 1a and 1b.

Reported the same back with the following amendments:

Page 19, delete lines 15 to 22.

Renumber remaining sections in sequence.

Further, amend the title:

Line 11, delete "sections" and insert "a section".

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1551, A bill for an act relating to the city of Minneapolis; policemen's pension fund uses; amending Laws 1949, Chapter 406, Section 7, as amended.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1596, A bill for an act relating to the city of Farmington; authorizing an increase in firemen's relief association lump sum service pensions.

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

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 119, A bill for an act relating to the practice of medicine; physicians, surgeons and osteopaths; suspension of license; amending Minnesota Statutes 1974, Section 147.021, Subdivision 2.

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

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 534, A bill for an act relating to chiropractic; further defining the term "chiropractic"; amending Minnesota Statutes 1974, Section 148.01, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 148.01, is amended by adding a subdivision to read:

"Subd. 3. Chiropractic practice includes those non-invasive means of clinical, physical, and laboratory measures, and analytical x-ray of the bones of the skeleton, which are necessary to make a determination of the presence or absence of a chiropractic condition. The practice of chiropractic may include procedures which are used to prepare the patient for chiropractic adjustment or to complement the chiropractic adjustment. The procedures may not be used as independent therapies or separately from chiropractic adjustment. No device which utilizes

heat or sound shall be used in the treatment of a chiropractic condition unless the device has been approved by the United States Federal Communications Commission. No device shall be used above the neck of the patient. Any chiropractor who utilizes procedures in violation of this subdivision shall be guilty of professional misconduct and subject to disciplinary procedures pursuant to section 148.10.

Sec. 2. Minnesota Statutes, Section 148.08, Subdivision 2, is amended to read:

Subd. 2. [HOW REGULATED.] Chiropractors shall be subject to the same rules and regulations, both municipal and state, that govern other licensed doctors or physicians in the control of contagious and infectious diseases, and shall be entitled to sign health and death certificates, and to all rights and privileges of other doctors or physicians in all matters pertaining to the public health, except prescribing internal drugs or the practice of *medicine, physical therapy, surgery and obstetrics.*"

Further amend the title as follows:

Page 1, line 4, after "subdivision" insert "; and 148.08, Subdivision 2".

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

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 650, A bill for an act relating to public welfare; establishing a division of services for the blind in the department of public welfare; coordinating in the division certain powers and duties of the commissioner and department of public welfare in regard to the blind.

Reported the same back with the following amendments:

Page 1, line 20, after "blind" delete "which" and insert ", this division shall be located at a level that will comply with the Federal Vocational Rehabilitation Act and Regulations and".

Page 2, line 3, delete "and upon the recommendation of".

Page 3, line 1, after "and" insert "be recommended by organizations of the blind in which membership is open to all blind adults and".

Page 3, line 10, after "liaison" delete "between the".

Page 3, line 11, delete "division and the commissioner of public welfare and".

Page 3, line 15, delete "The consultative".

Page 3, delete lines 16 to 20.

Page 3, line 21, delete "basis."

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

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 947, A bill for an act relating to railroads; providing for toilet facilities in certain railroad company motor vehicles; amending Minnesota Statutes 1974, Section 219.562, Subdivision 1; repealing Minnesota Statutes 1974, Section 219.562, Subdivision 2.

Reported the same back with the following amendments:

Page 2, line 2, delete "more than two hours".

Page 2, line 3, delete "driving time away" and insert "to and".

Page 2, after line 3, insert:

"(f) In the event of emergency arising from common disaster or adverse weather, such as flooding, washout, excessive snow or icing, or derailment or defect in track requiring prompt repair, motor vehicles which do not meet the above standards may be used only for the duration of the emergency."

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

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1009, A bill for an act relating to health and welfare; providing for the maintenance of service levels under the nutrition for the elderly program; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. [APPROPRIATION.] Subdivision 1. There is appropriated from the general fund in the state treasury to the governor's citizens council on aging through the commissioner of public welfare the sum of \$1,300,000 for the purpose of increasing service levels of programs funded by the federal "Older American Act," Title 7 (Nutrition Program for the Elderly). The governor's citizen council on aging may retain up to five percent of the above amount for administrative costs.

Subd. 2. [SPENDING LIMITATIONS.] The governor's citizens council on aging is authorized to expend this sum to supplement the nutrition program for the elderly. The governor's citizens council on aging may make grants for the provision of nutritionally sound meals and supportive social services to any public or private nonprofit organization, institution, agency or Indian tribal organization. Policies and procedures for the awarding of grants shall be determined by the governor's citizens council on aging in accordance with federal and state regulations.

Sec. 2. Notwithstanding the provisions of Minnesota Statutes, Section 16A.28, the appropriation made in section 1 shall not cancel at the end of a fiscal year and shall be available until June 30, 1977.

Sec. 3. This act shall be effective July 1, 1975."

Further amend the title as follows:

Page 1, line 2, delete "the".

Page 1, line 3, delete "maintenance of" and insert "increasing".

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

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1011, A bill for an act relating to health; providing for a program of dental care for senior citizens; establishing means of administration; subsidizing premiums to cover cost of services; appropriating money.

Reported the same back with the following amendments:

Page 1, line 15, delete "dental college of the university" and insert "department of health for the state".

Page 1, line 23, delete "Two persons aged 62 or over shall be hired as".

Page 2, delete lines 1 to 4.

Page 2, delete lines 6 to 10 and insert the following:

"[CONTRACT FOR DENTAL SERVICES.] The department of health and the senior organization shall contract for the delivery of dental services according to the terms of sections 1 to 7 with a policy or plan of health, medical, hospitalization, or accident and sickness insurance regulated under chapter 62A, a nonprofit health service plan corporation regulated under chapter 62C, or a health maintenance organization established pursuant to chapter 62D, all three of which shall hereinafter be referred to as the dental carrier."

Page 2, delete lines 11 to 32.

Page 3, delete lines 1 and 2.

Page 3, line 3, delete "effectiveness of the program." and insert

"Subd. 2. [REVIEW OF PERFORMANCE.] The department of health, the senior organization and the dental carrier shall monitor the program and then with the dental carrier shall make a comprehensive evaluation of the pilot program including, but not limited to, the following elements: extent and quality of dental service delivered, data concerning number of participants in the program and cost effectiveness."

Page 3, line 10, delete "senior".

Page 3, line 11, delete "organization" and insert "department of health".

Page 3, after line 27, insert

"Subd. 5. [ANNUAL FEE.] An annual fee of not more than 12 percent of the total premium dollar shall be collected by the senior organization from all participants and transmitted to the department of health.

Subd. 6. [NURSING HOME RESIDENTS.] Special effort shall be made to include in this pilot residents of nursing homes."

Page 4, line 1, delete "(c) fluoride applications."

Renumber the clauses accordingly.

Page 4, line 10, delete "full".

Page 4, line 11, delete "70" and insert "80".

Page 4, line 11, delete "listed" and insert "usual and customary".

Page 4, line 12, delete "corporation" and insert "carrier".

Page 4, line 15, delete "corporation" and insert "carrier".

Page 4, line 16, delete "\$600" and insert "\$500".

Page 4, line 18, delete "dental college" and insert "department of health".

Page 4, line 19, delete "corporation" and insert "carrier".

Page 4, delete lines 24 to 30.

Page 4, line 31, delete "3" and insert "2".

Page 5, line 1, delete "corporation" and insert "carrier".

Page 5, line 4, delete "corporation" and insert "carrier".

Page 5, line 8, delete "dental college" and insert "department of health".

Page 5, line 15, delete "dental college of the university of Minnesota" and insert "department of health".

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

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1076, A bill for an act relating to health; amending Minnesota Statutes 1974, Section 617.251.

Reported the same back with the following amendments:

Page 1, line 12, delete "government owned or".

Page 1, delete lines 13 and 14.

Page 1, line 15, delete "*shall sell, offer for*".

Page 1, delete line 16.

Page 1, line 17, delete "*instruments, articles, drugs or medicines*" and after "*therein*" insert a period.

Page 1, delete lines 18, 19, 20, 21 and 22.

Page 2, delete line 1.

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

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1139, A bill for an act relating to health; establishing a clinical and research pilot project on cystic fibrosis; appropriating money.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1140, A bill for an act relating to health; providing for a program of treatment for adults having cystic fibrosis; appropriating money; amending Minnesota Statutes 1974, Chapter 144, by adding a section.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1262, A bill for an act relating to anatomical gifts; requiring morticians and certain other designated persons to obtain a written release prior to performing an eye enucleation procedure; amending Minnesota Statutes 1974, Section 595.924, by adding a subdivision.

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

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1263, A bill for an act relating to public welfare; providing for disregard of certain pension payment increases in calculating eligibility for supplemental aid; amending Minnesota Statutes 1974, Section 256D.38.

Reported the same back with the following amendments:

Page 1, line 20, delete "security income grant" and insert "aid".

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

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1321, A bill for an act relating to public welfare; authorizing an experimental program for the care of mentally retarded children; appropriating money; amending Minnesota Statutes 1974, Section 252.27, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, Section 252.27, is amended by adding a subdivision to read:

Subd. 4. In order to determine the effectiveness of the family unit in providing alternate living arrangements and providing or arranging for the training and developmental opportunities that may exist in a state hospital or a licensed community residential facility, the commissioner of public welfare may establish an experimental program of subsidizing selected families who agree to carry out a planned program of home care and training for their minor dependents who are mentally retarded or cerebral palsied.

This program shall be limited to children who otherwise would require and be eligible for placement in state hospitals or licensed community residential facilities.

Grants to families shall be determined by the commissioner of public welfare. In determining the grants, the commissioner shall consider the extra costs of services additional to room and board, including: diagnostic assessments, homemaker services, training expenses including specialized equipment, visiting nurses' or other pertinent therapists' costs, parental relief costs, day-time activity center costs, preschool program costs, related transportation expenses, and parental relief or babysitting costs.

An individual care and training plan for the child shall be established and agreed upon by the parents receiving the subsidy and the appropriate county welfare department. Periods of parental relief including vacations and babysitting may be included in the plan and do not require the approval of the county welfare department. The plan shall be periodically evaluated to determine the progress of the child.

Sec. 2. [APPROPRIATION.] *There is appropriated to the department of public welfare from the general fund in the state treasury the sum of \$40,000 for the administration and evaluation of services authorized by section 1.*

Sec. 3. [EFFECTIVE DATE.] *This act is effective July 1, 1975."*

Further, amend the title to read as follows:

Page 1, line 3, after "the" insert "cost of home".

Page 1, line 4, after "retarded" insert "or cerebral palsied".

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

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 256, A bill for an act relating to education; establishing a program of tuition supplements and equivalency credits for the Minnesota national guard; appropriating money.

Reported the same back with the following amendments:

Page 2, line 8, delete "academic".

Page 3, line 14, delete "and".

Page 3, line 17, delete the period and insert "; and

(f) Is ineligible for educational benefits available from the federal government for members of the national guard."

Page 5, line 11, after the period insert "Of the amount appropriated for the purposes of this act the commission may use such amounts as may be necessary not to exceed \$60,000 for administration of the programs authorized by this act."

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

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 603, A bill for an act relating to education; Minnesota higher education coordinating commission; providing scholarships and grants-in-aid for part time students and extension students; amending Minnesota Statutes 1974, Section 136A.121, Subdivisions 1 and 2.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Ten percent of those funds appropriated for grants-in-aid under Minnesota Statutes 1974, Sections 136A.095 to 136A.121 which remain after all renewal grants-in-aid have been awarded shall be allocated for grants-in-aid to part time students by the higher education coordinating commission.

Sec. 2. One fourth of the funds allocated for grants-in-aid to part time students shall be available for each quarter of the academic year, except that any unused balance of the funds available for any quarter shall be available for the next quarter.

Sec. 3. Any citizen of the United States who is a resident of the state of Minnesota shall be eligible for a grant from funds allocated for part time students provided that such citizen is registered or has met admission requirements for registration as an undergraduate part time student in an eligible institution as defined in Minnesota Statutes 1974, Section 136A.101, Subdivision 4.

Sec. 4. Grants-in-aid to part time students shall be awarded by the commission to qualified applicants who demonstrate financial need as defined and determined by the commission according to policies and procedures prescribed by the commission. The amount of a grant-in-aid to a part time student shall be the amount necessary for required tuition and fees for courses in which the student is enrolled for credit not to exceed the maxi-

imum tuition and fees for the same number of credits for courses of similar type offered by the university of Minnesota.

Sec. 5. In awarding grants-in-aid to part time students who demonstrate financial need as described in section 4, the commission shall select recipients solely on the basis of the date on which the application is duly filed with the commission under procedures determined by the commission. The applicant with the earlier application filing date shall in all cases receive an award until available funds are exhausted except that the commission may establish reasonable criteria and procedures for selection from among applicants with the same application filing date as necessary.

Sec. 6. Grants-in-aid to part time students shall be awarded for one academic quarter or semester and shall not be renewable, but recipients of grants-in-aid for any quarter or semester shall be fully eligible to compete for grants-in-aid for subsequent quarters or semesters."

Further amend the title as follows:

Page 1, line 3, delete "scholarships".

Page 1, line 4, delete "and" before "grants" and "and" after "students".

Page 1, delete line 5.

Page 1, line 6, delete "1974, Section 136A.121, Subdivisions 1 and 2".

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

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 604, A bill for an act relating to education; higher education coordinating commission; establishing a pilot program to provide grants for college level or vocational training to 300 recipients of aid to families with dependent children; appropriating money.

Reported the same back with the following amendments:

Page 2, line 21, after "Grants" insert "not to exceed \$828 per year, according to need".

Page 2, delete lines 24 to 26 and insert "Subd. 2. A financial stipend for childcare in accordance with current childcare allowance for WIN and Non-Win, books and fees shall accompany a grant under this program."

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

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 653, A bill for an act relating to education; establishing a program of tuition supplements and equivalency credits for the Minnesota national guard and reserve units; appropriating money.

Reported the same back with the following amendments:

Page 1, line 8, delete "Minnesota national guard and" and insert "United States".

Page 1, after line 21 insert:

"Subd. 4. For the purposes of this act United States reserve force units means only the United States army reserve, the United States navy reserve, the United States air force reserve, the United States marine reserve and the United States coast guard reserve."

Page 2, line 1, delete "Minnesota national guard and all".

Page 2, line 8, delete "Minnesota national guard".

Page 2, line 9, delete "and".

Page 2, line 11, delete "guard and".

Page 2, line 15, delete "national guard and".

Page 2, line 16, delete "guard and".

Page 2, line 26, delete "adjutant".

Page 2, line 27, delete "general and the".

Page 3, line 17, delete "Minnesota national".

Page 3, line 18, delete "guard or a".

Page 4, line 30, delete "the Minnesota national guard or".

Page 5, line 13, delete "the Minnesota national guard or".

Further amend the title as follows:

Page 1, line 4, delete "Minnesota national guard and" and insert "United States".

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

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 786, A bill for an act relating to education; higher education coordinating commission; providing for a statewide testing program; appropriating money.

Reported the same back with the following amendments:

Page 1, line 7, delete "juniors" and insert "students".

Page 1, line 7, after "facilitate" insert "in individual counseling and career education and".

Page 1, line 10, delete "High".

Page 1, delete line 11.

Page 1, line 12, delete "last year prior to graduation."

Page 1, line 18, delete "juniors" and insert "students".

Page 2, line 9, delete "each year".

Page 2, line 10, delete "juniors" and insert "students".

Page 2, line 12, delete ", to proprietary".

Page 2, line 13, delete "schools".

Page 2, after line 14 insert the following:

"(c) Individual tests will also include motor skill tests along with color blindness tests to all those individuals that indicate a possible choice of going to a vocational school;"

Page 2, line 15, delete "(c)" and insert "(d)".

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

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1201, A bill for an act relating to nursing; authorizing the establishment of outstate educational programs for graduate and undergraduate nursing students; appropriating money.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1398, A bill for an act relating to health; providing for stipends to be paid to colleges of osteopathic medicine training Minnesota residents; appropriating money.

Reported the same back with the following amendments:

Page 1, delete lines 6 to 16.

Page 1, line 17, delete "Subd. 3" and insert "Section 1".

Page 1, line 17, after "OF" delete "BOARD" and insert "COMMISSION".

Page 1, line 17, delete "board" and insert "higher education coordinating commission".

Page 1, line 22, delete "osteopathic placement board" and insert "commission".

Page 2, line 1, delete "board" in both places and insert "commission" in both places.

Page 2, line 5, delete "board" and insert "commission".

Page 2, line 19, delete "of" and insert "not to exceed".

Page 2, line 20, delete "of" and insert "not to exceed".

Page 2, line 22, after "shall" insert "not exceed a".

Page 2, line 22, after "total" insert "of".

Page 2, line 26, delete "of" and insert "not to exceed".

Page 2, line 27, delete "of" and insert "not to exceed".

Page 2, line 29, after "shall" insert "not exceed a".

Page 2, line 29, after "total" insert "of".

Page 2, line 30, delete "of" and insert "not to exceed".

Page 3, line 13, delete "osteopathic".

Page 3, line 14, delete "placement board" and insert "commission".

Page 3, line 24, delete "osteopathic".

Page 3, line 25, delete "placement board" and insert "commission".

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

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1505, A bill for an act relating to intoxicating liquor; places where sale prohibited; amending Minnesota Statutes 1974, Section 340.14, Subdivision 3.

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

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1506, A bill for an act relating to education; higher education coordinating commission; providing procedure for registration and approval of private post-secondary institutions.

Reported the same back with the following amendments:

Page 2, line 17, after "awarded," insert "and".

Page 2, line 18, delete ", and such other matters as the commission shall".

Page 2, line 19, delete "determine by regulation".

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

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1507, A bill for an act relating to interim commissions; creating a legislative commission to study and propose legislation concerning issues related to noncommercial educational radio and television broadcasting; appropriating money.

Reported the same back with the following amendments:

Page 2, line 15, delete "content and".

Page 2, line 17, delete "needs of the continuing education" and insert "educational needs".

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 540, A bill for an act relating to courts; providing for transfer of filing fee when venue is changed in civil actions; amending Minnesota Statutes 1974, Section 542.10.

Reported the same back with the following amendments:

Page 2, line 14, delete "the".

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 607, A bill for an act relating to commerce; duties of the attorney general; providing a penalty for violation of an assurance of discontinuance; amending Minnesota Statutes 1974, Section 325.907, Subdivision 2b.

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 955, A bill for an act relating to mobile homes; providing certain procedures for repossession of mobile homes; amending Minnesota Statutes 1974, Section 336.9-104.

Reported the same back with the following amendments:

Page 2, delete lines 8 to 17.

Page 2, renumber the subdivision in sequence.

Page 2, line 19, after "by" insert "personally".

Page 2, line 20, delete "*meeting the requirements of subdivision 2*".

Page 2, line 22, after "debtor" insert "*under the security agreement, both*".

Page 2, line 24, after "of" delete "*the*" and insert "*a*".

Page 2, line 26, after "home" insert "*and repossessing the mobile home*".

Page 3, line 13, after "debtor." insert the following: "*The action shall proceed in the same manner as other actions for repossessing personal property, and the notices required by section 4 shall not be considered as satisfying any of the notice requirements under those procedures.*".

Page 3, line 21, after "default" delete "*giving a secured party the*".

Page 3, line 22, delete "*right to repossess a mobile home*".

Page 3, line 23, after "sums" delete "*due*" and insert "*then in arrears*".

Page 3, line 24, after "costs" insert "*not to exceed the sum of \$15.*",

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 1014, A bill for an act relating to the collection, security and dissemination of data on individuals by the state and its political subdivisions; clarifying necessary definitions; changing reporting requirements; restructuring the duties of responsible authorities and the rights of subjects of data; providing for issuance of rules relating to the implementation of the act by the commissioner of administration; providing for the establishment of a state privacy board; providing penalties; amending Minnesota Statutes 1974, Sections 15.162; 15.163; 15.165; 15.166; 15.167; and Chapter 15, by adding sections; repealing Minnesota Statutes 1974, Sections 15.164 and 15.168.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 15.162, is amended to read:

15.162 [COLLECTION, SECURITY AND DISSEMINATION OF RECORDS; DEFINITIONS.] Subdivision 1. As used in sections 15.162 (TO 15.168), 15.163, 15.165, 15.166 and 15.167 the terms defined in this section have the meanings given them.

Subd. 2. "Commissioner" means the commissioner of the department of administration.

Subd. 2a. "Confidential data on individuals" means data which is not public but is (a) expressly made confidential by law as to the individual subject of that data; (b) collected by a civil or criminal investigative agency as part of an active investigation undertaken for the purpose of the commencement of a legal action, provided that the burden of proof as to whether such investigation is active or in anticipation of a legal action is upon the agency (c) data which supplies the basis for the diagnosis of the psychiatric condition of an individual as determined by a licensed physician.

Subd. 3. "Data on individuals" includes all records, files and processes which contain any data (ON ANY) in which an in-

dividual is or can be identified and which is kept or intended to be kept on a permanent or (SEMIPERMANENT) temporary basis. It includes that collected, stored, and disseminated by manual, mechanical, electronic or any other means. Data on individuals includes data classified as public, private or confidential.

Subd. 4. "Individual" means a natural person. In the case of a minor individual, under the age of 18, individual shall mean a parent or guardian acting in a representative capacity, except where such minor individual indicates otherwise.

Subd. 5. "Political subdivision" includes counties, municipalities, (TOWNS AND) school districts and any boards, commissions, districts or authorities created pursuant to local ordinance. It includes any nonprofit corporation which is a community action agency (INITIALLY) organized to qualify for public funds, or any nonprofit social service agency which performs services under contract to any political subdivision, statewide system or state agency.

Subd. 5a. "Private data on individuals" means data which is not public but which by law is accessible to the individual subject of that data.

Subd. 5b. "Public data on individuals" means data which is accessible to the public in accordance with the provisions of section 15.17.

Subd. 6. "Responsible authority" at the state level means any office established by law as the body responsible for the collection and use of any set of data on individuals of summary data. "Responsible authority" in any political subdivision means the person designated by the governing board of that political subdivision, unless otherwise provided by state law. With respect to statewide systems, "responsible authority" means the state official involved, or if more than one state official, the official designated by the commissioner.

Subd. 7. "State agency" means the state, the university of Minnesota, and any office, officer, department, division, bureau, board, commission, authority, district or agency of the state.

Subd. 8. "Statewide system" includes any record-keeping system in which data on individuals is collected, stored, disseminated and used by means of a system common to (THE STATE OR COMMON TO THE STATE AND) one or more (OF) agencies of the state or more than one of its political subdivisions.

Subd. 9. "Summary data" means statistical records and reports derived from data on individuals but in which individuals are not identified and from which neither their identities nor

any other characteristic that could uniquely identify an individual is ascertainable.

Sec. 2. Minnesota Statutes 1974, Section 15.163, is amended to read:

15.163 [REPORTS TO THE LEGISLATURE.] *Subdivision 1.* On or before (DECEMBER) *August 1* of each year the (COMMISSIONER) *responsible authority* shall (PREPARE A REPORT TO THE LEGISLATURE) *document and file a report with the commissioner of administration, which shall be a public record.* (SUMMARIES OF THE REPORT SHALL BE AVAILABLE TO THE PUBLIC AT A NOMINAL COST.) The report shall contain (TO THE EXTENT FEASIBLE AT LEAST) the following information:

(a) (A COMPLETE LISTING OF ALL SYSTEMS OF DATA ON INDIVIDUALS WHICH IS KEPT BY THE STATE AND ITS POLITICAL SUBDIVISIONS, A DESCRIPTION OF THE INFORMATION CONTAINED THEREIN, AND THE REASON THAT THE DATA IS KEPT;) *The title, name, and address, of the responsible authority.*

(b) A statement of which (TYPES OF) *records containing data on individuals(, IN THE COMMISSIONER'S OPINION, ARE PUBLIC RECORDS AS DEFINED BY SECTION 15.17, WHICH TYPES OF DATA ARE CONFIDENTIAL AND WHICH TYPES OF DATA ARE NEITHER;)* *maintained by the responsible authority are classified as confidential and which are classified as private. The responsible authority shall submit sample copies of any forms which will, when executed, contain data on individuals classified as private or confidential.*

(c) (THE TITLE, NAME, AND ADDRESS OF THE RESPONSIBLE AUTHORITY FOR THE SYSTEM AND FOR EACH DATA BANK AND ASSOCIATED PROCEDURES;)

((1) THE CATEGORIES AND NUMBER OF INDIVIDUALS IN EACH CATEGORY ON WHOM DATA IS OR IS EXPECTED TO BE MAINTAINED,)

((2) THE CATEGORIES OF DATA MAINTAINED, OR TO BE MAINTAINED, INDICATING WHICH CATEGORIES ARE OR WILL BE STORED IN COMPUTER ACCESSIBLE FILES,)

((3) THE CATEGORIES OF DATA SOURCES,)

((4) A DESCRIPTION OF ALL TYPES OF USE MADE OF DATA, INDICATING THOSE INVOLVING COMPUTER ACCESSIBLE FILES, AND INCLUDING ALL CLASSES OF USERS,)

((5) THE RESPONSIBLE AUTHORITY'S AND THE COMMISSIONER'S POLICIES AND PRACTICES REGARDING DATA STORAGE, DURATION OF RETENTION OF DATA, AND DISPOSAL THEREOF,)

((6) A DESCRIPTION OF THE PROVISIONS FOR MAINTAINING THE INTEGRITY OF THE DATA PURSUANT TO SECTION 15.164, CLAUSE (D), AND)

((7) THE PROCEDURES PURSUANT TO SECTION 15.165 WHEREBY AN INDIVIDUAL CAN (i) BE INFORMED IF HE IS THE SUBJECT OF DATA IN THE SYSTEM, (ii) GAIN ACCESS TO THE DATA, AND (iii) CONTEST ITS ACCURACY, COMPLETENESS, PERTINENCE, AND THE NECESSITY FOR RETAINING IT; AND) *The purposes for which private or confidential data on individuals is authorized to be used, collected, disseminated and stored.*

(d) (ANY RECOMMENDATIONS CONCERNING APPROPRIATE LEGISLATION) *The responsible authority's policies and practices regarding storage, duration of retention, and disposal of data on individuals, including a description of the provisions for maintaining the integrity of private and confidential data on individuals.*

Subd. 2. On or before December 1 of each year, the commissioner shall prepare a report to the legislature summarizing the information filed by responsible authorities pursuant to subdivision 1 and notifying the legislature of any problems relating to the administration, implementation and enforcement of sections 15.162, 15.163, 15.165, 15.166 and 15.167 which might, in his opinion, require legislative action.

Sec. 3. Minnesota Statutes 1974, Chapter 15, is amended by adding a section to read:

[15.1641] [DUTIES OF RESPONSIBLE AUTHORITY.]

(a) *Data on individuals is under the jurisdiction of the responsible authority who may appoint an individual to be in charge of each file or system containing data on individuals.*

(b) *Collections and storage of public, private or confidential data on individuals and use and dissemination of private and confidential data on individuals shall be limited to that necessary for the administration and management of programs specifically authorized by the legislature, local governing body or mandated by the federal government.*

(c) *Private or confidential data on individuals shall not be used, collected, stored or disseminated for any purposes other than those stated to an individual at the time of collection in accordance with section 15.165 or, in the case of data collected prior*

to August 1, 1975, for any purpose other than those originally authorized by law, unless (1) the responsible authority files a statement with the commissioner describing the purpose and necessity of the purpose with regard to the health, safety or welfare of the public and the purpose is approved by the commissioner, or (2) the purpose is subsequently authorized by the state or federal legislature, or (3) the purpose is one to which the individual subject or subjects of the data have given their informed consent.

(d) The use of summary data derived from private or confidential data on individuals under the jurisdiction of one or more responsible authorities shall be permitted, provided that summary data is public pursuant to section 15.17. The responsible authority shall prepare summary data from private or confidential data on individuals upon the request of any person, provided that the request is in writing and the cost of preparing the data is borne by the requesting person. The responsible authority may delegate the power to prepare summary data to the administrative officer responsible for any central repository of summary data, or to a person outside of its agency if the person agrees in writing not to disclose private or confidential data on individuals.

(e) The responsible authority shall establish procedures and safeguards to ensure that all public, private or confidential data on individuals is accurate, complete and current. Emphasis shall be placed on the data security requirements of computerized files containing private or confidential data on individuals which are accessible directly via telecommunications technology, including security during transmission.

Sec. 4. Minnesota Statutes 1974, Section 15.165, is amended to read:

15.165 [RIGHTS OF SUBJECTS OF DATA.] The rights of individuals on whom the data is stored or to be stored (AND THE RESPONSIBILITIES OF THE RESPONSIBLE AUTHORITY) shall be as follows:

(a) (THE PURPOSES FOR WHICH DATA ON INDIVIDUALS IS COLLECTED AND USED OR TO BE COLLECTED AND USED SHALL BE FILED IN WRITING BY THE RESPONSIBLE AUTHORITY WITH THE COMMISSIONER AND SHALL BE A MATTER OF PUBLIC RECORD PURSUANT TO SECTION 15.163) An individual asked to supply private or confidential data concerning himself shall be informed of: (1) both the purpose and intended use of the requested data, (2) whether he may refuse or is legally required to supply the requested data, and (3) any known consequence arising from his supplying or refusing to supply private or confidential data.

((B) AN INDIVIDUAL ASKED TO SUPPLY PERSONAL DATA SHALL BE INFORMED OF THE PURPOSE OF INTENDED USES OF THE REQUESTED DATA.)

((C) AN INDIVIDUAL ASKED TO SUPPLY PERSONAL DATA SHALL BE INFORMED WHETHER HE MAY REFUSE OR IS LEGALLY REQUIRED TO SUPPLY THE REQUESTED DATA. HE SHALL BE INFORMED OF ANY KNOWN CONSEQUENCE ARISING FROM HIS SUPPLYING OR REFUSING TO SUPPLY THE PERSONAL DATA.)

((D)) DATA SHALL NOT BE USED FOR ANY PURPOSE OTHER THAN AS STATED IN CLAUSE (E) UNLESS (1) THE RESPONSIBLE AUTHORITY FIRST MAKES AN ADDITIONAL FILING IN ACCORDANCE WITH CLAUSE (E); (2) THE LEGISLATURE GIVES ITS APPROVAL BY LAW; OR (3) THE INDIVIDUALS TO WHOM THE DATA PERTAIN GIVE THEIR INFORMED CONSENT.)

((E) UPON REQUEST TO A RESPONSIBLE AUTHORITY, AN INDIVIDUAL SHALL BE INFORMED WHETHER HE IS THE SUBJECT OF STORED DATA AND IF SO, AND UPON HIS ADDITIONAL REQUEST, SHALL BE INFORMED OF THE CONTENT AND MEANING OF THE DATA RECORDED ABOUT HIM OR SHOWN THE DATA WITHOUT ANY CHARGE TO HIM. AFTER AN INDIVIDUAL HAS BEEN SO INFORMED, DATA NEED NOT BE DISCLOSED TO HIM FOR SIX MONTHS THEREAFTER UNLESS A DISPUTE OR ACTION PURSUANT TO THIS SECTION IS PENDING. THIS CLAUSE DOES NOT APPLY TO DATE ON INDIVIDUALS WHICH IS DEFINED BY STATUTE AS CONFIDENTIAL OR TO RECORDS RELATING TO THE MEDICAL OR PSYCHIATRIC TREATMENT OF THE INDIVIDUAL.)

((F) AN INDIVIDUAL SHALL HAVE THE RIGHT TO CONTEST THE ACCURACY OR COMPLETENESS OF DATA ABOUT HIM. IF CONTESTED, THE INDIVIDUAL SHALL NOTIFY IN WRITING THE RESPONSIBLE AUTHORITY DESCRIBING THE NATURE OF THE DISAGREEMENT. THE RESPONSIBLE AUTHORITY SHALL WITHIN 30 DAYS CORRECT THE DATA IF THE DATA IS FOUND TO BE INACCURATE OR INCOMPLETE AND ATTEMPT TO NOTIFY PAST RECIPIENTS OF THE INACCURATE OR INCOMPLETE DATA, OR NOTIFY THE INDIVIDUAL OF DISAGREEMENT. THE DETERMINATION OF THE RESPONSIBLE AUTHORITY IS APPEALABLE IN ACCORDANCE WITH CHAPTER 15. DATA IN DISPUTE SHALL NOT BE DISCLOSED EXCEPT UNDER CONDITIONS OF DEMONSTRATED NEED AND THEN ONLY IF THE INDIVIDUAL'S STATEMENT OF DISAGREEMENT IS INCLUDED WITH THE DISCLOSED DATA.)

(b) Upon request to a responsible authority, an individual shall be informed whether he is the subject of stored data on individuals, whether it be classified as public, private or confidential. Upon his further request, an individual who is the subject of stored public or private data on individuals shall be shown the data without any charge to him and, if he desires, informed of the content and meaning of that data. After an individual has been shown the data and informed of its meaning, the data need not be disclosed to him for six months thereafter unless a dispute or action pursuant to this section is pending or additional data on the individual has been collected. The responsible authority shall provide copies of the data upon request by the individual subject of the data, provided that the cost of providing copies is borne by the requesting individual.

(c) An individual may contest the accuracy or completeness of public or private data concerning himself. To exercise this right, an individual shall notify in writing the responsible authority describing the nature of the disagreement. The responsible authority shall within 30 days correct the data if the data is found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, or notify the individual of disagreement. Data in dispute shall not be disclosed except under conditions of demonstrated need and then only if the individual's statement of disagreement is included with the disclosed data. The determination of the responsible authority is appealable in accordance with the provisions of the administrative procedure act relating to contested cases.

Sec. 5. Minnesota Statutes 1974, Section 15.166, is amended to read:

15.166 [CIVIL PENALTIES.] Subdivision 1. Notwithstanding section 466.03, a political subdivision (,) responsible authority or state agency which violates any provision of sections 15.162 (TO 15.166) , 15.163, 15.165, 15.166 and 15.167 is liable to a person who suffers any damage as a result of the violation, and the person damaged may bring an action against the political subdivision (,) responsible authority or state agency to cover any damages sustained; plus costs and reasonable attorney fees. In the case of a willful violation, the (VIOLATOR) political subdivision or state agency shall, in addition, be liable to exemplary damages of not less than \$100, nor more than \$1,000 for each violation. The state is deemed to have waived any immunity to a cause of action brought under sections 15.162 (TO 15.166) , 15.163, 15.165, 15.166 and 15.167.

Subd. 2. A political subdivision (,) responsible authority or state agency which violates or proposes to violate sections 15.162 (TO 15.166) , 15.163, 15.165, 15.166 and 15.167 may be enjoined by the district court. The court may make (AN) any order or judgment as may be necessary to prevent the use or employment

by any person of any practices which violate sections 15.162 (TO 15.166) , 15.163, 15.165, 15.166 and 15.167.

Subd. 3. An action filed pursuant to (SECTIONS 15.162 TO 15.166) *this section* may be commenced in the county in which the individual alleging damage or seeking relief resides, or in the county wherein the political subdivision exists, or, in the case of the state, any county.

Sec. 6. Minnesota Statutes 1974, Section 15.167, is amended to read:

15.167 [PENALTIES.] Any person who willfully violates the provisions of sections 15.162 (TO 15.166) , 15.163, 15.165, 15.166 and 15.167 or any lawful rules and regulations promulgated thereunder is guilty of a misdemeanor. (ANY PUBLIC EMPLOYEE WHO WILLFULLY VIOLATES SECTIONS 15.162 TO 15.166 MAY BE SUSPENDED WITHOUT PAY OR DISCHARGED AFTER A HEARING AS PRESCRIBED BY LAW) *Willful violation of sections 15.162, 15.163, 15.165, 15.166 and 15.167 by any public employee constitutes just cause for suspension without pay or dismissal of the public employee.*

Sec. 7. Minnesota Statutes 1974, Chapter 15, is amended by adding a section to read:

[15.1671] [DUTIES OF THE COMMISSIONER.] *The commissioner shall with the advice of the intergovernmental information services advisory council promulgate rules, in accordance with the rulemaking procedures in the administrative procedures act which shall apply to state agencies, statewide systems and political subdivisions to implement the enforcement and administration of sections 15.162, 15.163, 15.165, 15.166 and 15.167. The rules shall not affect section 15.165, relating to rights of subjects of data, and section 15.169, relating to the powers and duties of the privacy study commission. Prior to the adoption of rules authorized by this section the commissioner shall give notice to all state agencies and political subdivisions in the same manner and in addition to other parties as required by section 15.0412, subdivision 3, of the date and place of hearing, enclosing a copy of the rules and regulations to be adopted.*

Sec. 8. Minnesota Statutes 1974, Chapter 15, is amended by adding a section to read:

[15.169] [PRIVACY STUDY COMMISSION.] *Subdivision 1. There is hereby created a privacy study commission consisting of four members, two of whom shall be appointed by the committee on committees, and two of whom shall be appointed by the speaker of the house. The commission shall act from the time its members are appointed until the commencement of the*

1977 regular session of the legislature. Any vacancy shall be filled by the appointing power.

Subd. 2. [ORGANIZATION AND PROCEDURE.] *At its first meeting the commission shall elect a chairman, a vice-chairman and such other officers from its membership as it may deem necessary. The commission shall adopt rules governing its operation and the conduct of its meetings and hearings, which rules are not subject to the provisions of the administrative procedures act.*

Subd. 3. [DUTIES AND POWERS] *The commission shall make a continuing study and investigation of data on individuals collected, stored, used and disseminated by political subdivisions, state agencies, statewide systems and any other public or private entity in the state of Minnesota the commission may deem appropriate for such study and investigation. The powers and duties of the commission shall include, but are not limited to the following:*

(1) *the holding of meetings at times and places its designates to accomplish the purposes set forth in this act. The commission may hold hearings at times and places convenient for the purpose of taking evidence and testimony to effectuate the purposes of this act, and for those purposes the commission may, through its chairman by a three-fourths vote of its members, issue subpoenas, including subpoenas duces tecum, requiring the appearance of persons, production of relevant records and the giving of relevant testimony. In the case of contumacy or refusal to obey a subpoena issued under authority herein provided, the district court in the county where the refusal or contumacy occurred may, upon complaint of the commission, punish as for contempt the person guilty thereof.*

(2) *the study of all data on individuals collected, stored, used or disseminated in the state of Minnesota including, but limited to that collected, stored, used or disseminated by any political subdivision, state agency or statewide system in order to determine the standards and procedures in force for the protection of private and confidential data on individuals. In conducting such study, the commission shall:*

(a) *determine what executive orders, attorney general opinions, regulations, laws or judicial decisions govern the activities under study and the extent to which they are consistent with the rights of public access to data on individuals, privacy, due process of law and other guarantees in the Constitution.*

(b) *determine to what extent the collection, storage, use or dissemination of data on individuals is affected by the requirements of federal law.*

(c) examine the standards and criteria governing programs, policies and practices relating to the collection, storage, use or dissemination of data on individuals in the state of Minnesota.

(d) collect and utilize to the maximum extent practicable, all findings, reports, studies, hearing transcripts, and recommendations of governmental legislature, and private bodies, institutions, organizations and individuals which pertain to the problems under study by the commission.

(3) the recommendation to the legislature of the extent, if any, to which the requirements and principles of this act should be applied to information practices in existence in the state of Minnesota by legislation, administrative action or voluntary adoption of such requirements and principles, and report on such other legislative recommendations as it may determine to be necessary to protect the privacy of individuals while meeting the legitimate needs of government and society for information.

Subd. 4. [OFFICE] The commission shall maintain an office in the capitol group of buildings in space provided by the commissioner of administration.

Subd. 5. [SUPPLIES; STAFF] The commission may purchase equipment and supplies and employ such professional, clerical, and technical assistance from the senate and house staff as it deems necessary in order to perform the duties herein prescribed. The commission may invite consultants and other knowledgeable persons to appear before it and offer testimony and compensate them appropriately.

Subd. 6. [ASSISTANCE OF OTHER AGENCIES.] The commission may request any information including any data on individuals from any political subdivision, statewide system, or state agency or any employee thereof in order to assist in carrying out the purposes of the act, and notwithstanding any law to the contrary, such employee or agency is authorized and directed to promptly furnish any such data or information requested.

Subd. 7. [EXPENSES, REIMBURSEMENT.] Members of the commission shall be compensated as provided in Minnesota Statutes, Section 3.102.

Subd. 8. [PENALTIES FOR DISCLOSURE.] (1) Any member, assistant or staff of the commission who, by virtue of his employment or official position, has possession of, or access to, agency records which contain private or confidential data on individuals the disclosure of which is prohibited by law, and also knowing or having reason to know that disclosure of such data is prohibited, willfully discloses such data in any manner to any person or agency not entitled to receive it shall be guilty of a misdemeanor.

(2) *Any member, assistant or staff of the commission who knowingly and willfully requests or obtains any private or confidential data on individuals under false pretenses the disclosure of which such person is not entitled, by law shall be guilty of a misdemeanor.*

Subd. 9. [REPORT TO THE LEGISLATURE.] The commission shall report its findings and recommendations to the legislature as soon as they are available, in any case not later than November 15, 1976, and may supplement them thereafter until January 15, 1977. One copy of the report shall be filed with the secretary of the senate, one copy with the chief clerk of the house of representatives and ten copies with the legislative reference library.

Sec. 9. [APPROPRIATION.] There is appropriated from the general fund the sum of \$20,000 or as much thereof as necessary, to pay the expenses incurred by the commission. Expenses of the commission shall be approved by the chairman or another member as the rules of the commission provide and paid in the same manner that other state expenses are paid.

Sec. 10. [REPEALER.] Minnesota Statutes 1974, Sections 15.164 and 15.168, are repealed."

Further amend the title as follows:

Page 1, line 11, strike "state privacy board" and insert "privacy study commission".

Page 1, line 12, after "penalties;" insert "appropriating money;"

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 1145, A bill for an act relating to landlords and tenants; retaliatory evictions; amending Minnesota Statutes 1974, Section 566.03.

Reported the same back with the following amendments:

Page 2, line 28, delete "consistent with" and insert "pursuant to".

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 1146, A bill for an act relating to landlords and tenants; providing additional remedies for landlords and tenants; providing penalties; amending Minnesota Statutes 1974, Sections 487.17; 488A.01, Subdivision 5, 488A.18, Subdivision 6; Chapter 504, by adding sections; Chapter 566, by adding a section.

Reported the same back with the following amendments:

Page 1, line 18, after "*sell*" insert "*or otherwise dispose of*".

Page 1, line 20, after "*appears*" insert "*to the landlord*".

Page 1, line 21, after "*premises*" insert "*whichever occurs last*".

Page 1, line 24, after the period insert "*Any remaining proceeds of the sale shall be paid to the tenant upon written demand.*".

Page 2, line 2, after "*sale*" delete "*including*" and insert "*at least 14 days prior to the sale by personal service in writing or*".

Page 2, line 10, delete "*return or*".

Page 2, line 19, delete "*may*" and insert "*shall*".

Page 2, line 19, delete "*of*" and insert "*not to exceed*".

Page 2, line 21, after the period insert "*In determining the amount of punitive damages the court shall consider (a) the nature and value of the property; (b) the effect the deprivation of the property has had on the tenant; (c) if the landlord, his agent or person acting under the landlord's direction or control unlawfully took possession of the tenant's property; and (d) if the landlord, his agent or person under the landlord's direction or control acted in bad faith in failing to allow the tenant to re-take possession of the property. The provisions of this subdivision shall not apply to personal property which has been sold or otherwise disposed of by the landlord in accordance with subdivision 1.*"

Subd. 3. *If the landlord, his agent or person acting under the landlord's direction or control has unlawfully taken possession of a tenant's personal property the landlord shall be responsible for paying the cost and expenses relating to the removal, storage or care of the property.*"

Page 3, line 1, after "person" insert "acting under the landlord's direction or control".

Page 4, line 17 after "other" insert "rights or".

Page 4, after line 17, insert "Any provisions whether oral or written, of any lease or other agreement, whereby any provision of sections 1 to 4 is waived by a tenant is contrary to public policy and void. The provisions of sections 1 to 4 shall apply only to tenants as that term is defined in section 566.18, subdivision 2, and buildings as that term is defined in section 566.18, subdivision 7."

Page 5, line 17, delete "may" and insert "shall".

Page 5, line 32, delete ", breaking in if necessary,".

Page 6, line 7, after "served" insert "by certified mail, return receipt requested,".

Page 6, line 8, delete "and in the manner as".

Page 6, line 9, delete "a summons is required to be served under section 566.06".

Page 6, line 15, after "566.17" insert "or where otherwise provided by law".

Page 7, after line 8, insert the following:

"Subd. 6. The provisions of this section shall apply only to tenants as that term is defined in section 566.18, subdivision 2, and buildings as that term is defined in section 566.18, subdivision 7."

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

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 661, A bill for an act relating to labor; occupational safety and health; defining terms; requiring minimum posting time of citations; enforcement; notice to employee representative; providing a minimum penalty in a specified instance; amending Minnesota Statutes 1974, Sections 182.651, Subdivision 12; 182.66, Subdivision 2; 182.661, Subdivisions 1 and 3; and 182.666, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 14, after "order" insert "*other than a de minimis violation*".

Page 1, line 14, delete "*results in*" and insert "*is the proximate cause of*".

Page 2, line 22, delete "or" and insert "*if requested and*".

Page 2, line 23, after "*employee*" insert "*if known to the department of labor and industry*".

Page 2, line 31, delete the new language and reinstate the stricken language.

Page 3, delete lines 18 to 23.

Further, amend the title as follows:

Page 1, line 5, delete "providing a minimum penalty in a".

Page 1, line 6, delete "specified instance;".

Page 1, line 8, after the first semicolon insert "and".

Page 1, line 8, after "3" delete "; and".

Page 1, line 9, delete "182.666, by adding a subdivision".

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 166, A bill for an act relating to Ramsey county; authorizing the county to acquire the Brightwood Hills golf course in the city of New Brighton; authorizing the issuance of bonds to finance the purchase.

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 795, A bill for an act relating to Chisago county; requiring the Chisago county attorney to prosecute misdemeanors occurring within municipalities in Chisago county; providing for the disposition of fines.

Reported the same back with the following amendments:

Page 1, line 9, after "shall" insert "have the duty to".

Page 1, line 9, delete "all".

Page 1, line 15, delete "disposition of".

Page 1, line 16, delete "but".

Page 1, line 17, delete "occurring within a municipality".

Page 1, line 17, delete "the same as for" and insert "paid to the county treasurer for the general revenue fund".

Page 1, line 18, delete "such offenses occurring in a township" and insert "except that when a violation is charged by a city employee, one-half of the fine, or forfeiture, shall be paid to the city clerk".

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1020, A bill for an act relating to Hennepin county; city of Minneapolis; granting authority to acquire, construct, operate and maintain a correctional facility, work farm, or detention facilities.

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1153, A bill for an act relating to the Seaway Port Authority of Duluth; permitting the authority to buy, lease or otherwise contract for vessels.

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1217, A bill for an act relating to Waseca county; authorizing issuance of an on-sale license for the sale of intoxicating liquor.

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1331, A bill for an act relating to the soil and water conservation commission; providing for the membership of the commission; amending Minnesota Statutes 1974, Section 40.03, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 17, strike "shall" and insert "may".

Page 2, line 26, after "region" insert "*except that two members shall be appointed from region number one*".

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1335, A bill for an act relating to Aitkin county; authorizing issuance of additional on-sale intoxicating liquor licenses.

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1465, A bill for an act relating to the city of St. Paul; authorizing restoration of sick leave in certain circumstances.

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1513, A bill for an act relating to the city of Saint Paul; providing for and authorizing said city to issue its general obligation bonds for housing and rehabilitation loan and grant programs; amending Laws 1974, Chapter 351, Section 4.

Reported the same back with the following amendments:

Page 2, after line 5, insert: "*The council may authorize the use of bond proceeds for administration and operation expenses of the programs provided that the total amount of proceeds so authorized shall not exceed the sum equivalent to seven percent of the total value of all bonds issued under the provisions of this act.*".

Sec. 2. Laws 1963, Chapter 881, Section 1, Subdivision 1, as amended by Laws 1967, Chapter 499, Section 1, Laws 1969, Chapter 923, Section 1, Laws 1971, Chapter 321, Section 1, and Laws 1973, Chapter 395, Section 1, is amended to read:

"Section 1. [ST. PAUL, CITY OF; URBAN RENEWAL; BONDS.] Subdivision 1. The city of Saint Paul may issue its general obligation bonds for the purpose of and in the amounts necessary for paying not to exceed one third of the net project cost of each of the urban renewal development or code enforcement projects heretofore designated by the housing and redevelopment authority of the city of Saint Paul or the city of Saint Paul as the Downtown, Cathedral, Riverview, Concord Terrace, Summit-University, and Phalen Area projects and such additional projects which may be approved in the manner provided by law, and for paying any remaining costs of municipal buildings and improvements to be constructed within or adjacent to the project area. The net project cost referred to in this act is the public redevelopment cost of the project less its capital proceeds, as those terms are defined in Minnesota Statutes, Section 462.545, and in subdivision 2, and as the amounts thereof are estimated by the city council prior to the delivery of each series of bonds. The total amount of bonds authorized herein shall be limited to (\$45,400,000) *\$43,400,000.*".

Sec. 3. Laws 1963, Chapter 881, Section 1, as amended by Laws 1967, Chapter 499, Section 1, Laws 1969, Chapter 923, Sec-

tion 1, Laws 1971, Chapter 321, Section 1, and Laws 1973, Chapter 395, Section 1, is amended by adding a subdivision to read:

"Subd. 3. Notwithstanding any contrary provisions contained in section 1 hereof, except as said section limits the dollar amount of bonding authorization, and in the event there is not first available in any annual increment period under Title I of the Federal Housing Act of 1949, and acts amendatory thereof, sufficient urban renewal development capital grant money, then the city may issue bonds under the act, as necessary in an amount not to exceed \$10,000,000, for the purpose of paying up to the entire project cost for any urban renewal development project designated under the provisions of section 1."

Sec. 4. Laws 1963, Chapter 881, Sections 4 and 5, as added by Laws 1973, Chapter 395, Section 2, are repealed.

Renumber the following section accordingly.

Further, amend the title:

Line 5, after the semicolon insert "removing certain bonding authority for rehabilitation loans for urban renewal development and code enforcement areas; amending Laws 1963, Chapter 881, Section 1, Subdivision 1, as amended, and adding a subdivision;

Line 5, delete "amending".

Line 6, after "4" insert "; repealing Laws 1963, Chapter 881, Sections 4 and 5, as added by Laws 1973, Chapter 395, Section 2".

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1518, A bill for an act relating to the city of St. Paul; providing for the abolition of the power of the city to levy and raise taxes for the payment of severance pay obligations of the board of education of said city; amending certain provisions pertaining to the method of computing severance pay for city of St. Paul employees; increasing the mill rate levy for payment of severance pay obligations of the city; providing for death benefits to be paid to surviving spouse of city employee; amending Laws 1959, Chapter 690, Sections 2, as amended, and 3, as amended, and by adding a section; repealing Laws 1967, Chapter 529.

Reported the same back with the following amendments:

Page 2, line 29, delete "100 days' pay or".

Page 2, line 29, delete “, *whichever*”.

Page 2, line 30, delete “*is greater*”.

Page 4, delete lines 14 to 32.

Page 5, delete lines 1 to 21.

Renumber the following section accordingly.

Further, amend the title:

Line 10, delete “providing for death benefits to be paid to”.

Line 11, delete “surviving spouse of city employee;”.

Line 13, delete “, and by adding a section; repealing”.

Line 14, delete “Laws 1967, Chapter 529”.

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

The report was adopted.

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 369, A bill for an act relating to the legislature; providing for the filing of state documents with the legislature; establishing duties of legislative reference library; amending Minnesota Statutes 1974, Section 3.195.

Reported the same back with the following amendments:

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

“Section 1. Minnesota Statutes 1974, Section 3.195, is amended to read:

3.195 [REPORTS TO THE LEGISLATURE.] Whenever a report to the legislature is required of a department or agency of government, it shall be made, unless otherwise specifically required by law, by the filing of one copy with the secretary of the senate, one copy with the chief clerk of the house of representatives, and ten copies with the legislative reference library. The same distribution procedure shall be followed for other reports and publications unless otherwise requested by a legislator or the legislative reference library. The legislative reference library shall monthly (GIVE NOTICE TO EACH LEGISLATOR OF

EACH PUBLICATION FILED PURSUANT TO THIS SECTION) *publish and distribute to legislators a checklist of state documents. Additional copies of the checklist sufficient for distribution to all state agencies, public, university and college libraries shall be provided by the documents section, department of administration.*

Sec. 2. Minnesota Statutes 1974, Section 3.302, Subdivision 3, is amended to read:

Subd. 3. The legislative reference library is a depository of all documents published by the state and shall receive such materials *automatically* without cost (IN THE SAME MANNER AS OTHER DEPOSITORIES). *As used in this chapter, "document" shall include any publication issued by the state, constitutional officers, departments, commissions, councils, bureaus, research centers, societies, or other agencies supported by state funds, or any publication prepared for the state by private individuals or organizations and issued in print, including all forms of duplicating other than by the use of carbon paper, considered to be of interest or value to the legislative reference library. Intraoffice or interoffice memos and forms and information concerning only the internal operation of the agency are not included.*

Further, amend the title as follows:

Page 1, line 5, strike "Section" and insert "Sections".

Page 1, line 6, after "3.195" insert "; and 3.302, Subdivision 3".

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

The report was adopted.

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 1065, A bill for an act relating to unemployment compensation; defining the term employment; excluding certain legislative employees from coverage; amending Minnesota Statutes 1974, Section 268.04, Subdivision 12.

Reported the same back with the following amendments:

Page 13, line 10, delete "for the duration of a legislative session" and insert "as temporary employees".

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

The report was adopted.

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

House Resolution No. 12, A house resolution congratulating Seth G. Huntington on his success in the United States coin design competition and on his other artistic achievements.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 1567, A bill for an act relating to taxation; increasing the taconite production tax; creating a Northeast Minnesota economic development and environment council; creating a Northeast Minnesota economic protection fund; appropriating money; amending Minnesota Statutes 1974, Sections 298.03; 298.24, Subdivision 1; 298.27; 298.28, Subdivisions 1 and 1a, and by adding a subdivision; repealing Minnesota Statutes 1974, Sections 298.24, Subdivision 2; 298.241; 298.242; 298.281 and 298.32.

Reported the same back with the following amendments:

Page 2, line 21, strike "taconite,".

Page 2, line 21, strike "and iron".

Page 2, line 22, strike "sulphide".

Page 3, line 13, before "There" insert "(a)".

Page 3, line 13, restore the stricken language.

Page 3, restore lines 14 to 15.

Page 3, line 16, restore "concentrate so produced,".

Page 3, line 18, after "sulphides" insert ". The tax shall be".

Page 3, line 19, delete "one-half" and insert "four-tenths of one".

Page 3, line 20, after "sheets" insert *"during taxable years 1975 and 1976; 45/100 of one percent during taxable years 1977 and 1978; and one-half of one percent during taxable years beginning after January 1, 1979"*.

Page 3, line 20, after the comma insert *"or any subsequent equivalent,"*.

Page 3, line 25, strike "cent" and insert *"and six-tenths percent of such tax"*.

Page 3, line 27, strike "55" and insert "62".

Page 3, after line 28 insert *"(b) If during any taxable year the production from any taconite facility involved in the mining and quarrying of taconite and iron sulphides and the production of iron ore concentrate decreases by more than ten percent from the previous production year, the tax imposed by this section for that year shall be computed on the average of the production for the current year and the previous two production years."*

(c) If the tax imposed by this section is held to be unconstitutional, a tax is imposed of \$1.50 per gross ton of merchantable iron ore concentrate produced."

Page 6, line 8, after "quarried" insert *"or the concentrate produced"*.

Page 6, line 8, after the comma insert *"ten cents during 1976 and 1977, 11 cents during 1978 and 1979, and"*.

Page 6, line 8, after "cents" insert *"in 1980 and thereafter"*.

Page 6, line 14, after "(2)" insert *"Ten cents during 1976 and 1977, 11 cents during 1978 and 1979, and"*.

Page 6, line 14, after "cents" insert *"in 1980 and thereafter"*.

Page 6, line 16, delete *"the Arrowhead"*.

Page 6, line 16, after "Region" insert *"three, as defined in governor's executive order number 60 issued on June 12, 1970,"*.

Page 6, line 22, delete *"state treasurer"* and insert *"county auditor of each qualifying county"*.

Page 6, line 30, delete *" , as defined in section 414.011,"*.

Page 6, line 31, delete the comma.

Page 6, delete line 32.

Page 7, line 1, delete "clause (4)".

Page 7, line 6, after "treasury" insert "and shall be distributed as provided in section 298.282".

Page 7, line 6, delete "There is hereby appropriated annually".

Page 7, delete lines 7 to 9.

Page 7, line 12, after "treasury" insert "and shall be distributed as provided in sections 273.134 to 273.136".

Page 7, line 16, after "273.134" insert "or in which is located property which is entitled to the reduction of tax pursuant to section 273.135".

Page 8, line 1, delete "(9)" and insert "(8)".

Page 8, line 7, delete "17" and insert "18".

Page 8, after line 7, insert the following: "If the mining, quarrying, and concentration, or different steps in either thereof, are carried on in more than one taxing district, the commissioner shall apportion equitably the proceeds of the part of the tax going to cities and towns among such subdivisions as provided above in clause (3), and the part going to school districts among such districts as provided in clause (6), and the part going to counties among such counties as provided in clause (1), upon the basis of attributing 40 percent of the proceeds of the tax to the operation of mining or quarrying the taconite, and the remainder to the concentrating plant and to the processes of concentration, and with respect to each thereof giving due consideration to the relative extent of such operations performed in each such taxing district. His order making such apportionment shall be subject to review by the tax court at the instance of any of the interested taxing districts, in the same manner as other orders of the commission."

Page 8, line 25, restore the stricken language.

Page 8, restore lines 26 to 32.

Page 9, restore lines 1 to 3.

Page 9, line 4, restore "being distributable to each taxing district".

Page 9, line 7, restore "to be used in".

Page 9, line 8, restore "computing".

Page 9, line 8, restore "the".

Page 9, restore lines 9 to 32.

Page 10, line 1, restore "the permissible levies under sections" and insert "275.50 to 275.59".

Page 10, line 1, restore "or 275.125, of".

Page 10, restore lines 2 to 8.

Page 10, line 9, restore "limitations of sections" and insert "275.50 to 275.59".

Page 10, line 9, restore "or 275.125 an amount".

Page 10, restore lines 10 to 12.

Page 10, line 18 strike the period.

Page 11, line 16, delete "*other than that authorized by subdivision 2*".

Page 11, after line 16 insert:

"Sec. 7. Minnesota Statutes 1974, Section 298.282, Subdivision 1, is amended to read:

Subdivision 1. The amount deposited to the credit of the taconite municipal aid account in the apportionment fund of the state treasury as provided in section (298.281, SUBDIVISION 4) 298.28, subdivision 1, shall be distributed as provided by this section, among the municipalities comprising a tax relief area under section 273.134, as amended hereby, each being herein referred to as a qualifying municipality.

Sec. 8. Minnesota Statutes 1974, Section 298.282, Subdivision 2, is amended to read:

Subd. 2. Each year commencing in 1972, and the following final determination of the amount of taxes payable under section (298.241) 298.24, the commissioner of revenue shall determine the amount in the taconite municipal aid account as of July 1 of such year and the amount to be distributed to each qualifying municipality during such year. The amount to be distributed to each qualifying municipality shall be determined by dividing the total amount in said account as of July 1 by the total population according to the latest federal census of all qualifying municipalities to determine the per capita distributive share for such year and by multiplying the per capita distributive share by the population of such municipality. Upon completion of such determination, the commissioner of revenue shall certify to the

chief clerical officer of each qualifying municipality the amount which will be distributed to such municipality from the taconite municipal aid account that year."

Page 12, line 2, after "*Commission*" insert "*and three members appointed by the governor*".

Page 12, line 2, after the period insert "*The members appointed by the governor shall reside in a tax relief area as defined in section 273.134.*".

Page 12, line 19, after "*importance*" insert "*, including public works, in northeast Minnesota*".

Page 12, line 22, delete "*make recommendations to the governor and to the*".

Page 12, delete lines 23 and 24 and insert "*allocate the available funds to finance the projects that the council approves. There is hereby appropriated to the council those funds that are available under section 15 of this act.*".

Page 12, line 26, delete "*5*" and insert "*4*".

Page 12, line 26, delete "*(10)*" and insert "*(9)*".

Page 12, line 28, delete "*These funds shall not be expended for the purposes of*".

Page 12, delete line 29.

Page 12, line 31, delete "*5*" and insert "*4*".

Page 12, line 32, delete "*(10)*" and insert "*(9)*".

Page 13, line 1, delete "*legislature*" and insert "*council*".

Page 13, line 3, delete "*act*" and insert "*allocation*".

Page 13, line 3, delete "*five*" and insert "*50*".

Page 13, line 4, after "*fund*" insert "*during 1976 and 1977, 33 1/3 percent of the principal during 1978 and 1979, 25 percent of the principal during 1980 and thereafter*".

Page 13, line 5, delete "*5*" and insert "*4*".

Page 13, line 6, delete "*(10)*" and insert "*(9)*".

Page 13, line 9, after "*fund*" insert "*; provided that the governor may authorize the state treasurer to borrow an amount*".

not exceeding 50 percent of the amount in such fund for a period terminating no later than December 31, 1990. The state treasurer, pursuant to such authorization, shall issue notes pledging the full faith and credit of the state for the purpose of repayment, and such notes shall bear interest at five percent per annum until paid".

Page 13, line 22, delete "5" and insert "4".

Page 13, line 23, delete "(10)" and insert "(9)".

Page 13, line 30, delete "5" and insert "4".

Page 13, line 30, delete "(10)" and insert "(9)".

Page 13, line 32, after the period insert *"If during any year the taconite property tax account under sections 273.134 to 273.136 does not contain sufficient funds to pay the property tax relief specified, there is hereby appropriated from this fund to the relief account sufficient funds to pay the relief specified in sections 273.134 to 273.136."*

Page 14, line 1, delete "5" and insert "4".

Page 14, line 2, delete "(10)" and insert "(9)".

Page 14, line 4, after "fund" insert *"; provided that the governor may authorize the state treasurer to borrow an amount not exceeding 50 percent of the amount in such fund for a period terminating no later than December 31, 1990. The state treasurer, pursuant to such authorization, shall issue notes pledging the full faith and credit of the state for the purpose of repayment, and such notes shall bear interest at five percent per annum until paid"*.

Page 14, after line 4 insert:

"Sec. 21. Minnesota Statutes 1974, Section 273.135, Subdivision 2, is amended to read:

Subd. 2. The amount of the reduction authorized by subdivision 1 shall be

(a) in the case of property located within the boundaries of a municipality which meets the qualifications prescribed in section 273.134, (27) 35 percent of the amount of such tax provided that the amount of said reduction shall not exceed (\$190) \$250.

(b) in the case of property located within the boundaries of a school district which qualifies as a tax relief area but which is outside the boundaries of a municipality which meets the quali-

fications prescribed in section 273.134, (21) 27 percent of the amount of such tax, provided that the amount of said reduction shall not exceed (\$150) \$195.

(c) in the case of property within a school district which does not meet the qualifications of section 273.134 as a tax relief area, but which is located in a county with a population of less than 200,000 in which taconite is mined or quarried and wherein is located a school district which does meet the qualifications of a tax relief area, provided that at least 90 percent of the area of the school district which does not meet the qualifications of section 273.134 lies within such county. The reduction provided by this clause shall be the same as the reduction provided in clause (b) and shall only be applicable to property located within the boundaries of the county described herein."

Renumber the remaining sections accordingly.

Page 14, line 8, after "20." insert "Section 2 of".

Page 14, line 9, after the period insert "*The remainder of this act shall be effective on January 1, 1976.*".

Further, amend the title as follows:

Line 7, after "Sections" insert "273.135, Subdivision 2;".

Line 9, after "subdivision" insert "; 298.282, Subdivisions 1 and 2".

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 336, A bill for an act relating to motor vehicles; providing for inspection; providing penalties; appropriating money; amending Minnesota Statutes 1974, Section 169.771; Chapter 168, by adding sections.

Reported the same back with the following amendments:

Page 1, delete lines 7 to 12.

Page 2, delete lines 3 to 6.

Renumber the subdivisions accordingly.

Page 3, line 11, delete *"state highway patrol"* and insert *"department of public safety or authorized designees"*.

Page 3, line 27, delete *"trooper"* and insert *"person"*.

Page 4, line 18, after *"any"* insert *"passenger"*.

Page 4, line 18, delete *"as defined in"* and insert *"required to be registered pursuant to"*.

Page 4, line 18, delete *"168.011,"*.

Page 4, line 19, delete *"subdivision 4"* and insert *"168.017"*.

Page 5, line 6, after *"appropriated"* insert *"from trunk highway fund"*.

Page 5, line 8, delete *"Of the sum so appropriated, \$1,500,000"*.

Page 5, delete lines 9 to 12.

Page 5, line 14, after *"1975"* insert *"and shall expire July 1, 1977"*.

Renumber the sections accordingly. Further amend the title as follows:

Page 1, line 5, delete *"sections"* and insert *"a section"*.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 738, A bill for an act relating to aeronautics; technical services to municipalities; authorizing a reasonable charge by the department for such services; amending Minnesota Statutes 1974, Section 360.015, Subdivision 7.

Reported the same back with the following amendments:

Page 1, line 13, delete *"at a reasonable cost, including properly"* and restore the stricken language.

Page 1, line 14, delete *"allocated administrative costs"*.

Page 1, line 18, after *"area"* insert *"; provided, however, that the commissioner may charge for such administrative, engineer-*

ing or other technical services when payment for such services or reimbursement therefor is made by the United States Government, or any agency or department thereof, and the payment or reimbursement therefor will not result in a decrease in the amount of money or funds otherwise payable by the United States Government, or any agency or department, thereof, to the municipality requesting such services".

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1227, A bill for an act relating to motor vehicle carriers; reinstating the rights of certain permit carriers upon filing proof of insurance of other security; amending Minnesota Statutes 1974, Section 221.141.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1282, A bill for an act relating to Hennepin county; authorizing the county board to make appropriations from its county road and bridge fund to certain municipalities within the county for roads and streets.

Reported the same back with the following amendments:

Page 1, line 12, delete " , other than a city of the first".

Page 1, line 13, delete "class,".

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1284, A bill for an act relating to aeronautics; providing for airport zoning regulation by municipalities and joint airport zoning boards; amending Minnesota Statutes 1974, Sec-

tions 360.063, Subdivisions 1, 3, and 5, and by adding a subdivision; 360.067, Subdivision 4; 360.069; and 360.071, Subdivision 2; repealing Minnesota Statutes 1974, Section 360.063, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 17, after "may" insert "*, unless a joint airport zoning board is permitted under subdivision 3,*".

Page 1, line 21, delete "*, unless a joint airport zoning board*".

Page 1, line 22, delete "*is permitted under subdivision 3,*".

Page 2, line 9, strike "mile" and insert "*and one-half miles*".

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1355, A bill for an act relating to highway traffic regulations; littering; providing penalties; amending Minnesota Statutes 1974, Section 169.42, Subdivisions 1 and 5.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1357, A bill for an act relating to motor vehicles; powers of the registrar of motor vehicles; providing that a county or city officer appointed as a deputy registrar need not give bond to the state; amending Minnesota Statutes 1974, Section 168.33, Subdivision 2.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1476, A bill for an act relating to highways; municipal state-aid street system; payment of contract price; amending Minnesota Statutes 1974, Section 162.10.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1527, A bill for an act relating to motor vehicles; providing for licensing and taxation; providing penalties; amending Minnesota Statutes, 1973 Supplement, Section 168.013, Subdivisions 1c and 1e, and 1g, as amended; and Minnesota Statutes 1974, Section 168.012, Subdivision 7; and 168.31, Subdivision 3.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1050, 1169, 1286, 38, 339, 447, 557, 558, 744, 746, 1235, 1483, 1536, 1058, 292, 347, 404, 460, 629, 696, 758, 762, 929, 1302, 1304, 1376, 1377, 1494, 349, 1061, 1062, 1127, 1185, 583, 584, 593, 1006, 1007, 1133, 1441, 1551, 1596, 119, 534, 947, 1076, 1262, 1263, 1505, 1506, 540, 607, 955, 1145, 1146, 661, 166, 795, 1020, 1153, 1217, 1331, 1335, 1465, 1513, 1518, 369, 1065, 1567, 738, 1227, 1282, 1284, 1355, 1357, 1476 and 1527 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 303 and 199 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Johnson, C.; Vento; Adams, S.; Carlson, R.; and Menning introduced:

H. F. No. 1675, A bill for an act relating to education; quality education council; changing duties and functions and providing a per diem for members; amending Minnesota Statutes 1974, Sections 3.924; 3.925; 3.926; and 3.927.

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

Kahn; Stanton; Casserly; Carlson, A.; and Reding introduced:

H. F. No. 1676, A bill for an act relating to state parks; prohibiting littering; providing a penalty; amending Minnesota Statutes 1974, Section 85.20, by adding a subdivision.

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

Hanson, Biersdorf, Sherwood and Johnson, D., introduced:

H. F. No. 1677, A bill for an act relating to natural resources; amending certain laws concerning minnows; amending Minnesota Statutes 1974, Section 97.40, Subdivision 27; 97.45, Subdivision 15; 97.55, Subdivision 13; 98.46, Subdivisions 5 and 17; and 101.42, Subdivisions 5 and 6.

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

Kahn, Stanton, George, Metzen and McCauley introduced:

H. F. No. 1678, A bill for an act relating to highway traffic regulations; prohibiting littering or placing refuse on highways or adjacent lands; increasing penalties; amending Minnesota Statutes 1974, Section 169.42, Subdivision 5, and by adding a subdivision.

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

Ewald, Fudro, Munger, Vento and Hanson introduced:

H. F. No. 1679, A bill for an act relating to energy conservation; requiring the state and city and county governments to purchase automobiles of intermediate size or smaller.

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

Brinkman; Vento; Graba; Kempe, R.; and Ewald introduced:

H. F. No. 1680, A bill for an act relating to insurance; providing that the same priorities of security for payment of basic economic loss benefits apply to commercial vehicles as to other motor vehicles under the Minnesota no fault insurance act; amending Minnesota Statutes 1974, Section 65B.47, Subdivision 4; repealing Minnesota Statutes 1974, Section 65B.47, Subdivisions 1, 2 and 3.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Hokanson; Kroening; Zubay; Sieben, H., and Luther introduced:

H. F. No. 1681, A bill for an act relating to state government; use of nonpublic employee services; appropriating money.

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

McCauley, Prael, Hanson, Kahn and Zubay introduced:

H. F. No. 1682, A bill for an act relating to energy; establishing a state program of low interest loans to provide installation of solar furnaces in single family dwellings; appropriating money; amending Minnesota Statutes 1974, Section 462A.05, by adding a subdivision.

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

Hanson and Osthoff introduced:

H. F. No. 1683, A bill for an act relating to the city of St. Paul; fire department relief association; describing retirement, disability and survivor benefits.

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

Haugerud, Vanasek and McEachern introduced:

H. F. No. 1684, A bill for an act relating to attorneys; permitting certain forms of specialization identification by attorneys; amending Minnesota Statutes 1974, Section 481.02, Subdivision 3.

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

Ulland, Evans, Nelsen, DeGroat and Jopp introduced:

H. F. No. 1685, A bill for an act relating to forestry; authorizing forest officers to issue notices having the effect of a summons and complaint; amending Minnesota Statutes 1974, Section 88.10, Subdivision 1.

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

Faricy, Sieloff, Dieterich and Luther introduced:

H. F. No. 1686, A bill for an act relating to courts; county and municipal courts; authorizing the establishment of a housing court division in the municipal courts of Hennepin and Ramsey county and in the county court of St. Louis county; amending Minnesota Statutes 1974, Sections 463.17, Subdivisions 1 and 3; 463.20; 487.17; 487.19, Subdivision 1; 488.04, Subdivision 4; 488.05, Subdivision 1; 488A.01, Subdivisions 5 and 7; 488A.18, Subdivisions 6 and 8; Chapters 487, by adding sections; and 488A, by adding sections.

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

DeGroat and Biersdorf introduced:

H. F. No. 1687, A bill for an act relating to Independent School District No. 114; providing procedure for termination of a teacher's contract during the probationary period.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

DeGroat introduced:

H. F. No. 1688, A bill for an act relating to education; teachers; providing procedure for termination of a teacher's contract during the probationary period.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Petrafeso, Tomlinson, Dean and McEachern introduced:

H. F. No. 1689, A bill for an act relating to metropolitan government; regulating solid waste; amending Laws 1975, Chapter 13, Sections 1, by adding subdivisions; 11, Subdivision 1; 42, Subdivision 1; 139; 140, Subdivision 1; 141; 142; 143; and 144; and by adding sections; repealing Laws 1975, Chapter 13, Section 140, Subdivision 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Setzepfandt, Lemke, DeGroat, Peterson and Clawson introduced:

H. F. No. 1690, A bill for an act relating to real estate; changing the name of register of deeds and office of register of deeds to county recorder and office of county recorder.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Hanson and Osthoff introduced:

H. F. No. 1691, A bill for an act authorizing the metropolitan council to issue bonds for repair, construction, reconstruction, improvement, and rehabilitation of the Como Park zoo by the City of Saint Paul; amending Minnesota Statutes 1974, Chapter 473G, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Pehler, Vanasek, Metzen, McEachern and Enebo introduced:

H. F. No. 1692, A bill for an act relating to taxation; exempting any 1974 federal income tax rebate from state income taxation.

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

McEachern, DeGroat, Dahl and Schulz introduced:

H. F. No. 1693, A bill for an act relating to real estate; providing for county treasurer to certify taxes prior to certification by county auditor; amending Minnesota Statutes 1974, Chapter 272, by adding a section.

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

McCarron, Jude and White introduced:

H. F. No. 1694, A bill for an act relating to taxation; sales tax on mobile homes; amending Minnesota Statutes 1974, Sections 297A.02; and 297A.25, Subdivision 1.

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

Kempe, R., by request, introduced:

H. F. No. 1695, A bill for an act relating to local government; establishing a new method of distribution of local government aids; amending Minnesota Statutes 1974, Sections 275.52, Subdivision 2; 477A.01, Subdivision 11.

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

Petrafeso, Pleasant, Savelkoul, Clawson and Philbrook introduced:

H. F. No. 1696, A bill for an act relating to metropolitan transit; tax levies; authorizing issuance of general obligation tax anticipation certificates by the metropolitan transit commission; amending Laws 1975, Chapter 13, Section 71, Subdivision 1.

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

Graba, Beauchamp, Wenstrom, Niehaus and Langseth introduced:

H. F. No. 1697, A bill for an act relating to highways; designating and describing the route of the Viking Trail; amending Minnesota Statutes 1974, Section 161.14, by adding a subdivision.

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

HOUSE ADVISORY BILLS

Pursuant to Rule 5.3, the following House Advisory Bill was introduced:

Prahl introduced:

H. A. B. No. 32, A committee for the study of Minnesota's no-fault automobile insurance.

The bill was referred to the Committee on Financial Institutions and Insurance.

MOTIONS AND RESOLUTIONS

George moved that his name be stricken as an author on H. F. No. 1615. The motion prevailed.

Fugina moved that the name of Beauchamp be added as an author on H. F. No. 1506. The motion prevailed.

Fugina moved that the names of Adams, L., Sarna and Osthoff be added as authors on H. F. No. 1382. The motion prevailed.

Dieterich moved to re-refer H. F. No. 471, now on General Orders, to the Committee on Appropriations. The motion prevailed.

Erickson, Wenzel, Lindstrom and Kvam introduced:

House Resolution No. 14, A house resolution congratulating and thanking John M. Zwach for his forty years of public service.

The resolution was referred to the Committee on Rules and Legislative Administration.

House Resolution No. 12 was reported to the House.

HOUSE RESOLUTION NO. 12

A house resolution congratulating Seth G. Huntington on his success in the United States coin design competition and on his other artistic achievements.

Whereas, the United States of America is observing with special reverence its struggle for independence 200 years ago; and

Whereas, the Treasury Department of the United States commissioned a competition for designs for the reverse side of coins to be issued in the bicentennial year; and

Whereas, Seth G. Huntington of Minneapolis created the successful design for the half dollar coin; and

Whereas, Seth G. Huntington is an accomplished sculptor, potter and graphic artist; and

Whereas, his success in the design competition has drawn deserved attention to Mr. Huntington's artistic accomplishments; now, therefore,

Be It Resolved, by the House of Representatives of the State of Minnesota, that the congratulations and admiration of the state be expressed to Seth G. Huntington.

Be It Further Resolved, that the Chief Clerk present a formal copy of this resolution to Mr. Huntington at an appropriate ceremony marking the bicentennial.

Carlson, A., moved that House Resolution No. 12 be now adopted. The motion prevailed and House Resolution No. 12 was adopted.

Sieben, M., moved to re-refer H. F. No. 61, now on General Orders, to the Committee on Governmental Operations.

A roll call was requested and properly seconded.

The question was taken on the Sieben, M. motion and the roll being called, there were yeas 23, and nays 97, as follows:

Those who voted in the affirmative were:

Birnstihl	Fugina	Knoll	Menning	Sieben, M.
Corbid	Graha	Lemke	Neisen	Smith
Eckstein	Haugerud	Lindstrom	Patton	Wenzel
Erickson	Johnson, C.	Mangan	Setzepfandt	
Fudro	Jude	McCauley	Sieben, H.	

Those who voted in the negative were:

Abeln	Clawson	Kahn	Nelsen	Skoglund
Adams, L.	Dean	Kaley	Niehaus	Smogard
Adams, S.	DeGroat	Kalis	Norton	Stanton
Albrecht	Dieterich	Kelly, R.	Novak	Suss
Anderson, G.	Eken	Kelly, W.	Osthoff	Swanson
Anderson, I.	Enebo	Kempe, A.	Pehler	Tomlinson
Arlandson	Esau	Kempe, R.	Peterson	Ulland
Beauchamp	Evans	Knickerbocker	Petrateso	Vanasek
Begich	Ewald	Kostohryz	Philbrook	Vento
Berg	Faricy	Kroening	Pleasant	Voss
Berglin	Fjoslien	Laidig	Prahl	Wenstrom
Biersdorf	Forsythe	Langseth	Reding	White
Braun	Friedrich	Luther	Samuelson	Wieser
Brinkman	George	Mann	Sarna	Wigley
Byrne	Hanson	McCarron	Savelkoul	Williamson
Carlson, A.	Heinitz	McCollar	Schreiber	Zubay
Carlson, L.	Hokanson	Meier	Schumacher	Speaker Sabo
Carlson, R.	Jacobs	Metzen	Searle	
Casserly	Johnson, D.	Moe	Sherwood	
Clark	Jopp	Munger	Sieloff	

The motion did not prevail.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

House Concurrent Resolution No. 7, A Concurrent Resolution commending Robert G. Heyer on his selection as National Teacher of the Year.

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. 688, A bill for an act relating to school districts; insurance for school district funds; amending Minnesota Statutes 1974, Section 124.05, 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. 202, A bill for an act relating to retirement; uses of funds of firemen's relief association in certain cities; amending Minnesota Statutes 1974, Section 69.40.

H. F. No. 1093, A bill for an act relating to the Hennepin county park reserve district; authorizing the Hennepin County park reserve district to acquire, establish, operate and maintain trail systems.

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. 648, A bill for an act relating to public health; license fees for hospitals and related institutions; exempting the Minnesota veterans home from such fees; amending Minnesota Statutes 1974, Section 144.53.

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. 241, A bill for an act relating to waters and water safety; requiring scuba divers to place flags; amending Minnesota Statutes 1974, Chapter 361, by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Biersdorf moved that the House concur in the Senate amendments to H. F. No. 241 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 241, A bill for an act relating to waters and water safety; requiring scuba divers to place flags; amending Minnesota Statutes 1974, Chapter 361, by adding a section.

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 127, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jude	Metzen	Sieben, H.
Adams, L.	Doty	Kahn	Moe	Sieben, M.
Adams, S.	Eckstein	Kaley	Munger	Sieloff
Albrecht	Eken	Kalis	Neisen	Simoneau
Anderson, G.	Enebo	Kelly, R.	Nelsen	Skoglund
Anderson, I.	Erickson	Kelly, W.	Nelson	Smith
Arlandson	Esau	Kempe, A.	Niehaus	Smogard
Beauchamp	Evans	Kempe, R.	Norton	Stanton
Begich	Ewald	Ketola	Novak	Suss
Berg	Faricy	Knickerbocker	Parish	Swanson
Berglin	Forsythe	Knoll	Patton	Tomlinson
Biersdorf	Friedrich	Kostohryz	Pehler	Ulland
Birnstihl	Fudro	Kroening	Peterson	Vanasek
Braun	Fugina	Laidig	Petraseso	Vento
Brinkman	George	Langseth	Philbrook	Voss
Byrne	Graba	Lemke	Pleasant	Wenstrom
Carlson, A.	Hanson	Lindstrom	Prahl	Wenzel
Carlson, L.	Haugerud	Luther	Reding	White
Carlson, R.	Heinitz	Mangan	St. Onge	Wieser
Casserly	Hokanson	Mann	Samuelson	Wigley
Clark	Jacobs	McCarron	Savelkoul	Williamson
Clawson	Jaros	McCauley	Schreiber	Zubay
Corbid	Jensen	McCollar	Schumacher	Speaker Sabo
Dahl	Johnson, C.	McEachern	Searle	
Dean	Johnson, D.	Meier	Setzepfandt	
DeGroat	Jopp	Menning	Sherwood	

The bill repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 72, A bill for an act relating to elections; permitting the use of a petition in lieu of filing fees; amending Laws 1975, Chapter 5, Section 15, by adding a subdivision.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Doty, Schaaf and Brown have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Enebo moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 72. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 226, A bill for an act relating to employment services; unemployment compensation; administrative expense; amending Minnesota Statutes 1974, Section 268.05, Subdivision 5.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Merriam; Keefe, S. and Hanson, R. have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Beauchamp moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 226. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 499, A bill for an act relating to insurance; authorizing an insurer to refuse to renew an automobile insurance policy under certain circumstances; amending Minnesota Statutes 1974, Section 65B.17.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Laufenburger, Merriam and Bang have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Prahl moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 499.

The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 307, 320, 543, 582, 662 and 782.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 177, 393, 649 and 820.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker,

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 114, 266 and 332.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 336, 395, 624 and 753.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 102, 460, 590, 690, 1038, 1039 and 1174.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 869, 903, 917, 1015, 1102 and 1168.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1136, 1210 and 1451.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 491, 845, 953, 977 and 987.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 699.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 66 and 451.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 46 and 888.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 307, A bill for an act relating to the practice of podiatry; allowing the board of podiatry examiners and registration to create certain registration standards by rule and regulation; amending Minnesota Statutes 1974, Section 153.04.

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

S. F. No. 320, A bill for an act relating to taxation; increasing the percentage of unrefunded gasoline excise taxes attributable to snowmobile operation; appropriating money; amending Minnesota Statutes 1974, Sections 296.16, Subdivision 1; and 296.421, Subdivisions 6 and 7.

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

S. F. No. 543, A bill for an act relating to public local grain warehouses; providing for the filing and posting of storage rates and other charges assessed by public local grain warehousemen; prescribing the form of storage receipts; amending Minnesota Statutes 1974, Sections 232.06, Subdivisions 1, 4 and 5; and 232.07.

The bill was read for the first time.

Stanton moved that S. F. No. 543 and H. F. No. 482, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 582, A bill for an act relating to towns; authorizing towns to acquire land for park and recreation purposes; amending Minnesota Statutes 1974, Section 368.01, Subdivision 24.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 662, A bill for an act relating to domestic relations; contracts and conveyances between husband and wife; amending Minnesota Statutes 1974, Sections 500.19, by adding a subdivision; and 519.06.

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

S. F. No. 782, A bill for an act relating to courts; providing compensation and mileage allowance for jurors; amending Minnesota Statutes 1974, Section 357.26, Subdivision 1.

The bill was read for the first time.

Lemke moved that S. F. No. 782 and H. F. No. 423, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 177, A bill for an act relating to public health; changing requirements and procedures for obtaining certificates of need for health care facilities; amending Minnesota Statutes 1974, Sections 145.72, Subdivisions 2 and 3; 145.76; 145.78; 145.80; 145.82; Chapter 145, by adding sections; and repealing Minnesota Statutes 1974, Section 145.81.

The bill was read for the first time.

Carlson, L., moved that S. F. No. 177 and H. F. No. 307, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 393, A bill for an act relating to the metropolitan airports commission; exercise of powers; tax levy; amending Laws 1975, Chapter 13, Section 103, Subdivision 5.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 649, A bill for an act relating to agriculture; collective bargaining; agricultural marketing and bargaining associations; amending Minnesota Statutes 1974, Sections 17.694, Subdivision 5, and by adding a subdivision; and 17.697, Subdivision 1.

The bill was read for the first time.

Lindstrom moved that S. F. No. 649 and H. F. No. 902, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 820, A bill for an act relating to education; powers of trustees of incorporated colleges; changing the duty of incorporated colleges or seminaries to report to the commissioner of education to a duty to report to the higher education coordinating commission; amending Minnesota Statutes 1974, Chapter 136A, by adding a section; repealing Minnesota Statutes 1974, Section 121.18.

The bill was read for the first time.

Williamson moved that S. F. No. 820 and H. F. No. 952, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 114, A bill for an act relating to no-fault automobile insurance; requiring that a plan of reparation security be maintained for certain motor vehicles only during the period of their contemplated operation or use; amending Minnesota Statutes 1974, Section 65B.48, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 266, A bill for an act relating to the livestock contingency fund; repealing Minnesota Statutes 1974, Section 246.32.

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

S. F. No. 332, A bill for an act relating to education; correcting and eliminating certain obsolete provisions and text dealing with school district organization, reporting and finance; amending Minnesota Statutes 1974, Sections 120.01; 120.08, Subdivisions 1; 120.10, Subdivision 3; 120.11; 120.12; 121.11, Subdivisions 3 and 5; 121.19; 121.20, Subdivision 4; 122.21, Subdivision 1; 122.23; 122.26, Subdivisions 16 and 19; 122.32, Subdivision 1; 122.355, Subdivision 1; 122.41; 122.43; 122.44, Subdivision 1; 122.45, Subdivision 1; 122.51; 123.015; 123.21; 123.32, Subdivision 25; 123.33, Subdivision 12; 123.34, Subdivision 9; 123.65; 123.78, Subdivision 1; 124.03, Subdivision 1; 124.15, Subdivision 2; 124.41, Subdivision 1; 125.03, Subdivision 1; 125.11; 125.15; 125.16; 127.16; 127.19; 127.25; 136.036, Subdivision 2; 275.124; Chapter 128, by adding a section; repealing Minnesota Statutes 1974, Sections 120.02, Subdivisions 7, 10 and 17; 121.11, Subdivision 10; 121.35, Subdivisions 1, 2, 3 and 4; 121.355; 121.36; 121.37; 121.38; 121.39; 121.40; 121.41; 121.42; 121.43; 121.44; 121.45; 121.46; 121.47; 122.11; 122.22, Subdivisions 17 and 19; 122.31; 122.33; 122.35; 122.44, Subdivisions 2, 3, 4 and 5; 122.49; 123.33, Subdivisions 9 and 13; 123.56; 125.03, Subdivisions 2 and 3; 127.14; 127.18; 471.741; Laws 1945, Chapter 579; Laws 1949, Chapter 375; Laws 1951, Chapter 236; Laws 1953, Chapter 249; Laws 1955, Chapter 698; Laws 1957, Chapter 469; Laws 1959, Chapters 13 and 533; Laws 1961, Chapters 284 and 591; Laws 1963, Chapters 465, 607, 711, and 847; Laws 1965, Chapters 725, 747, and 857; Laws 1967, Chapters 594 and 658; Laws 1971, Chapter 767.

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

S. F. No. 336, A bill for an act relating to the operation of state government; providing for definitions of types of state agencies; naming and renaming certain agencies, boards, commissions, committees, and councils; amending Minnesota Statutes 1974, Sections 15.01; 115.71, Subdivision 4; and 115.74, Subdivision 1.

The bill was read for the first time.

Kroening moved that S. F. No. 336 and H. F. No. 705, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 395, A bill for an act relating to taxation; exempting United States flags from the sales and use tax; amending Minnesota Statutes 1974, Section 297A.25, Subdivision 1.

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

S. F. No. 624, A bill for an act relating to local water and related land resources management; granting municipalities authority to construct flood prevention or control facilities on certain bodies of water; amending Minnesota Statutes 1974, Section 459.20.

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

S. F. No. 753, A bill for an act relating to state government; regulating advisory councils, boards and commissions; amending Minnesota Statutes 1974, Chapter 15, by adding a section; Sections 16.853; 16.91; 16.911, Subdivision 1; 31.60, Subdivisions 2 and 3; 52.061; 82.30, Subdivision 1; 116C.05; 121.87, Subdivisions 1 and 3; 145.865, Subdivision 1; 156A.06, Subdivision 1; 175.007, Subdivision 1; 182.656, Subdivision 3; 184.23, Subdivisions 1 and 3; 254A.04; 256.482, Subdivision 1; 268.12, Subdivision 6; 299C.47; 299F.55; 362.09, Subdivision 3; and 483.02; repealing Minnesota Statutes 1974, Sections 82.30, Subdivisions 2 and 3; 145.865, Subdivision 2; 175.007, Subdivision 3; 182.656, Subdivision 2; 184.23, Subdivision 2; 254A.05, Subdivision 2; 256.482, Subdivision 6; 483.03; and 483.04.

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

S. F. No. 102, A bill for an act relating to aeronautics; technical services to municipalities; authorizing a reasonable charge by the department for such services; amending Minnesota Statutes 1974, Section 360.015, Subdivision 7.

The bill was read for the first time.

Eckstein moved that S. F. No. 102 and H. F. No. 738, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 460, A bill for an act relating to pollution; prohibiting sale of beverage containers having detachable parts; providing a penalty.

The bill was read for the first time.

Haugerud moved that S. F. No. 460 and H. F. No. 99, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 590, A bill for an act relating to unemployment compensation; requiring reports to the department of employment services be in the same name as appears on the employer's payroll checks; amending Minnesota Statutes 1974, Section 268.16, Subdivision 2.

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

S. F. No. 690, A bill for an act relating to insurance; requiring certain group insurance policies and plans to provide certain benefits for outpatient mental health treatment.

The bill was read for the first time.

Brinkman moved that S. F. No. 690 and H. F. No. 513, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1038, A bill for an act relating to certain counties; providing for the filing of surveys with the county surveyor.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1039, A bill for an act relating to plats and surveys in Olmsted county; providing for approval by the county surveyor and providing for a fee.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1174, A bill for an act relating to health care; requiring that self insurers offering certain health care plans provide certain benefits for the treatment of alcoholism, chemical dependency and drug addiction; amending Minnesota Statutes 1974, Section 62A.149, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 869, A bill for an act relating to St. Louis county; providing for the disposition of the proceeds from the sale or rental of tax forfeited lands or from the sale of any products therefrom.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 903, A bill for an act relating to counties; providing for the filling of vacancies in the office of county commissioner; amending Minnesota Statutes 1974, Chapter 375, by adding a section; Section 375.03; repealing Minnesota Statutes 1974, Section 375.10.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 917, A bill for an act relating to waters and watercraft safety; modifying the hours of operation of a watercraft towing a person; authorizing counties to expend moneys received from watercraft license fees for watercraft and swimming safety instructions; amending Minnesota Statutes 1974, Sections 361.09, Subdivision 2; and 361.27, Subdivision 1.

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

S. F. No. 1015, A bill for an act relating to commerce; providing qualifications for legal newspapers; amending Minnesota Statutes 1974, Section 331.02, Subdivision 1.

The bill was read for the first time.

Mangan moved that S. F. No. 1015 and H. F. No. 405, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1102, A bill for an act relating to the Seaway Port Authority of Duluth; permitting the authority to buy, lease or otherwise contract for vessels.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1168, A bill for an act relating to certain political subdivisions; authorizing the governing bodies of cities and counties to advance expense money; amending Minnesota Statutes 1974, Section 471.96, Subdivision 1; and Chapter 471, by adding a Section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1136, A bill for an act relating to Winona county; authorizing the appropriation of funds for public health nursing; providing for increased per diem payments for public health nursing service committee members.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1210, A bill for an act relating to the city of Ely; authorizing the governing body thereof to consolidate the offices of city clerk and city treasurer.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1451, A bill for an act relating to the counties of Pennington and Marshall and their respective interests in a certain nursing home; providing for the withdrawal of the interest of Marshall County therein; repealing Laws 1965, Chapter 406.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 491, A resolution congratulating Seth G. Huntington on his success in the United States coin design competition and on his other artistic achievements.

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

S. F. No. 845, A bill for an act relating to Itasca County; increasing the permissible per capita expenditure on tourist, agricultural and industrial promotion; amending Laws 1965, Chapter 326, Section 1, Subdivision 5.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 953, A bill for an act relating to Hennepin county; including the librarian and other employees of the county law library within the merit personnel system of the county; amending Laws 1933, Chapter 291, Section 15; and Laws 1965, Chapter 855, Section 7, Subdivision 1, as amended.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 977, A bill for an act relating to Hennepin county; providing for the support and maintenance of the county law library; amending Laws 1933, Chapter 291, Section 12, as amended; and Laws 1933, Chapter 291, Section 16, as amended.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 987, A bill for an act relating to Hennepin county; reestablishing the jurisdiction of the Hennepin county personnel board as to court reporters in the fourth judicial district; repealing Laws 1969, Chapter 568; and Laws 1971, Chapter 608.

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

S. F. No. 699, A bill for an act relating to drainage; clarifying the power of county boards to construct flood control projects under the drainage laws; transferring the administration of judicial ditches to county boards; improving the power of county boards to repair, assess benefits and damages and construct laterals on county ditches; providing for appeal of decisions by a joint county ditch authority; providing a better procedure for abandonment of ditches in urban areas; providing for the termination of activities of conservancy districts; amending Minnesota Statutes 1974, Sections 106.011, Subdivisions 1, 4, 16 and 17; 106.015, Subdivision 5; 106.021, Subdivision 1; 106.031, Subdivision 1; 106.041; 106.091, Subdivision 1; 106.101, Subdivision 1; 106.121, Subdivision 8; 106.131; 106.141, Subdivision 2; 106.161; 106.171, Subdivisions 1 and 2; 106.191, Subdivision 3; 106.211; 106.221, Subdivision 1; 106.231, Subdivision 1; 106.251; 106.281; 106.291; 106.301; 106.321; 106.331; 106.401; 106.431, Subdivision 2; 106.471, Subdivisions 1, 2, 3, 4 and 7; 106.501, Subdivisions 1 and 2; 106.511; 106.521; 106.531; 106.551; 106.561, Subdivisions 1 and 2; 106.601; 106.631, Subdivision 5; 106.651; 106.661; and 112.76; repealing Minnesota Statutes 1974, Sections 106.011, Subdivisions 5, 6, 7, 8 and 9; 106.015, Subdivisions 3 and 4; 106.021, Subdivision 5; 106.231, Subdivision 7; 111.01 to 111.42.

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

S. F. No. 66, A bill for an act relating to game and fish; authorizing certain handicapped hunters to transport uncased but unloaded firearms; providing permanent permits for handicapped hunters; amending Minnesota Statutes 1974, Section 98.48, Subdivision 12.

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

S. F. No. 451, A bill for an act relating to natural resources; raising limitations on values of timber which may be sold by informal sale; reducing the value of timber which may be sold at auction; altering certain sale procedures; amending Minnesota Statutes 1974, Chapter 90, by adding a section; Sections 90.02;

90.101; 90.151, Subdivisions 1 and 13; and 90.191, Subdivision 1; repealing Minnesota Statutes 1974, Section 9.051.

The bill was read for the first time.

Anderson, I., moved that S. F. No. 451 and H. F. No. 401, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 46, A bill for an act relating to courts; jurisdictional amount in conciliation court actions; amending Minnesota Statutes 1974, Sections 487.30; 491.03, Subdivision 4; and 491.04, Subdivision 1.

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

S. F. No. 888, A bill for an act relating to counties; publication of financial statement; extending the time for publication and removing the requirement to publish certain detailed accounts; amending Minnesota Statutes 1974, Section 375.17.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

CONSENT CALENDAR

H. F. No. 988, A bill for an act authorizing the issuance of bonds by Independent School District No. 279 without adjustment of maturities.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, A.	Erickson	Heinitz	Kempe, A.
Adams, L.	Carlson, L.	Esau	Hokanson	Kempe, R.
Adams, S.	Carlson, R.	Evans	Jacobs	Ketola
Albrecht	Clark	Ewald	Jaros	Knickerbocker
Anderson, G.	Clawson	Faricy	Jensen	Kostohryz
Anderson, I.	Corbid	Fjoslien	Johnson, C.	Kroening
Beauchamp	Dahl	Forsythe	Johnson, D.	Laidig
Begich	Dean	Friedrich	Jopp	Langseth
Berg	DeGroat	Fudro	Jude	Lemke
Berglin	Dieterich	Fugina	Kahn	Lindstrom
Biersdorf	Doty	George	Kaley	Luther
Birstihl	Eckstein	Graba	Kalis	Mangan
Brinkman	Eken	Hanson	Kelly, R.	Mann
Byrne	Enebo	Haugerud	Kelly, W.	McCarron

McCauley	Norton	St. Onge	Sieloff	Vanasek
McCollar	Novak	Samuelson	Simoneau	Vento
McEachern	Osthoff	Sarna	Skoglund	Voss
Meier	Parish	Savelkoul	Smith	Wenstrom
Menning	Patton	Schreiber	Smogard	Wenzel
Metzen	Pehler	Schumacher	Spanish	White
Munger	Peterson	Searle	Stanton	Wieser
Neisen	Philbrook	Setzepfandt	Suss	Wigley
Nelsen	Pleasant	Sherwood	Swanson	Williamson
Nelson	Prahl	Sieben, H.	Tomlinson	Zubay
Niehaus	Reding	Sieben, M.	Ulland	Speaker Sabo

Those who voted in the negative were:

Knoll

The bill was passed and its title agreed to.

S. F. No. 764, A bill for an act relating to the city of Crystal; providing for the filing of candidates for primary elections; amending Laws 1971, Chapter 213, Section 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Jude	Neisen	Sieloff
Adams, L.	Eckstein	Kahn	Nelsen	Simoneau
Adams, S.	Eken	Kaley	Nelson	Skoglund
Albrecht	Enebo	Kalis	Niehaus	Smith
Anderson, G.	Erickson	Kelly, R.	Norton	Smogard
Anderson, I.	Esau	Kelly, W.	Novak	Spanish
Arlandson	Evans	Kempe, A.	Osthoff	Stanton
Beauchamp	Ewald	Kempe, R.	Parish	Suss
Begich	Faricy	Ketola	Patton	Swanson
Berg	Fjoslien	Knickerbocker	Pehler	Tomlinson
Berglin	Forsythe	Knoll	Peterson	Ulland
Biersdorf	Friedrich	Kostohryz	Philbrook	Vanasek
Birnstihl	Fudro	Kroening	Pleasant	Vento
Braun	Fugina	Laidig	Prahl	Voss
Brinkman	George	Langseth	Reding	Wenstrom
Byrne	Graba	Lindstrom	St. Onge	Wenzel
Carlson, A.	Hanson	Luther	Samuelson	White
Carlson, L.	Haugerud	Mangan	Sarna	Wieser
Carlson, R.	Heinitz	McCarron	Savelkoul	Wigley
Clark	Hokanson	McCollar	Schreiber	Williamson
Clawson	Jacobs	McEachern	Schumacher	Zubay
Corbid	Jaros	Meier	Searle	Speaker Sabo
Dahl	Jensen	Menning	Setzepfandt	
Dean	Johnson, C.	Metzen	Sherwood	
DeGroat	Johnson, D.	Moe	Sieben, H.	
Dieterich	Jopp	Munger	Sieben, M.	

The bill was passed and its title agreed to.

S. F. No. 997, A bill for an act relating to state lands; conveyance; authorizing the conveyance by the state of certain lands in the county of Otter Tail.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Jude	Metzen	Setzepfandt
Adams, L.	Eckstein	Kahn	Moe	Sherwood
Albrecht	Eken	Kaley	Munger	Sieben, H.
Anderson, G.	Enebo	Kalis	Neisen	Sieben, M.
Anderson, I.	Erickson	Kelly, R.	Nelsen	Sieloff
Arlandson	Esau	Kelly, W.	Nelson	Simoneau
Beauchamp	Evans	Kempe, A.	Niehaus	Skoglund
Begich	Ewald	Kempe, R.	Norton	Smith
Berg	Faricy	Ketola	Novak	Smogard
Berglin	Fjoslien	Knickerbocker	Osthoff	Spanish
Biersdorf	Forsythe	Knoll	Parish	Stanton
Birnstihl	Friedrich	Kostohryz	Patton	Suss
Braun	Fudro	Kroening	Pehler	Swanson
Brinkman	Fugina	Laidig	Peterson	Tomlinson
Byrne	George	Langseth	Petrafeso	Ulland
Carlson, A.	Graba	Lemke	Philbrook	Vanasek
Carlson, L.	Hanson	Lindstrom	Pleasant	Vento
Carlson, R.	Haugerud	Luther	Prahl	Voss
Casserly	Heinitz	Mangan	Reding	Wenstrom
Clark	Hokanson	Mann	St. Onge	Wenzel
Clawson	Jacobs	McCarron	Samuelson	White
Corbid	Jaros	McCauley	Sarna	Wieser
Dahl	Jensen	McCollar	Savelkoul	Wigley
Dean	Johnson, C.	McEachern	Schreiber	Williamson
DeGroat	Johnson, D.	Meier	Schumacher	Zubay
Dieterich	Jopp	Menning	Searle	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 1252, A bill for an act relating to the sale of state owned lands to the city of Owatonna; providing for valuation at current fair market value; amending Laws 1965, Chapter 216, Sections 2, as amended; and 3, Subdivision 1, as amended.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Anderson, G.	Begich	Birnstihl	Carlson, A.
Adams, L.	Anderson, I.	Berg	Braun	Carlson, L.
Adams, S.	Arlandson	Berglin	Brinkman	Carlson, R.
Albrecht	Beauchamp	Biersdorf	Byrne	Casserly

Clark	Hanson	Laidig	Parish	Smith
Clawson	Haugerud	Langseth	Patton	Smogard
Corbid	Heinitz	Lemke	Pehler	Spanish
Dahl	Hokanson	Lindstrom	Peterson	Stanton
Dean	Jacobs	Luther	Petrafeso	Suss
DeGroat	Jaros	Mangan	Philbrook	Swanson
Dieterich	Jensen	Mann	Pleasant	Tomlinson
Doty	Johnson, C.	McCarron	Prahl	Ulland
Eckstein	Johnson, D.	McCauley	Reding	Vanasek
Eken	Jopp	McCollar	St. Onge	Vento
Enebo	Jude	McEachern	Samuelson	Voss
Erickson	Kahn	Meier	Sarna	Wenstrom
Esau	Kaley	Menning	Savelkoul	Wenzel
Evans	Kalis	Metzen	Schreiber	White
Ewald	Kelly, R.	Moe	Schumacher	Wieser
Faricy	Kelly, W.	Munger	Searle	Wigley
Fjoslien	Kempe, A.	Neisen	Setzepfandt	Williamson
Forsythe	Kempe, R.	Nelsen	Sherwood	Zubay
Friedrich	Ketola	Nelson	Sieben, H.	Speaker Sabo
Fudro	Knickerbocker	Niehaus	Sieben, M.	
Fugina	Knoll	Norton	Sieloff	
George	Kostohryz	Novak	Simoneau	
Graba	Kroening	Osthoff	Skoglund	

The bill was passed and its title agreed to.

H. F. No. 715, A bill for an act relating to public welfare; clarifying the definition of vendor of medical assistance to cover public health nurses; amending Minnesota Statutes 1974, Section 256B.02, Subdivision 7.

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:

Abeln	Dahl	Hokanson	Lindstrom	Peterson
Adams, L.	Dean	Jacobs	Luther	Petrafeso
Adams, S.	DeGroat	Jaros	Mangan	Philbrook
Albrecht	Dieterich	Jensen	Mann	Pleasant
Anderson, G.	Doty	Johnson, C.	McCarron	Prahl
Anderson, I.	Eckstein	Johnson, D.	McCauley	Reding
Arlandson	Eken	Jopp	McCollar	St. Onge
Beauchamp	Enebo	Jude	McEachern	Samuelson
Begich	Erickson	Kahn	Meier	Sarna
Berg	Esau	Kaley	Menning	Savelkoul
Berglin	Evans	Kalis	Metzen	Schreiber
Biersdorf	Ewald	Kelly, R.	Moe	Schumacher
Birnstihl	Faricy	Kelly, W.	Munger	Searle
Braun	Fjoslien	Kempe, A.	Neisen	Setzepfandt
Brinkman	Forsythe	Kempe, R.	Nelsen	Sherwood
Byrne	Friedrich	Ketola	Nelson	Sieben, H.
Carlson, A.	Fudro	Knickerbocker	Niehaus	Sieben, M.
Carlson, L.	Fugina	Knoll	Norton	Sieloff
Carlson, R.	George	Kostohryz	Novak	Simoneau
Casserly	Graba	Kroening	Osthoff	Skoglund
Clark	Hanson	Laidig	Parish	Smith
Clawson	Haugerud	Langseth	Patton	Smogard
Corbid	Heinitz	Lemke	Pehler	Spanish

Stanton	Ulland	Wenstrom	Wigley	Zubay
Suss	Vanasek	Wenzel	Williamson	Speaker Sabo
Swanson	Vento	White		
Tomlinson	Voss	Wieser		

The bill was passed and its title agreed to.

H. F. No. 1422, A bill for an act relating to highways; adding an additional leg or alternative route to the highway route designated as the Voyageur highway; amending Minnesota Statutes 1974, Section 161.14, Subdivision 18.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jopp	Menning	Searle
Adams, L.	Doty	Jude	Metzen	Setzepfandt
Adams, S.	Eckstein	Kahn	Moe	Sherwood
Albrecht	Eken	Kaley	Munger	Sieben, H.
Anderson, G.	Enebo	Kalis	Neisen	Sieben, M.
Anderson, I.	Ericsson	Kelly, R.	Nelsen	Sieloff
Arlandson	Esau	Kelly, W.	Nelson	Simoneau
Beauchamp	Evans	Kempe, A.	Niehaus	Skoglund
Begich	Ewald	Kempe, R.	Norton	Smith
Berg	Faricy	Ketola	Novak	Smogard
Berglin	Fjoslien	Knickerbocker	Osthoff	Spanish
Biersdorf	Forsythe	Knoll	Parish	Stanton
Birnstihl	Friedrich	Kostohryz	Patton	Suss
Braun	Fudro	Kroening	Pehler	Swanson
Brinkman	Fugina	Laidig	Peterson	Tomlinson
Byrne	George	Langseth	Petrafeso	Ulland
Carlson, A.	Graba	Lemke	Philbrook	Vanasek
Carlson, L.	Hanson	Lindstrom	Pleasant	Vento
Carlson, R.	Haugerud	Luther	Prahl	Voss
Casslerly	Heinitz	Mangan	Reding	Wenzel
Clark	Hokanson	Mann	St. Onge	White
Clawson	Jacobs	McCarron	Samuelson	Wieser
Corbid	Jaros	McCauley	Sarna	Wigley
Dahl	Jensen	McCollar	Savelkoul	Williamson
Dean	Johnson, C.	McEachern	Schreiber	Zubay
DeGroat	Johnson, D.	Meier	Schumacher	Speaker Sabo

The bill was passed and its title agreed to.

S. F. No. 730, A bill for an act relating to motor vehicles; application for certificate of title for a previously registered vehicle; amending Minnesota Statutes 1974, Section 168A.26.

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:

Abeln	Dieterich	Jopp	Menning	Setzepfandt
Adams, L.	Doty	Jude	Metzen	Sherwood
Adams, S.	Eckstein	Kahn	Moe	Sieben, H.
Albrecht	Eken	Kaley	Munger	Sieben, M.
Anderson, G.	Enebo	Kalis	Neisen	Sieloff
Anderson, I.	Erickson	Kelly, R.	Nelsen	Simoneau
Arlandson	Esau	Kelly, W.	Nelson	Skoglund
Beauchamp	Evans	Kempe, A.	Niehaus	Smith
Begich	Ewald	Kempe, R.	Norton	Smogard
Berg	Faricy	Ketola	Novak	Spanish
Berglin	Fjoslien	Knickerbocker	Osthoff	Stanton
Biersdorf	Forsythe	Knoll	Parish	Suss
Birnstihl	Friedrich	Kostohryz	Patton	Swanson
Braun	Fudro	Kroening	Pehler	Tomlinson
Brinkman	Fugina	Laidig	Peterson	Ulland
Byrne	George	Langseth	Petraleso	Vanasek
Carlson, A.	Graba	Lemke	Philbrook	Vento
Carlson, L.	Hanson	Lindstrom	Pleasant	Voss
Carlson, R.	Haugerud	Luther	Reding	Wenzel
Cassery	Heinitz	Mangan	St. Onge	White
Clark	Hokanson	Mann	Samuelson	Wieser
Clawson	Jacobs	McCarron	Sarna	Wigley
Corbid	Jaros	McCauley	Savelkoul	Williamson
Dahl	Jensen	McCollar	Schreiber	Zubay
Dean	Johnson, C.	McEachern	Schumacher	Speaker Sabo
DeGroat	Johnson, D.	Meier	Searle	

The bill was passed and its title agreed to.

H. F. No. 1230, A bill for an act relating to agriculture; sale of nursery stock by out-of-state nurserymen; certificates of inspection; reciprocity with other states; amending Minnesota Statutes 1974, Section 18.55, 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:

Abeln	Carlson, L.	Ewald	Jopp	Lindstrom
Adams, L.	Carlson, R.	Faricy	Jude	Luther
Adams, S.	Cassery	Fjoslien	Kahn	Mangan
Albrecht	Clark	Forsythe	Kaley	Mann
Anderson, G.	Clawson	Friedrich	Kalis	McCarron
Anderson, I.	Corbid	Fudro	Kelly, R.	McCauley
Arlandson	Dahl	Fugina	Kelly, W.	McCollar
Beauchamp	Dean	George	Kempe, A.	McEachern
Begich	DeGroat	Graba	Kempe, R.	Meier
Berg	Dieterich	Hanson	Ketola	Metzen
Berglin	Doty	Heinitz	Knickerbocker	Moe
Biersdorf	Eckstein	Hokanson	Knoll	Munger
Birnstihl	Eken	Jacobs	Kostohryz	Neisen
Braun	Enebo	Jaros	Kroening	Nelsen
Brinkman	Erickson	Jensen	Laidig	Nelson
Byrne	Esau	Johnson, C.	Langseth	Niehaus
Carlson, A.	Evans	Johnson, D.	Lemke	Norton

Novak	Reding	Sherwood	Stanton	Wenzel
Osthoff	St. Onge	Sieben, H.	Suss	White
Parish	Samuelson	Sieben, M.	Swanson	Wieser
Patton	Sarna	Sieloff	Tomlinson	Wigley
Pehler	Savelkoul	Simoneau	Ulland	Williamson
Peterson	Schreiber	Skoglund	Vanasek	Zubay
Petrafeso	Schumacher	Smith	Vento	Speaker Sabo
Philbrook	Searle	Smogard	Voss	
Prahl	Setzepfandt	Spanish	Wenstrom	

The bill was passed and its title agreed to.

H. F. No. 1428 was reported to the House.

There being no objection, H. F. No. 1428 was continued on the Consent Calendar one day.

H. F. No. 351, A bill for an act relating to the city of Moorhead; firemen's relief funds and pensions therein; amending Laws 1955, Chapter 75, Sections 14, Subdivisions 1, 2, and 6; and 16; as amended, added, and renumbered.

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:

Abeln	Doty	Kahn	Munger	Sieben, M.
Adams, L.	Eckstein	Kaley	Neisen	Sieloff
Adams, S.	Eken	Kalis	Nelsen	Simoneau
Albrecht	Enebo	Kelly, R.	Nelson	Skoglund
Anderson, G.	Erickson	Kelly, W.	Niehaus	Smith
Anderson, I.	Esau	Kempe, A.	Norton	Smogard
Arlandson	Evans	Kempe, R.	Novak	Spanish
Beauchamp	Ewald	Ketola	Osthoff	Stanton
Begich	Faricy	Knickerbocker	Parish	Suss
Berg	Fjoslien	Knoll	Patton	Swanson
Berglin	Forsythe	Kostohryz	Pehler	Tomlinson
Biersdorf	Friedrich	Kroening	Peterson	Ulland
Birnstihl	Fudro	Laidig	Petrafeso	Vanasek
Braun	Fugina	Langseth	Philbrook	Vento
Brinkman	George	Lemke	Pleasant	Voss
Byrne	Graba	Lindstrom	Prahl	Wenstrom
Carlson, A.	Hanson	Luther	Reding	Wenzel
Carlson, L.	Haugerud	Mangan	St. Onge	White
Carlson, R.	Heinitz	Mann	Samuelson	Wieser
Casserly	Hokanson	McCarron	Sarna	Wigley
Clark	Jacobs	McCauley	Savelkoul	Williamson
Clawson	Jaros	McCollar	Schreiber	Zubay
Corbid	Jensen	McEachern	Schumacher	Speaker Sabo
Dahl	Johnson, C.	Meier	Searle	
Dean	Johnson, D.	Menning	Setzepfandt	
DeGroat	Jopp	Metzen	Sherwood	
Dieterich	Jude	Moe	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 775, A bill for an act relating to retirement benefits of certain legislative employees; authorizing payment of contributions for intermittent service during regular and special sessions.

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 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Munger	Sieben, M.
Adams, L.	Eckstein	Kaley	Neisen	Sieloff
Adams, S.	Eken	Kalis	Nelsen	Simoneau
Albrecht	Enebo	Kelly, R.	Nelson	Skoglund
Anderson, G.	Erickson	Kelly, W.	Niehaus	Smith
Anderson, I.	Esau	Kempe, A.	Norton	Smogard
Arlandson	Evans	Kempe, R.	Novak	Spanish
Beauchamp	Ewald	Ketola	Osthoff	Stanton
Begich	Faricy	Knickerbocker	Parish	Suss
Berg	Fjoslien	Knoll	Patton	Swanson
Berglin	Forsythe	Kostohryz	Pehler	Tomlinson
Biersdorf	Friedrich	Kroening	Peterson	Ulland
Birnstihl	Fudro	Laidig	Petraleso	Vanasek
Braun	Fugina	Langseth	Philbrook	Vento
Brinkman	George	Lemke	Pleasant	Voss
Byrne	Graba	Lindstrom	Prahl	Wenstrom
Carlson, A.	Hanson	Luther	Reding	Wenzel
Carlson, L.	Haugerud	Mangan	St. Onge	White
Carlson, R.	Heinitz	Mann	Samuelson	Wieser
Cassery	Hokanson	McCarron	Sarna	Wigley
Clark	Jacobs	McCauley	Savelkoul	Williamson
Clawson	Jaros	McCollar	Schreiber	Zubay
Corbid	Jensen	McEachern	Schumacher	Speaker Sabo
Dahl	Johnson, C.	Meier	Searle	
Dean	Johnson, D.	Menning	Setzepfandt	
DeGroat	Jopp	Metzen	Sherwood	
Dieterich	Jude	Moe	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 778, A bill for an act relating to retirement; survivor's benefits payable by the firemen's relief association of the city of Faribault; amending Laws 1947, Chapter 43, Section 23, as amended.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Adams, S.	Anderson, G.	Arlandson	Begich
Adams, L.	Albrecht	Anderson, I.	Beauchamp	Berg

Berglin	Faricy	Kempe, R.	Nelson	Sieben, M.
Biersdorf	Fjoslien	Ketola	Niehaus	Sieloff
Birnstihl	Forsythe	Knickerbocker	Norton	Simoneau
Braun	Friedrich	Knoll	Novak	Skoglund
Brinkman	Fudro	Kostohryz	Osthoff	Smith
Byrne	Fugina	Kroening	Parish	Smogard
Carlson, A.	George	Laidig	Patton	Spanish
Carlson, L.	Graba	Langseth	Pehler	Stanton
Carlson, R.	Hanson	Lemke	Peterson	Suss
Casserly	Haugerud	Lindstrom	Petrafeso	Swanson
Clark	Hokanson	Luther	Philbrook	Tomlinson
Clawson	Jacobs	Mangan	Pleasant	Ulland
Corbid	Jaros	Mann	Prahl	Vanasek
Dahl	Jensen	McCarron	Reding	Vento
Dean	Johnson, C.	McCauley	St. Onge	Voss
DeGroat	Johnson, D.	McCollar	Samuelson	Wenstrom
Doty	Jopp	McEachern	Sarna	Wenzel
Eckstein	Jude	Meier	Savelkoul	White
Eken	Kahn	Menning	Schreiber	Wieser
Enebo	Kaley	Metzen	Schumacher	Wigley
Erickson	Kalis	Moe	Searle	Williamson
Esau	Kelly, R.	Munger	Setzepfandt	Zubay
Evans	Kelly, W.	Neisen	Sherwood	Speaker Sabo
Ewald	Kempe, A.	Nelsen	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 1073, A bill for an act relating to retirement; restricting establishment of local pension plans; repealing Minnesota Statutes 1974, Section 69:79.

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:

Abeln	DeGroat	Johnson, C.	McCollar	Samuelson
Adams, L.	Dieterich	Johnson, D.	McEachern	Sarna
Adams, S.	Doty	Jopp	Meier	Savelkoul
Albrecht	Eckstein	Jude	Menning	Schreiber
Anderson, G.	Eken	Kahn	Metzen	Schumacher
Anderson, I.	Enebo	Kaley	Moe	Searle
Arlandson	Erickson	Kalis	Munger	Setzepfandt
Beauchamp	Esau	Kelly, R.	Neisen	Sherwood
Begich	Evans	Kelly, W.	Nelsen	Sieben, H.
Berg	Ewald	Kempe, A.	Nelson	Sieben, M.
Berglin	Faricy	Kempe, R.	Niehaus	Sieloff
Biersdorf	Fjoslien	Knickerbocker	Norton	Simoneau
Birnstihl	Forsythe	Knoll	Novak	Skoglund
Braun	Friedrich	Kostohryz	Osthoff	Smith
Brinkman	Fudro	Kroening	Parish	Smogard
Byrne	Fugina	Laidig	Patton	Spanish
Carlson, A.	George	Langseth	Pehler	Stanton
Carlson, L.	Graba	Lemke	Peterson	Suss
Carlson, R.	Hanson	Lindstrom	Petrafeso	Swanson
Casserly	Haugerud	Luther	Philbrook	Tomlinson
Clark	Heinitz	Mangan	Pleasant	Ulland
Clawson	Hokanson	Mann	Prahl	Vanasek
Dahl	Jacobs	McCarron	Reding	Vento
Dean	Jensen	McCauley	St. Onge	Voss

Wenstrom
Wenzel

White
Wieser

Wigley
Williamson

Zubay

Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 1187, A bill for an act relating to the operation of state government; providing for implementation of a state register for official notices by state departments; amending Minnesota Statutes 1974, Section 15.0412, Subdivision 4; and Laws 1974, Chapter 344, Section 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 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jopp	Menning	Setzepfandt
Adams, L.	Doty	Jude	Metzen	Sherwood
Adams, S.	Eckstein	Kahn	Moe	Sieben, H.
Albrecht	Eken	Kaley	Munger	Sieben, M.
Anderson, G.	Enebo	Kalis	Neisen	Simoneau
Anderson, I.	Erickson	Kelly, R.	Nelsen	Skoglund
Arlandson	Esau	Kelly, W.	Nelson	Smith
Beauchamp	Evans	Kempe, A.	Niehaus	Smogard
Begich	Ewald	Kempe, R.	Norton	Spanish
Berg	Faricy	Ketola	Novak	Stanton
Berglin	Fjoslien	Knickerbocker	Osthoff	Suss
Biersdorf	Forsythe	Knoll	Parish	Swanson
Birnstihl	Friedrich	Kostohryz	Patton	Tomlinson
Braun	Fudro	Kroening	Pehler	Ulland
Brinkman	Fugina	Laidig	Peterson	Vanasek
Byrne	George	Langseth	Petrafeso	Vento
Carlson, A.	Graba	Lemke	Philbrook	Wenstrom
Carlson, L.	Hanson	Lindstrom	Prahl	Wenzel
Carlson, R.	Haugerud	Luther	Reding	White
Casserly	Heinitz	Mangan	St. Onge	Wieser
Clark	Hokanson	Mann	Samuelson	Wigley
Clawson	Jacobs	McCarron	Sarna	Williamson
Corbid	Jaros	McCauley	Savelkoul	Zubay
Dahl	Jensen	McCollar	Schreiber	Speaker Sabo
Dean	Johnson, C.	McEachern	Schumacher	
DeGroat	Johnson, D.	Meier	Searle	

The bill was passed and its title agreed to.

H. F. No. 1308 was reported to the House.

There being no objection, H. F. No. 1308 was continued on the Consent Calendar until Wednesday, April 23, 1975.

H. F. No. 1315 was reported to the House.

There being no objection, H. F. No. 1315 was continued on the Consent Calendar until Wednesday, April 23, 1975.

H. F. No. 1499, A bill for an act relating to the firemen's relief association in the city of Columbia Heights; membership of certain fire personnel in the public employees police and fire fund; benefits and contributions; amending Laws 1965, Chapter 605, Sections 21, 22, and 25; repealing Laws 1965, Chapter 605, Section 12.

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:

Abeln	Dieterich	Jopp	Menning	Setzepfandt
Adams, L.	Doty	Jude	Metzen	Sherwood
Adams, S.	Eckstein	Kahn	Munger	Sieben, H.
Albrecht	Eken	Kaley	Neisen	Sieben, M.
Anderson, G.	Enebo	Kalis	Nelsen	Sieloff
Anderson, I.	Erickson	Kelly, R.	Nelson	Simoneau
Arlandson	Esau	Kelly, W.	Niehaus	Skoglund
Beauchamp	Evans	Kempe, A.	Norton	Smith
Begich	Ewald	Kempe, R.	Novak	Smogard
Berg	Faricy	Ketola	Osthoff	Spanish
Berglin	Fjoslien	Knickerbocker	Parish	Stanton
Biersdorf	Forsythe	Knoll	Patton	Suss
Birnstihl	Friedrich	Kostohryz	Pehler	Swanson
Braun	Fudro	Kroening	Peterson	Tomlinson
Brinkman	Fugina	Laidig	Petraleso	Ulland
Byrne	George	Langseth	Philbrook	Vento
Carlson, A.	Graba	Lemke	Pleasant	Voss
Carlson, L.	Hanson	Lindstrom	Prahl	Wenstrom
Carlson, R.	Haugerud	Luther	Reding	Wenzel
Casserly	Heinitz	Mangan	St. Onge	White
Clark	Hokanson	Mann	Samuelson	Wieser
Clawson	Jacobs	McCarron	Sarna	Wigley
Corbid	Jaros	McCauley	Savelkoul	Williamson
Dahl	Jensen	McCollar	Schreiber	Zubay
Dean	Johnson, C.	McEachern	Schumacher	Speaker Sabo
DeGroat	Johnson, D.	Meier	Searle	

The bill was passed and its title agreed to.

H. F. No. 1500, A bill for an act relating to the city of Buhl; police retirement and survivor benefits.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Albrecht	Arlandson	Berg	Birnstihl
Adams, L.	Anderson, G.	Beauchamp	Berglin	Braun
Adams, S.	Anderson, I.	Begich	Biersdorf	Brinkman

Byrne	Fudro	Knickerbocker	Niehaus	Sieben, M.
Carlson, A.	Fugina	Knoll	Norton	Sieloff
Carlson, L.	George	Kostohryz	Novak	Simoneau
Carlson, R.	Graba	Kroening	Osthoff	Skoglund
Casserly	Hanson	Laidig	Parish	Smith
Clark	Haugerud	Langseth	Patton	Smogard
Clawson	Heinitz	Lemke	Pehler	Spanish
Dahl	Hokanson	Lindstrom	Peterson	Stanton
Dean	Jacobs	Luther	Petrafeso	Suss
DeGroat	Jaros	Mangan	Philbrook	Swanson
Dieterich	Jensen	Mann	Pleasant	Tomlinson
Doty	Johnson, C.	McCarron	Prahl	Ulland
Eckstein	Johnson, D.	McCauley	Reding	Vanasek
Eken	Jopp	McCollar	St. Onge	Vento
Enebo	Jude	McEachern	Samuelson	Voss
Erickson	Kahn	Meier	Sarna	Wenstrom
Esau	Kaley	Menning	Savelkoul	Wenzel
Evans	Kalis	Metzen	Schreiber	White
Ewald	Kelly, R.	Moe	Schumacher	Wieser
Faricy	Kelly, W.	Munger	Searle	Wigley
Fjoslien	Kempe, A.	Neisen	Setzepfandt	Williamson
Forsythe	Kempe, R.	Nelsen	Sherwood	Zubay
Friedrich	Ketola	Nelson	Sieben, H.	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 1501, A bill for an act relating to the city of Eveleth; firemen's pensions therein; amending Laws 1935, Chapter 208, as amended 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:

Abeln	Dean	Jaros	Mann	Reding
Adams, L.	DeGroat	Jensen	McCarron	St. Onge
Adams, S.	Dieterich	Johnson, C.	McCauley	Samuelson
Albrecht	Doty	Johnson, D.	McCollar	Sarna
Anderson, G.	Eckstein	Jopp	McEachern	Savelkoul
Anderson, I.	Eken	Jude	Meier	Schreiber
Arlandson	Enebo	Kahn	Menning	Schumacher
Beauchamp	Erickson	Kaley	Metzen	Searle
Begich	Esau	Kalis	Moe	Setzepfandt
Berg	Evans	Kelly, R.	Munger	Sherwood
Berglin	Ewald	Kelly, W.	Neisen	Sieben, H.
Biersdorf	Faricy	Kempe, A.	Nelsen	Sieben, M.
Birnstihl	Fjoslien	Kempe, R.	Nelson	Sieloff
Braun	Forsythe	Ketola	Niehaus	Simoneau
Brinkman	Friedrich	Knickerbocker	Norton	Skoglund
Byrne	Fudro	Knoll	Osthoff	Smith
Carlson, A.	Fugina	Kostohryz	Parish	Smogard
Carlson, L.	George	Kroening	Patton	Spanish
Carlson, R.	Graba	Laidig	Pehler	Stanton
Casserly	Hanson	Langseth	Peterson	Suss
Clark	Haugerud	Lemke	Petrafeso	Swanson
Clawson	Heinitz	Lindstrom	Philbrook	Tomlinson
Corbid	Hokanson	Luther	Pleasant	Ulland
Dahl	Jacobs	Mangan	Prahl	Vento

Voss
Wenstrom

Wenzel
White

Wieser
Wigley

Williamson
Zubay

Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 967, A bill for an act authorizing the city of Plymouth to refund temporary improvement bonds issued in the years 1969 to 1975; amending Laws 1971, Chapter 557, Section 1, as amended.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Jude	Metzen	Setzepfandt
Adams, L.	Eckstein	Kahn	Moe	Sherwood
Adams, S.	Eken	Kaley	Munger	Sieben, H.
Albrecht	Enebo	Kalis	Neisen	Sieben, M.
Anderson, G.	Erickson	Kelly, R.	Nelsen	Sieloff
Anderson, I.	Esau	Kelly, W.	Nelson	Simoneau
Arlandson	Evans	Kempe, A.	Niehaus	Skoglund
Beauchamp	Ewald	Kempe, R.	Norton	Smith
Begich	Faricy	Ketola	Novak	Smogard
Berg	Fjoslien	Knickerbocker	Osthoff	Spanish
Berglin	Forsythe	Knoll	Parish	Stanton
Biersdorf	Friedrich	Kostohryz	Patton	Suss
Birnstihl	Fudro	Kroening	Pehler	Swanson
Braun	Fugina	Laidig	Peterson	Tomlinson
Brinkman	George	Langseth	Petrafeso	Ulland
Byrne	Graba	Lemke	Philbrook	Vento
Carlson, A.	Hanson	Lindstrom	Pleasant	Voss
Carlson, L.	Haugerud	Luther	Prahl	Wenstrom
Carlson, R.	Heinitz	Mangan	Reding	Wenzel
Casserly	Hokanson	Mann	St. Onge	White
Clark	Jacobs	McCarron	Samuelson	Wieser
Clawson	Jaros	McCauley	Sarna	Wigley
Dahl	Jensen	McCollar	Savelkoul	Williamson
Dean	Johnson, C.	McEachern	Schreiber	Zubay
DeGroat	Johnson, D.	Meier	Schumacher	Speaker Sabo
Dieterich	Jopp	Menning	Searle	

The bill was passed and its title agreed to.

H. F. No. 1207, A bill for an act relating to the city of St. Paul; providing for two additional commissioners for the St. Paul housing and redevelopment authority; requiring representation of low and moderate income areas; amending Laws 1963, Chapter 514, Section 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jopp	Menning	Searle
Adams, L.	Doty	Jude	Metzen	Setzepfandt
Adams, S.	Eckstein	Kahn	Moe	Sherwood
Albrecht	Eken	Kaley	Munger	Sieben, H.
Anderson, G.	Enebo	Kalis	Neisen	Sieben, M.
Anderson, I.	Erickson	Kelly, R.	Nelsen	Sieloff
Arlandson	Esau	Kelly, W.	Nelson	Simoneau
Beauchamp	Evans	Kempe, A.	Niehaus	Skoglund
Begich	Ewald	Kempe, R.	Norton	Smith
Berg	Faricy	Ketola	Novak	Smogard
Berglin	Fjoslien	Knickerbocker	Osthoff	Spanish
Biersdorf	Forsythe	Knoll	Parish	Stanton
Birnstihl	Friedrich	Kostohryz	Patton	Suss
Braun	Fudro	Kroening	Pehler	Swanson
Brinkman	Fugina	Laidig	Peterson	Tomlinson
Byrne	George	Langseth	Petrafaso	Ulland
Carlson, A.	Graba	Lemke	Philbrook	Vento
Carlson, L.	Hanson	Lindstrom	Pleasant	Voss
Carlson, R.	Haugerud	Luther	Prahl	Wenstrom
Cassery	Heinitz	Mangan	Reding	Wenzel
Clark	Hokanson	Mann	St. Onge	White
Clawson	Jacobs	McCarron	Samuelson	Wieser
Corbid	Jaros	McCauley	Sarna	Wigley
Dahl	Jensen	McCollar	Savelkoul	Williamson
Dean	Johnson, C.	McEachern	Schreiber	Zubay
DeGroat	Johnson, D.	Meier	Schumacher	Speaker Sabo

The bill was passed and its title agreed to.

There being no objection the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 235, A bill for an act relating to education; providing for aids to post-secondary vocational education and for tax levies; changing the funding of post-secondary vocational education to a current funding basis; appropriating money; amending Minnesota Statutes 1974, Sections 121.21, Subdivisions 2 and 6; 124.11; 124.17, Subdivisions 1 and 2; 124.18, Subdivision 2; 124.57; 275.125, Subdivision 3, and by adding subdivisions; Chapter 124, by adding sections; Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapters 775, Section 4, Subdivision 2, as amended; 1060, Section 7; and Laws 1971, Chapter 722, Section 1; repealing Minnesota Statutes 1974, Sections 121.21, Subdivisions 5, 7, 9, and 10; and 121.211; Laws 1969, Chapters 945, Section 3; and 1060, Section 8.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Section 120.17, Subdivision 1, is amended to read:

120.17 [HANDICAPPED CHILDREN.] Subdivision 1. [SPECIAL INSTRUCTION FOR HANDICAPPED CHILDREN OF SCHOOL AGE.] Every district and unorganized territory shall provide special instruction and services for handicapped children of school age who are residents of the district and who are handicapped as set forth in section 120.03, subdivisions 1, 2 and 3, and after July 1, 1972 programs shall be provided either within the district or in another district for trainable mentally retarded as defined in section 120.03, subdivision 4. When the provision of instruction, training, and services may result in hardship or injury to the child, the school board may appeal the mandatory provisions of Laws 1971, Chapter 689 to the commissioner of education who shall determine what provisions shall be made by the district for the education of the child. Through July 1, 1972 every district and unorganized territory may provide special training and services for school age residents of the district who are handicapped as set forth in section 120.03, subdivision 4. School age means the ages of four years to 21 years for children who are deaf, blind, crippled or have speech defects; and five years to 21 years for mentally retarded children; and shall not extend beyond secondary school or its equivalent. Every district and unorganized territory may provide special instruction and services for handicapped children who have not attained school age. Districts with less than the minimum number of eligible handicapped children as determined by the state board shall cooperate with other districts to maintain a full sequence of programs for education, training and services for handicapped children as defined in section 120.03, subdivisions 1 to 3. A district that decides to maintain programs for trainable handicapped children is encouraged to cooperate with other districts to maintain a full sequence of programs.

Every district may provide summer programs for handicapped children living within the district, including nonresident children temporarily placed in the district pursuant to section 120.17, subdivisions 6 and 7. The school district providing the special instruction and services shall apply for all state aid for the summer program, including special state aid pursuant to section 124.32, foundation aid and transportation aid. The unreimbursed actual cost of providing the program for nonresident handicapped children may be billed to the district of the child's residence and shall be paid by the resident district.

Sec. 2. Minnesota Statutes 1974, Section 121.21, Subdivision 2, is amended to read:

Subd. 2. Upon receipt of such petition, the state board shall examine the petition and any supporting evidence which it may require. The state board (MAY) shall conduct hearings, and may

investigate school records and such other facts relating to vocational-technical training as it may deem appropriate.

Sec. 3. Minnesota Statutes 1974, Section 121.21, Subdivision 4, is amended to read:

Subd. 4. If the petition is approved, the school shall be established by the district and classified by the state board as an area vocational-technical school and conducted under the general supervision of the state board in accordance with the rules and regulations of the state board. *Notwithstanding the provisions of subdivision 3 and of this subdivision, after June 30, 1975 no area vocational-technical school shall be established unless specific legislation has authorized its establishment.*

Sec. 4. Minnesota Statutes 1974, Section 121.21, subdivision 6, is amended to read:

Subd. 6. The (COMMISSIONER, SUBJECT TO APPROVAL BY THE) state board(,) *for vocational education shall (MAKE) promulgate, pursuant to chapter 15, such rules and regulations governing the operation and maintenance of schools so classified as will afford the people of the state an equal opportunity to acquire public vocational and technical education.*

The rules shall provide for, but are not limited to, the following:

(a) The area to be served by each school, which may include one or more districts or parts thereof, including unorganized territory(,) ;

(b) Curriculum and standards of instruction and scholarship(,) ;

(c) Attendance requirements, age limits of trainees, *Minnesota non-resident attendance, (TUITION PAYMENTS BY NON-RESIDENTS,) the determination of the actual costs of providing individual programs, and attendance for which no tuition shall be charged, all to be determined in accordance with the provisions of sections 40 to 44 of this act.*

(d) *The distribution and apportionment to the local districts of all funds, whether state or federal or other funds, which may be made available to the state board for vocational education for carrying out the purposes of post-secondary vocational-technical education (AS PROVIDED BY THIS SECTION, SHALL BE APPORTIONED AND DISTRIBUTED BY THE STATE BOARD FOR VOCATIONAL EDUCATION TO THE VARIOUS LOCAL SCHOOL DISTRICTS AS ADDITIONAL AID FOR USE IN HELPING SUCH LOCAL SCHOOL DISTRICTS IN DEFRAYING THE COST INVOLVED IN MAINTAINING AND OPERATING APPROVED VOCATIONAL TRAINING*

COURSES OR DEPARTMENTS, SUBJECT TO SUCH REASONABLE RULES AND REGULATIONS AS MAY BE PRESCRIBED BY THE STATE BOARD FOR VOCATIONAL EDUCATION AND) in accordance with *law and the approved state plan for vocational education(,) ;*

(e) Transportation requirements and payment of aid therefor(,) ;

(f) (ATTENDANCE BY GRADUATES OF SECONDARY SCHOOLS AND BY ADULTS, FOR WHICH NO TUITION SHALL BE CHARGED. IF NO TUITION IS CHARGED FOR SUCH NON-RESIDENT STUDENT, THE DISTRICT MAINTAINING THE SCHOOL SHALL BE ENTITLED TO ANY AID CALCULATED ON A PUPIL BASIS FOR SUCH STUDENT.) *Payment by the state board of tuition to school districts or post-secondary vocational-technical schools in another state;*

(g) General administrative matters.

Sec. 5. Minnesota Statutes 1974, Section 121.89, is amended to read:

121.89 [REIMBURSEMENT BY STATE.] (SUBJECT TO THE LIMITATIONS IMPOSED BY SECTION 121.07, SUBDIVISION 2) The state board of education shall reimburse each school district *which is operating a community school program in compliance with the rules and regulations established by the state board and which has levied the maximum permissible amount for community services for use in that year pursuant to section 275.125, subdivision 3, clause (6),* an amount which is equal to (ONE HALF OF THE SALARY UP TO \$5,000 OF EACH COMMUNITY SCHOOL DIRECTOR AND COORDINATOR EMPLOYED BY THE DISTRICT) *the greater of \$4,000 or 50 cents per capita for the first year of the program, and 50 cents per capita thereafter to be applied to the cost of the program. The population of the district for purposes of this section is the population determined as provided in section 275.14 or as certified by the department of education from the most recent federal census.* (DURING THE FISCAL YEARS 1972 AND 1973, NO MORE THAN 67 DIRECTORS AND COORDINATORS POSITIONS SHALL BE SUBJECT TO REIMBURSEMENT, NO MORE THAN ONE-THIRD OF WHICH MAY BE ALLOCATED TO SCHOOL DISTRICTS IN EACH ONE-THIRD OF THE TOTAL NUMBER OF SCHOOL DISTRICTS RANKED ACCORDING TO SIZE OF ENROLLMENT, PROVIDED THAT ANY SUCH POSITIONS REMAINING UNFILLED MAY BE REALLOCATED AT THE DISCRETION OF THE STATE BOARD. IN ORDER TO INSURE THE MAXIMUM USE OF SCHOOL FACILITIES AND INSURE THE EFFICIENT APPLICATION OF FUNDS APPROPRIATED BY LAWS 1971, CHAPTER 900, THE DEPARTMENT OF EDUCATION IS ENCOURAGED TO GIVE PRI-

ORITY TO THE FUNDING OF THOSE COMMUNITY SCHOOL PROGRAMS WHICH HAVE BEEN JOINTLY PLANNED AND DEVELOPED UNDER THE TERMS OF A COOPERATIVE AGREEMENT OR PROGRAM BETWEEN THE SCHOOL DISTRICT AND THE PARK BOARD, RECREATION DEPARTMENT OR OTHER SIMILAR AGENCY HAVING JURISDICTION WITHIN THE SCHOOL DISTRICT.)

Sec. 6. Minnesota Statutes 1974, 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 such that the sum of the levy and attached machinery aid for capital outlay purposes calculated pursuant to section 273.138, subdivision 3, clause (1), shall not exceed \$65 per pupil unit *or, in districts where the pupil unit count for the school year preceding the levy was increased pursuant to section 124.17, subdivision 1, clause (7), \$80 per pupil unit.* No levy under this section shall 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 and provided further that any district which did not levy pursuant to this section in 1972 may certify a maximum levy of six mills not to exceed \$65 per pupil unit in 1974. The tax so levied shall be collected in the manner provided by law for the collection of school taxes. The proceeds of the tax may be used only to acquire land, improve and repair school sites and to equip, re-equip, repair and improve buildings and permanent attached fixtures. 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 shall establish a fund in which the proceeds of this tax shall be accumulated until expended.

The proceeds of the tax shall not be used for custodial or other maintenance services.

Sec. 7. Minnesota Statutes 1974, Section 124.11, is amended to read:

124.11 [DATES OF AID PAYMENTS.] Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program, ten percent of the estimated *elementary and secondary* foundation aids shall be paid to districts in each of the months from September through May based upon information available and the final distribution shall be

made in the following August. *Estimated post-secondary vocational foundation aid shall be paid to districts in 12 equal monthly payments beginning July 15, 1976. The estimated post-secondary vocational foundation aid shall be paid on the basis of the prior year's average daily membership except that the average daily membership and the payments based thereon may be adjusted in September, December, March and June to reflect any increases or decreases in enrollment. The September payment in each fiscal year shall be increased or decreased to reflect any deficit or excess in post-secondary vocational foundation aid received in the prior fiscal year.* If any school district is unable to borrow necessary funds for the operation of its facilities during any fiscal year, due to legal borrowing restrictions or the lack of reasonable credit facilities, the commissioner of finance and state treasurer may, upon certification of such conditions by the commissioner of administration, advance such education aids as may be required to such district, with the condition that such aids be discounted by an amount equal to six percent or the current yield on U.S. treasury bills on the date of such payment to a maturity approximating the date on which aids are to be paid, whichever rate is higher, pursuant to the terms of this section. The amount of such discount shall be determined by the commissioner of finance, with the six percent discount or the "bid" price quoted on treasury bills of an appropriate maturity calculated after consultation with the staff of the state board of investment.

Estimated *elementary and secondary* foundation aids shall be paid out on the basis of the prior year's pupil unit enrollment unless the October 1 enrollment is larger, in which case the October enrollment shall be used. Adjustment for final *elementary and secondary* pupil unit figures shall be made in the August payment of aids.

Sec. 8. Minnesota Statutes 1974, 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 education, 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) any school shall be counted as secondary pupils.

(3) In area vocational-technical schools one and one-half pupil units. *This clause shall expire June 30, 1976.*

(4) To meet the problems of educational overburden caused by broken homes, poverty and low income, each pupil in clauses (1) and (2) from families receiving aid to families with dependent children or its successor program shall be counted as an additional five-tenths pupil unit. *By May of each year the department of public welfare is directed to furnish to the department of education, and to each school district to the extent the information pertains to it, 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 (NINE) *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 $(35/100)$ *one half* (OF A) pupil unit; *for those districts where the number of such pupils is more than nine 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 $35/100$ of a pupil unit; for those districts where the number of such pupils is more than eight percent but not more than nine 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 weighing shall be in addition to the weighing 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:*

(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 three 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) Only pupil units in clauses (1) and (2) shall be used in computing adjusted maintenance cost per pupil unit.

Sec. 9. Minnesota Statutes 1974, Section 124.17, Subdivision 2, is amended to read:

Subd. 2. Membership for pupils in grades kindergarten through twelve (, FOR PUPILS IN AREA VOCATIONAL-TECHNICAL SCHOOLS) and for handicapped pre-kindergarten pupils shall mean the number of pupils on the current roll of the school, counted from the date of entry until withdrawal. The date of withdrawal shall mean the day the pupil permanently leaves the school or the date it is officially known that the pupil has left or has been legally excused; provided that any pupil, regardless of age, who has been absent from school without a legally justifiable excuse for 15 consecutive school days shall be dropped from the roll and classified as withdrawn. Nothing in Extra Session Laws 1971, Chapter 31, shall be construed as waiving the compulsory attendance provisions cited in section 120.10. Average daily membership shall equal the sum for all pupils of the number of days of the school year each pupil is enrolled in the district's schools divided by the number of days said schools are in session. For districts operating 12 months schools, days schools are in session shall mean the number of session days required by section 124.19, subdivision 1. The average daily membership of a pupil enrolled on a shared time basis shall equal the ratio of the total minutes for which such pupil is enrolled and the minimum minutes required during the year for a regularly enrolled public school pupil. Foundation aid for (EACH PUPIL IN SUCH SHARED TIME CLASSES SHALL BE PAID AT A RATE PROPORTIONATE TO AID PAID FOR OTHER RESIDENT PUPILS OF THE DISTRICT PROVIDING INSTRUCTION) *shared time pupils shall equal the amount which would accrue if shared time pupil units, counted pursuant to this section, were added to the district's total pupil units used in determining its foundation aid.* A district shall not be entitled to transportation aid under section 124.22 for pupils enrolled on a shared time basis unless the statutes specifically provide for transportation aid to such student. *This section of this act shall be effective July 1, 1975 as applied to shared time foundation aid and July 1, 1976 as applied to pupils in area vocational-technical schools.*

Sec. 10. Minnesota Statutes 1974, Section 124.18, Subdivision 2, is amended to read:

Subd. 2. [TUITION.] Every district which provides instruction in other districts and which receives foundation pro-

gram aid, and the county which pays tuition aid shall pay to the district furnishing elementary and secondary (OR AREA VOCATIONAL-TECHNICAL) school instruction on account of such instruction, the actual cost thereof chargeable to maintenance exclusive of transportation costs or the legal maximum prescribed in section 124.211, subdivision 2, clause (1).

There shall also be paid for capital outlay and debt service to the district providing such instruction \$10 per pupil unit in average daily attendance for each non-resident pupil unit, except that every district educating non-resident pupils may charge and include in its tuition, for capital outlay and debt service, an amount per pupil unit in average daily attendance based on the amount that the average expenditure for capital outlay and debt service determined by dividing such annual expenditure by the total number of pupil units in average daily attendance in the district exceeds \$10 per pupil unit. If the district has no capital outlay or debt service the district receiving such funds may use them for any purpose for which it is authorized to spend money. Provided further that, if a district invests capital moneys to remodel existing facilities or to build new facilities for the primary purpose of providing instruction for handicapped and trainable children, as specified in Minnesota Statutes 1961, Sections 120.17 and 120.18, such district may charge and include in its tuition for capital outlay and debt service an amount per pupil unit in average daily attendance determined by dividing such expenditure over a period of years mutually agreeable to the districts concerned, and by dividing each annual amount so determined by the total number of pupil units in average daily attendance enrolled in this area of handicap instruction in the district.

Sec. 11. Minnesota Statutes 1974, Section 124.20, is amended to read:

124.20 [EDUCATION; STATE AID; SUMMER SCHOOL AND FLEXIBLE SCHOOL YEAR CLASSES.] (STATE) *Foundation aid for (1) summer school classes which are not a part of the regular school term in hospitals, sanatoriums, and home instruction programs, (AND) (2) inter-session classes of flexible school year programs and summer school classes in elementary and secondary schools, and (3) summer school instruction in (AREA VOCATIONAL SCHOOLS OR) teachers college laboratory schools or in the university laboratory school, shall be paid at a proportionate rate for foundation aids paid (DURING) for the preceding regular school (TERM) year, provided that no district shall receive aid for programs under this section in an amount greater than its actual expenditures for these programs. Payments of aid for summer classes at a proportionate rate to foundation aid pursuant to this section in 1972 and preceding years is hereby sanctioned. The provision in this section for payment of aid for summer classes at a proportionate rate to foundation aid for the preceding school year shall apply to summer classes in 1973 and subsequent years.*

Sec. 12. Minnesota Statutes 1974, Section 124.212, Subdivision 1, is amended to read:

124.212 [FOUNDATION AID.] Subdivision 1. The foundation aid program for school districts for school years (1973-1974) 1975-1976 and (1974-1975) 1976-1977 shall be governed by the terms and provisions of this section.

Sec. 13. Minnesota Statutes 1974, Section 124.212, Subdivision 3a, is amended to read:

Subd. 3a. Notwithstanding any of the other provisions of this section, for the (1973-1974) 1975-1976 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) 1974, Section 275.125, Subdivision (2) 2a, Clause (2) and for the (1974-1975) 1976-1977 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) 1975 by section 275.125, subdivision 2a, clause (1), 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 pupils units, *except units computed in section 124.17, subdivision 1, clause (3)*. For purposes of this computation pupils units used as a divisor shall include only those units identified in section 124.17, subdivision 1, clauses (1) (TO (3)) and (2).

Sec. 14. Minnesota Statutes 1974, Section 124.212, is amended by adding a subdivision to read:

Subd. 6b. *For the 1975-1976 school year a district shall receive in foundation aid the lesser of (1) \$910 per pupil unit less 30 mills times the 1973 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 Minnesota Statutes 1974, Section 124.212, Subdivision 7a, Clause (2), and the greater of (a) one-half of the difference that results when such greater sum is subtracted from \$910, or (b) \$85, bears to \$910.*

Sec. 15. Minnesota Statutes 1974, Section 124.212, is amended by adding a subdivision to read:

Subd. 7b. *For the 1976-1977 school year a district shall receive in foundation aid the lesser of (1) \$970 per pupil unit less 30 mills times the 1974 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 14, clause (2), of this act, and the greater of (a) two-thirds of the difference that results when such greater sum is subtracted from \$970, or (b) \$60, bears to \$970.

Sec. 16. Minnesota Statutes 1974, Section 124.212, subdivision 8a, is amended to read as follows:

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) *which received payments under sections (290.23 TO 290.28; 290.32; 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 275.125, subdivision 2a, to the total levy allowed by section 275.125, but not to exceed (35) 45 percent in (1973-1974) 1975-1976 and (40) 50 percent in (1974-1975) 1976-1977 of the previous year's payment. In districts which received their last payments in 1974-1975 under sections 124.215, subdivision 2a; 124.25; 124.30; 360.133 and 360.135; the foundation aid shall be reduced in 1975-1976 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 275.125, subdivision 2a, to the total levy allowed under section 275.125, but not to exceed 45 percent of the previous year's payment. For districts which received 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; the foundation aid shall be reduced in the August adjustment payment by the previous fiscal year's payment to the district pursuant to said sections times the ratio of the maximum levy allowed the district under section 275.125, subdivision 2a, to the total levy allowed by section 275.125 for collection in the calendar year ending during the aforementioned fiscal year, but not to exceed 35 percent in August 1975 adjustment, 45 percent in the August 1976 adjustment, and 50 percent in the August 1977 adjustment.*

Sec. 17. Minnesota Statutes 1974, Section 124.212, Subdivision 11, is amended to read:

Subd. 11. (a) The committee shall not increase the adjusted assessed valuation, exclusive of property valuation added, improved, reclassified, or reassessed since the prior assessment, of taxable property for 1962 or any subsequent year in any school district by more than eight percent over the certified valuation established for the year immediately preceding.

((B) WHENEVER THE ADJUSTED ASSESSED VALUATION OF ANY DISTRICT IS MORE THAN EIGHT PERCENT LESS THAN THE ADJUSTED ASSESSED VALUATION OF THE PRECEDING YEAR, THE STATE BOARD OF EDUCATION MAY, UPON APPLICATION BY THE DISTRICT PRIOR TO JUNE 30 OF SUCH SCHOOL YEAR, AUTHORIZE PAYMENT OF ADDITIONAL FOUNDATION AID IN THE AUGUST ADJUSTMENT FOLLOWING SUCH SCHOOL YEAR IN THE AMOUNT OF 30 MILLS TIMES THE DIFFERENCE IN THE SAID TWO SUCCESSIVE ADJUSTED ASSESSED VALUATIONS.)

((C)) (b) The sales ratio studies, or any part thereof, or any copy of the same, or records accumulated in preparation thereof, which are prepared by the commissioner of revenue for the equalization aid review committee for use in determining school aids pursuant to this section shall not be admissible in evidence in any proceeding, except actions for review of the determination of the school aids payable under this section, *product of either*

(a) *The actual net operating cost per eligible pupil transported during the 1976 fiscal year times the number of eligible pupils transported during the 1976 fiscal year; or*

(b) *One hundred thirty 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 1976 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 1975;*

(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.*

Sec. 20. Minnesota Statutes 1974, Section 124.222, is amended by adding a subdivision to read:

Subd. 1b. [COMPUTATION.] *For the 1976-77 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 1977 fiscal year times the number of eligible pupils transported during the 1977 fiscal year; or*

(b) *One hundred forty 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 1977 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 1976;*

(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.*

Sec. 21. Minnesota Statutes 1974, Section 124.222, Subdivision 2, is amended to read:

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: *For the 1975-76 school year, (EIGHTY) 80 percent of the lesser product computed pursuant to clause (1) of (SUBDIVISION 1) section 19 of this act, plus 80 percent of the amount computed pursuant to clause (3) of (SUBDIVISION 1) section 19 of this act; and for the 1976-77 school year, 80 percent of the lesser product computed pursuant to clause (1) of section 20 of this act, plus 80 percent of the amount computed pursuant to clause (3) of section 20 of this act.*

Sec. 22. Minnesota Statutes 1974, Section 124.222, Subdivision 3, is amended to read:

Subd. 3. [PAYMENT SCHEDULE.] Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program, 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.

Sec. 23. Minnesota Statutes 1974, Section 124.222, is amended by adding a subdivision to read:

Subd. 5. *The commissioner shall study the need for adjustments in the base cost per eligible pupil transported in the year ending June 30, 1973, for purposes of payment of transportation aids, which result from alterations of district boundaries, changes in the ownership of the bus fleet, the use of other trans-*

portation facilities which receive public subsidy, and changes in the number of school class shifts. He shall report no later than January 15, 1976, to the committees on education of the senate and house of representatives his suggestions for these adjustments on a district by district basis and his calculation of the amount needed to fund these changes for the school years 1975-76 and 1976-77.

Sec. 24. Minnesota Statutes 1974, Section 124.223, is amended 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 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 (PERSONS WHO FULFILL THE ELIGIBILITY REQUIREMENTS OF SECTION 252.23(1)) pupils to licensed daytime activity centers attended by these (PERSONS) pupils;

(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. 25. Minnesota Statutes 1974, Section 124.28, Subdivision 2, is amended to read:

Subd. 2. Any district entitled to a tax refund under the provisions of this section shall apply to the commissioner of (FINANCE) *education* on or before July 1 of each year for such refund and the commissioner of (FINANCE) *education* shall immediately secure the necessary information on the valuation of the railroad property located in such a district from the department of public service subject to taxation under the gross earnings tax act, except rolling stock and the main tracks, and the local school tax rate in such a district, and compute the amount of the refund. For the purposes of this section the railroad valuation shall be taken as of December 31 of the year preceding the application, the taxable valuation as of the first Monday of January of the year of the application, the tax rates of the year of the application and the enrollments as of June 1 of the year of application. The commissioner of (FINANCE) *education* shall forthwith draw a warrant on the state treasurer for such a refund to be paid from the appropriation otherwise made for that purpose. Provided, however, that *for refunds receivable during fiscal 1974 and thereafter*, no school district qualifying for a refund under this section shall receive more money than would be produced by a tax rate of (53 1/3) 160 mills applied to the railroad property assessed at 30 percent of its full value as reported by the department of public service; nor shall any school district receive a larger refund the second fiscal year of the biennium than it receives the first fiscal year of the biennium by reason of the school district raising its mill rate for school purposes by more than 1.6 2/3 mills. *Provided further, that payments made pursuant to this section during fiscal 1974 and 1975 are hereby sanctioned and deemed to have been made in accordance with the intent of this section.*

If the appropriation made for the purposes of this section is insufficient to pay all the school districts eligible for refund under this section the appropriation shall be prorated among the school districts entitled thereto.

Sec. 26. Minnesota Statutes 1974, 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 \$5,600 FOR THE NORMAL SCHOOL YEAR FOR EACH FULL TIME PERSON EMPLOYED, OR A PRO RATA AMOUNT FOR A) in-

cluding part time (PERSON OR A PERSON) persons and persons 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 \$5,600 FOR THE NORMAL SCHOOL YEAR FOR EACH FULL TIME PERSON EMPLOYED, OR A PRO RATA AMOUNT FOR A) including part time (PERSON OR A PERSON) persons and persons employed for a limited time including but not limited to summer school.

Sec. 27. Minnesota Statutes 1974, Section 124.32, is amended by adding a subdivision to read:

Subd. 3a. The purpose of this subdivision is to change the method of funding of educational programs for handicapped children. Beginning July 1, 1976, the state shall not pay reimbursements of past expenditures for these programs but shall pay aids for these programs on a current funding basis.

Sec. 28. Minnesota Statutes 1974, Section 124.38, Subdivision 4, is amended to read:

Subd. 4. "(SINKING) *Debt service fund*" means the aggregate of all funds maintained by a district which are appropriated to payment of principal of and interest on its debts as required by Minnesota Statutes, Chapter 475.

Sec. 29. Minnesota Statutes 1974, Section 124.38, Subdivision 5, is amended to read:

Subd. 5. "*Debt service levy*" means the levy for all (SINKING) *debt service fund* purposes in accordance with Minnesota Statutes, Chapter 475.

Sec. 30. Minnesota Statutes 1974, Section 124.38, Subdivision 6, is amended to read:

Subd. 6. "*Required debt service levy*" means the total dollar amount needed to be included in the taxes levied by the district in any year for payment of interest and principal falling due on its debts *and interest falling due on its debt service loans and capital loans* prior to collection of the next ensuing year's debt service levy.

Sec. 31. Minnesota Statutes 1974, Section 124.38, Subdivision 7, is amended to read:

Subd. 7. "*Maximum effort debt service levy*" means a levy in a total dollar amount computed as (2.1) 6.3 mills on the market value; except that the maximum effort debt service levy of any school district having received a debt service or capital loan from the state before January 1, 1965, shall be computed as

(1.36 2/3) 4.10 mills on the market value in each year, unless the district applies or has applied for an additional loan subsequent to January 1, 1965, or issues or has issued bonds on the public market, other than bonds refunding state loans, subsequent to January 1, 1967; and except that the maximum effort debt service levy of any school district granted a debt service or capital loan between January 1, 1965, and July 1, 1969, shall be computed as 5 1/2 mills on the market value in each year, until and unless the district receives an additional loan. *For taxes levied 1975 payable 1976 and thereafter, the "maximum effort debt service levy" means the dollar amount computed as 20 mills on the adjusted assessed valuation of the district as defined in Minnesota Statutes, Section 124.212, Subdivision 2, Clause (2), but not less than the required debt service levy computed pursuant to subdivision 6; provided that the maximum debt service levy of any school district on a state loan granted before July 1, 1975 shall not hereby be increased.*

Sec. 32. Minnesota Statutes 1974, Section 124.42, Subdivision 1, is amended to read:

124.42 [DEBT SERVICE LOANS.] Subdivision 1. Any school district in which the required levy for debt service in any year will exceed its maximum effort debt service levy by ten percent or by \$5,000, whichever is less, is qualified for a debt service loan hereunder in an amount not exceeding the amount applied for, and not exceeding one percent of the (SUM OF THE) net debt of the district (AND THE AGGREGATE AMOUNT OF ALL STATE LOANS TO THE DISTRICT OUTSTANDING ON THE DATE GRANTED), and not exceeding the difference between the required and the maximum effort debt service levy in such year. Applications shall be filed with the committee in each calendar year up to and including September 15. The committee shall determine whether the applicant is entitled to such loan and the amount thereof, and on or before October 1 shall certify to each applicant district the amount granted and its due date. A copy of each such certificate shall be filed with the commissioner. Upon receipt by the commissioner of a copy of the committee's certificate that the loan is granted, the commissioner shall notify the county auditor or county auditors in which the district is located that the amount so certified is available and appropriated for payment of principal and interest on its outstanding bonds and such auditors shall reduce by that amount the taxes otherwise leviable as the district's debt service levy on the tax rolls for such year (, WHICH TAXES SHALL NEVERTHELESS BE INCREASED BY THE AMOUNT NECESSARY TO PAY INTEREST ON THIS AND ANY OTHER STATE LOANS, AS HEREIN PROVIDED). Each debt service loan (SHALL BE FOR A TERM OF 30 YEARS PREPAYABLE AT PAR AT ANY TIME, AND) shall bear interest from its date at a rate determined by the commissioner of finance (, NOT LESS) annually, at the multiple of one-tenth of one percent per annum next higher than the average annual rate payable

on Minnesota state school loan bonds (MOST RECENTLY ISSUED PRIOR TO THE DISBURSEMENT OF THE LOAN TO THE DISTRICT) *from time to time outstanding*, but in no event less than 3 1/2 percent per annum on the principal amount from time to time remaining unpaid, payable on December 15 of the year next following that in which the loan is received and annually thereafter.

Sec. 33. Minnesota Statutes 1974, Section 124.42, Subdivision 2, is amended to read:

Subd. 2. Each debt service loan shall be evidenced by a note which shall be executed in behalf of the district by the signatures of its chairman or vice chairman and the school district clerk, shall be dated November 1 of the year in which executed, and shall state its principal amount, (DUE DATE,) interest rate, and that it is payable at the commissioner's office. It shall have printed thereon, or the commissioner shall attach thereto, a grill for entry of the date and amount of each payment and allocations of each payment to accrued interest or principal, and a certificate to be executed by the county auditor of each county in which any portion of the school district is situated, prior to the delivery of the note, stating that such county auditor has entered the debt service loan evidenced thereby in his bond register. Such notes shall be delivered by the committee not later than November 15 of the year in which executed. The secretary shall cause a record to be made and preserved showing the obligor district and the date (,) and principal amount (, AND DUE DATE) of each note, and shall then deliver it to the commissioner who shall make suitable record thereof.

Sec. 34. Minnesota Statutes 1974, Section 124.42, Subdivision 4, is amended to read:

Subd. 4. Each district receiving a debt service loan shall levy (IN THAT YEAR) for debt service (ITS REQUIRED DEBT SERVICE LEVY AS REDUCED BY THE AMOUNT OF THE LOAN.) in *that year* and each year thereafter (IN WHICH IT SHALL NOT HAVE RECEIVED A DEBT SERVICE LOAN), until all its debts to the fund are paid, (THE DISTRICT IS HEREBY OBLIGATED TO LEVY FOR DEBT SERVICE) (a) the amount of its maximum effort debt service levy, or (b) the amount of its required debt service levy *less the amount of any debt service loan in that year*, whichever is greater. Whenever the maximum effort debt service levy is greater the district shall remit to the commissioner, within ten days after its receipt of the last regular tax distribution in the year in which it is collected, that portion of the *maximum effort* debt service tax collections, including penalties and interest, which (EXCEEDED) *exceeds* the (PRINCIPAL AND INTEREST PAYABLE ON ITS BONDED DEBT IN THE PERIOD FOR WHICH THE LEVY WAS MADE. IN ADDITION TO THE FOREGOING, THE DISTRICT SHALL LEVY IN EACH YEAR, COMMENCING IN THE YEAR A DEBT SERVICE LOAN IS GRANTED

AND CONTINUING UNTIL THE ENTIRE LOAN IS PAID, A SUM SUFFICIENT TO PRODUCE FULL PAYMENT OF THE INTEREST PAYABLE IN THE ENSUING YEAR ON ITS DEBT SERVICE NOTE, AND THE PROCEEDS OF SUCH LEVY SHALL IN EACH YEAR BE REMITTED TO THE COMMISSIONER FOR PAYMENT OF SUCH INTEREST) *required debt service levy*. On or before November 1 in each year the commissioner shall notify the county auditor of each county containing taxable property situated within the school district of the amount of the maximum effort debt service levy of the district for that year, (AND THE ADDITIONAL AMOUNT NECESSARY TO BE LEVIED TO PRODUCE A SUM FIVE PERCENT IN EXCESS OF THE TOTAL AMOUNT OF INTEREST TO BECOME DUE IN THE ENSUING YEAR ON ALL DEBT SERVICE NOTES AND CAPITAL LOANS OF THE DISTRICT,) and said county auditor or auditors shall extend upon the tax rolls an ad valorem tax upon all taxable property within the district in the aggregate amount so certified. (IF ANY INTEREST IS NOT PAID WHEN DUE, THE COMMISSIONER SHALL ADD THE AMOUNT THEREOF TO THE AMOUNT OF INTEREST SO CERTIFIED IN THE FOLLOWING YEAR, WITH ONE YEAR'S INTEREST ON SUCH AMOUNT AT THE RATE BORNE BY THE LOAN.)

Sec. 35. Minnesota Statutes 1974, Section 124.43, Subdivision 1, is amended to read:

124.43 [CAPITAL LOANS.] Subdivision 1. To the extent moneys are from time to time available hereunder, the committee is authorized, *after review and recommendation by the state board of education*, to effect capital loans to school districts. Proceeds of such loans shall be used only for sites for school (HOUSES) *buildings* and for acquiring, bettering, furnishing, or equipping school (HOUSES) *buildings* under contracts to be entered into within 12 months from and after the date on which each loan is granted. Applications with the accompanying data specified in subdivision 2 shall be filed between October 1 of any year and June 1 next following. *No application shall be approved unless the state board of education certifies that the loan is needed to replace facilities dangerous to the health and safety of pupils, or to provide for pupils for whom no adequate facilities exist; that such facilities could not be made available by consolidating the district with an adjacent district without substantially lowering the fiscal capacity of that district or so increasing its area that it would no longer be viable; and that existing institutions or facilities within the area could not be acquired or leased to provide the needed facilities safely and at a lower cost. The state board shall make recommendations to the committee. No loan shall be approved for any district exceeding an amount computed as follows:*

- (1) The amount voted by the district under subdivision 2;

(2) Plus the aggregate principal amount of general obligation bonds of the district outstanding on the date of approval, not exceeding the limitation on net debt of the district in section 475.53, subdivision 4;

(3) Less the maximum net debt permissible for the district on the date of approval, under the limitation in section 475.53, subdivision 4; and

(4) Less any amount by which the amount voted exceeds the total cost of the facilities for which the loan is granted, as estimated in accordance with subdivision 4, provided that the loan may be approved in an amount computed as provided in clauses (1) to (3), subject to subsequent reduction in accordance with this clause (4).

Sec. 36. Minnesota Statutes 1974, Section 124.43, Subdivision 2, is amended to read:

Subd. 2. The school board of any district desiring a loan shall adopt a resolution stating the amount proposed to be borrowed, the purpose for which the debt is to be incurred, and an estimate of the dates when the facilities for which the loan is requested will be contracted for and completed. The question of authorizing the borrowing shall then be submitted to the voters of the district at a regular or special election. The question submitted shall state the entire amount to be borrowed and that application will be made for a loan from the maximum effort school loan fund of such amount as may be available and allowable to the district and the remainder will be borrowed on bonds sold at a public sale within the limitations prescribed by law. A majority of those voting on the question shall be sufficient to authorize the district to effect the state loan and also to issue the bonds on public sale in accordance with chapter 475. Applications for loans shall be accompanied by (a) a copy of such resolution, (b) a certificate by the clerk showing the vote at the election, (c) a certificate by the clerk and treasurer showing the then outstanding indebtedness of the district, and (d) a certificate by the county auditor of each county in which a portion of the district lies showing the information in his official records which is required to be used in computing the debt limit of the district under section 475.53, subdivision 4. The clerk's and treasurer's certificate shall show, as to each outstanding bond issue, the amount originally issued, the purpose for which issued, the date of issue, the amount remaining unpaid as of the date of the resolution, and the interest rates and due dates and amounts of principal thereon. Applications shall be in such form and accompanied by such additional data as the committee *and state board of education* shall prescribe, which may include a statement from the state department of education as to the district's need of the proposed schoolhouses in comparison with needs of other districts. When an application is received, the committee shall obtain from the commissioner of revenue, and from the public service commission when required, the information in

their official records which is required to be used in computing the debt limit of the district under section 475.53, subdivision 4.

Sec. 37. Minnesota Statutes 1974, Section 124.43, Subdivision 3, is amended to read:

Subd. 3. The committee shall examine and consider all applications for capital loans *which have been recommended by the state board of education*, and if any applicant district is found not qualified it shall be promptly notified thereof. On January 1 and July 1 of each year, the committee shall make its determination on all pending applications which have been on file with it more than one month. If an applicant is qualified in the opinion of the committee and the aggregate of the amounts applied for does not exceed the amount available or which can be made available in the capital loan account, all loans so applied for shall be granted, subject to acceptance by the respective districts as specified below. If the aggregate exceeds the amount which is or can be made available, the committee shall allot the available amount among the qualified applicant districts, or any of them, according to the committee's judgment and discretion based upon their respective needs. The committee shall promptly certify to each qualified applicant district the amount, if any, of the capital loan granted to it, subject to adjustment under subdivision 1, clause (4).

Sec. 38. Minnesota Statutes 1974, Section 124.43, Subdivision 4, is amended to read:

Subd. 4. Each capital loan shall be for a term of 30 years and evidenced by a contract between the school district and the state acting through the committee. It shall obligate the state to pay to the district, out of the maximum effort school loan fund, an amount computed as provided in subdivision 1, upon receipt by the committee of a certified resolution of the school board reciting that contracts for construction of the facilities for which the loan is granted have been awarded and that bonds of the district have been issued and sold in the amount necessary to pay all costs thereof in excess of the amount of the loan, and estimating such costs. It shall obligate the district (ON ITS FULL FAITH AND CREDIT) to repay the (ENTIRE PRINCIPAL OF THE STATE) loan out of the excesses of its maximum effort debt service levy over its required debt service levy, (AND ALSO TO PAY) *including* interest at a rate determined *annually* by the commissioner of finance, (NOT LESS) *at the multiple of one-tenth of one percent per annum next higher than the average annual rate payable on Minnesota state school loan bonds (MOST RECENTLY ISSUED PRIOR TO THE DISBURSEMENT OF THE LOAN TO THE DISTRICT)*, but in no event less than 3 1/2 percent per annum on the principal amount from time to time unpaid. The district shall each year, as long as it is indebted to the state, levy for debt service (a) the amount of its

maximum effort debt service levy or (b) the amount of its required debt service levy, whichever is greater, except as such required debt service levy may be reduced by a loan under section 124.42. Whenever the maximum effort debt service levy is greater, the district shall remit to the commissioner within ten days after its receipt of the last regular tax distribution in each year, that portion of the debt service tax collections, including penalties and interest, which exceeded the required debt service levy. The commissioner shall supervise the collection of outstanding accounts due the fund and may, by notice to the proper county auditor require the maximum levy to be made as required hereunder. Interest on capital loans shall be paid on December 15 of the year next following that in which the loan is granted and annually thereafter. (IN ADDITION TO THE LEVIES OTHERWISE REQUIRED BY THIS SUBDIVISION, THE DISTRICT SHALL LEVY IN EACH YEAR, COMMENCING IN THE YEAR A CAPITAL LOAN IS GRANTED AND CONTINUING UNTIL THE ENTIRE LOAN IS PAID, A SUM SUFFICIENT TO PRODUCE FULL PAYMENT OF THE INTEREST PAYABLE IN THE ENSUING YEAR ON ITS CAPITAL LOAN CONTRACT, AND THE PROCEEDS OF SUCH LEVY SHALL IN EACH YEAR BE REMITTED TO THE COMMISSIONER FOR PAYMENT OF SUCH INTEREST.) On or before November 1 in each year the commissioner shall notify the county auditor of each county containing taxable property situated within the school district of the amount of the maximum effort debt service levy of the district for that year, (AND THE ADDITIONAL AMOUNT NECESSARY TO BE LEVIED TO PRODUCE A SUM FIVE PERCENT IN EXCESS OF THE TOTAL AMOUNT OF INTEREST TO BECOME DUE IN THE ENSUING YEAR ON ALL CAPITAL AND DEBT SERVICE LOANS OF THE DISTRICT,) and said county auditor or auditors shall extend upon the tax rolls an ad valorem tax upon all taxable property within the district in the aggregate amount so certified. (IF ANY INTEREST IS NOT PAID WHEN DUE, THE COMMISSIONER SHALL ADD THE AMOUNT THEREOF TO THE AMOUNT OF INTEREST SO CERTIFIED IN THE FOLLOWING YEAR, WITH ONE YEAR'S INTEREST ON SUCH AMOUNT AT THE RATE BORNE BY THE LOAN.) *In the event that any capital loan is not paid during its term of 30 years from maximum effort debt service levies in excess of required debt service levies, the liability of the school district levy thereon shall be satisfied and discharged. Districts having outstanding capital loans may not issue bonds on the public market except for the for purpose of refunding outstanding state loans at any time during the 10 years preceding the due date on any capital loan contract.*

Sec. 39. Minnesota Statutes 1974, Section 124.45, is amended to read:

124.45 [APPLICATIONS OF PAYMENT.] The commissioner shall apply payments received from collections of maximum effort debt service levies in excess of required debt service

levies of a district on its debt service notes and capital loan contracts as follows: First, to payment of interest accrued on its notes, if any; second, to interest on its contracts, if any; third, toward principal (ON) of its notes, if any; and last, toward (PAYMENT OF) principal of its contracts, if any. While more than one note or more than one contract is held, priority of (APPLICATION) payment of interest shall be given to the one of earliest date (OF THE INSTRUMENT), and after interest accrued on all notes is paid, similar priority shall be given in the application of any remaining amount to the payment of principal. In any year when the receipts from a district are not sufficient to pay the interest accrued on any of its notes or contracts, the deficiency shall be added to the principal, and the commissioner shall notify the district and each county auditor concerned of the new amount of principal of the note or contract.

Sec. 40. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.561] [POST-SECONDARY VOCATIONAL-TECHNICAL EDUCATION FUNDING.] *Subdivision 1. [PURPOSE.] The purpose of sections 40 to 44 of this act is to change the funding of post-secondary vocational-technical education from reimbursement of past expenditures to a current funding process.*

Subd. 2. [CURRENT AID.] Beginning July 1, 1975, the state board for vocational education shall not enter into agreements to pay reimbursements but shall be obligated for reimbursement payments incurred in fiscal year 1975. Beginning July 1, 1976, all post-secondary vocational foundation aid and post-secondary vocational categorical, capital expenditure and debt service aid shall be paid for the current fiscal year in accordance with sections 41 to 43 of this act.

Subd. 3. [BUDGETS.] Before January 1, 1976, and before January 1 of each year thereafter post-secondary vocational-technical school budgets for the following fiscal year shall be submitted to the state board for vocational education. The state board for vocational education shall approve the budgets for each district at a consolidated public hearing held pursuant to Minnesota Statutes, Chapter 15, which shall be held prior to June 1 of each year and which shall continue until all interested persons, representatives, and organizations have had an opportunity to be heard. The total amount of reimbursement payments approved for fiscal year 1975 payable in fiscal year 1976 shall not exceed by more than 14 percent the amount appropriated for post-secondary vocational-technical education for payment in fiscal year 1975. No district shall increase its indebtedness during fiscal year 1976 unless authorized to do so by the state board for vocational education. The state board for vocational education shall before September 1, 1975 promulgate rules and regulations which establish the approval criteria for budgets, including re-

sponsiveness to current and projected manpower needs of population groups to be served in the various geographic areas and communities of the state, particularly disadvantaged and handicapped persons; adequacy of evaluation of programs; and other criteria set forth in the state plan for vocational education. The commissioner, in cooperation with the department of finance, shall establish program budget standards by which area vocational-technical institutes shall submit financial requests.

Subd. 4. [LOCAL DEFICITS.] The commissioner with the approval of the state board for vocational education shall establish a uniform auditing procedure for post-secondary vocational-technical education. The procedure shall be used to determine the local deficit or surplus in each district as of July 1, 1975 and as of July 1 for each year thereafter. This deficit or surplus shall be certified to the commissioner before September 1, 1975 and September 1 of each year thereafter.

Sec. 41. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.562] [POST-SECONDARY VOCATIONAL FOUNDATION AID.] Subdivision 1. For the 1976-77 school year a district shall receive post-secondary vocational foundation aid in the amount of \$2,000 times the number of post-secondary vocational-technical pupils in average daily membership, as defined in subdivision 2 less the sum of (1) any amounts received as tuition and fees for post-secondary vocational-technical pupils, (2) the amount raised by the minimum levy required in 1975 by section 49 of this act, (3) any amounts received for post-secondary vocational programs as federal vocational categorical aid and as special grants from state allocations of federal vocational funds, and (4) any amounts received as aid for programs for post-secondary handicapped pupils pursuant to section 124.32.

Subd. 2. Membership for pupils in post-secondary vocational-technical schools shall mean the number of pupils on the current roll of the school, counted from the date of entry until withdrawal. The date of withdrawal shall mean the day the pupil permanently leaves the school or the date it is officially known that he has left or has been legally excused; provided that any pupil, regardless of age, who has been absent from school without a legally justifiable excuse for 15 consecutive school days shall be dropped from the roll and classified as withdrawn. Average daily membership shall equal the sum for all pupils of the number of days of the school year each pupil is enrolled in a post-secondary vocational-technical school in a district divided by 175. Average daily membership for pupils who are enrolled on a part time basis, but not including adult vocational pupils, shall equal (a) the sum for all pupils of the number of days of the school year each pupil is enrolled in a post-secondary vocational-technical school in the district times the number of hours per day each stu-

dent is enrolled divided by the number of hours the school is in session per day (b) divided by 175. For a post-secondary vocational-technical school, the normal school year shall be at least the number of session days required by Minnesota Statutes, Section 124.19, Subdivision 1. In all post-secondary vocational-technical schools, the minimum length of the school day for each pupil, exclusive of the noon intermission, shall be six hours. Exceptions may be made by the local school administration for approved programs to meet individual student needs.

Subd. 3. All funds, whether state, federal, or from other sources, which may be made available to the department of education for carrying out the purposes of post-secondary vocational-technical education shall be apportioned by the state board for vocational education to the various school districts in accordance with law and shall be distributed by the state aids, statistics and research section of the state department of education. All post-secondary vocational foundation and categorical aids shall be paid to the school district where the pupil is in attendance.

Subd. 4. Each district providing post-secondary vocational-technical education programs shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all funds related to these post-secondary vocational-technical education programs. All post-secondary vocational foundation and categorical aids and all funds received pursuant to the levy authorized by section 49 of this act, shall be utilized solely for the purposes of post-secondary vocational-technical education programs.

Subd. 5. The provisions of Minnesota Statutes, Section 124.212, Subdivisions 10 to 18, shall apply to this section.

Subd. 6. None of the provisions of Minnesota Statutes, Chapter 16, shall apply to appropriations enacted to carry out the provisions of this section.

Subd. 7. This section shall be effective July 1, 1976.

Sec. 42. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.563] [POST-SECONDARY VOCATIONAL AND CAPITAL EXPENDITURE CATEGORICAL AID.] Subdivision 1. "Post-secondary vocational categorical aid" means state and federal funds, exclusive of post-secondary vocational foundation, capital expenditure and debt service aid, apportioned by the state board for vocational education to local school districts for the purpose of assisting in the conduct of post-secondary vocational-technical training. No district shall qualify for post-secondary vocational categorical aid unless it has certified the minimum levy required by section 49 of this act. This aid shall be given to districts conducting high cost programs which require funds in

addition to the post-secondary vocational foundation aid provided.

Subd. 2. "Post-secondary vocational capital expenditure aid" means state and federal funds exclusive of post-secondary vocational foundation, categorical and debt service aid, apportioned by the state board for vocational education to local school districts for the purpose of improving or repairing school sites or equipping, re-equipping, repairing or improving buildings and permanent attached fixtures, as necessary for the conduct of post-secondary vocational-technical training. No district shall qualify for post-secondary vocational capital expenditure aid unless it has certified the minimum levy required by section 49 of this act. Post-secondary vocational capital expenditure aid shall be utilized solely for the purposes enumerated in this subdivision.

Subd. 3. Post-secondary vocational categorical and capital expenditure aid shall be apportioned by the state board for vocational education at the consolidated public hearing held pursuant to section 40, subdivision 3, of this act. All post-secondary vocational categorical and capital expenditure aid approved at this public hearing shall be distributed to the districts on March 15 and September 15 of each year. Additional post-secondary vocational categorical and capital expenditure aid may be distributed at other times during the year if it is apportioned at a consolidated public hearing held pursuant to Minnesota Statutes, Chapter 15. On the date of each post-secondary vocational categorical and capital expenditure aid payment, the state board shall report to the appropriate committees of the legislature on the distribution of post-secondary vocational categorical and capital expenditure aid. The report shall include (a) the recipients of the aid; (b) the amounts distributed, and (c) the reasons for these distributions.

Subd. 4. This section shall be effective July 1, 1976.

Sec. 43. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.564] [POST-SECONDARY VOCATIONAL DEBT SERVICE AID.] The state board for vocational education shall pay to qualifying districts post-secondary vocational debt service aid equal to the state portion of debt service costs. The state portion of debt service costs shall equal the amount necessary to make payments for bonds issued to finance post-secondary vocational facilities and for interest thereon multiplied by the average of the district's nonresident reimbursement percentage pursuant to Minnesota Statutes 1974, Section 121.21, Subdivision 5, in fiscal years 1973, 1974 and 1975. The local portion of debt service costs shall equal the amount necessary to make these payments, less the state portion of debt service costs. No district shall qualify for this post-secondary vocational debt service aid

unless it has certified a levy equal in amount to the local portion of debt service costs, pursuant to section 275.125, subdivision 3, clause (1). Post-secondary vocational debt service aid shall be utilized solely for payments for bonds issued to finance post-secondary vocational facilities and for interest thereon, and these bond and interest payments shall be made solely with proceeds from this aid and the local debt service levy. In addition, the state board for vocational education shall pay to districts which expended cash balances to finance the construction of new post-secondary vocational facilities and which the state board prior to June 30, 1975 agreed to repay for these expenditures the amount of the repayment specified in the agreement. Funds received in repayment shall revert to the fund of origin in the district. This section shall be effective July 1, 1976.

Sec. 44. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.565] [POST-SECONDARY VOCATIONAL EDUCATION TUITION.] Subdivision 1. Any Minnesota resident who is under 21 years of age may attend a post-secondary vocational-technical school without tuition, provided that the individual meets the entrance requirements for the training course in which enrollment is sought and the school has the room and the facility to receive him.

Subd. 2. Any person who has attained his 21st birthday and who would, but for that fact, qualify under subdivision 1 to attend a post-secondary vocational-technical school without tuition, may attend the school without tuition subject to the other provisions of this subdivision, if he entered active military service in any branch of the armed forces of the United States before his 21st birthday, and who has then been separated or discharged from active military service under conditions other than dishonorable, and if he applies for admission to the school within two years after the date of his separation or discharge from service or before his 29th birthday, whichever, is earlier. Time after separation or discharge from military service spent as an inpatient in a hospital or similar institution for treatment of an illness or disability or in recovery from an illness or disability that prevents gainful occupation or study shall be added to the time allowed for application.

Subd. 3. Tuition at a post-secondary vocational-technical school for a Minnesota resident pupil who does not come within the exemptions provided in subdivisions 1 and 2, shall be two dollars per day for each school day the pupil is enrolled.

Subd. 4. Unless covered by a higher education reciprocity agreement relating to nonresident tuition, entered into by the Minnesota higher education coordinating commission and approved by the state board for vocational education, tuition at a post-secondary vocational-technical school for a pupil who is not

a resident of Minnesota shall be four dollars per day for each school day the pupil is enrolled.

Subd. 5. The state board for vocational education may pay a school district or post-secondary vocational-technical school in another state for tuition charges for Minnesota pupils who meet the qualifications of subdivisions 1 and 2 and who are enrolled in post-secondary vocational-technical schools in that state. This payment may not exceed the amount specified for post-secondary vocational foundation aid in section 41 of this act. This subdivision shall expire June 30, 1976.

Sec. 45. Minnesota Statutes 1974, Section 124.57, is amended to read:

124.57 [AID FOR VOCATIONAL EDUCATION.] Whenever any district shall have established a vocational school, department, or classes in accordance with the rules and regulations established by the state board adopted by that board, and the plan for vocational education, and approved by the United States office of education or other federal agency to which its functions are assigned, the state board shall reimburse such district or state tax supported institution for its expenditures for salaries and necessary travel of vocational teachers or other reimbursable expenditures from federal funds and may supplement such federal funds with such state aid as it may deem desirable under such rules as it may adopt, provided, however, that in the event of such funds not being sufficient to make such reimbursement in full, the state board shall prorate the respective amounts available to the various districts entitled to receive reimbursement. All instruction may be given at the place of the abode of the pupils, and adults may be given instruction in adjoining or nearby districts.

In like manner the state board shall have power to reimburse other governmental agencies for expenditures for salaries and necessary travel expenses of vocational teachers from federal funds, according to rules and regulations adopted by the state board.

When local districts desire but cannot provide vocational instruction for the related training required by apprentices and other learners in the trade, industrial, and distributive fields, the state board is empowered upon request of such local district or districts to employ itinerant vocational teachers to provide this service and pay the salary and necessary travel expense from authorized federal and state vocational aid funds under such rules as it may adopt. An itinerant vocational teacher in this section is defined as a vocational teacher employed to give part-time or periodic vocational instruction in one or more districts.

This section shall apply only to secondary and adult vocational education programs. Sections 40 to 44 of this act shall not apply

to secondary and adult vocational programs. This section of this act shall be effective July 1, 1976.

Sec. 46. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.807] [DECREASED ASSESSED VALUATION.] *If in any year the assessed value of any district is less than the assessed value of the immediate preceding year, the equalization aid review committee shall, upon notification by the county assessor prior to October 16 of that assessment year, redetermine the adjusted assessed value of the immediate preceding year taking into account the decrease in assessed value. On or before November 1 of the assessment year, the equalization aid review committee shall file the redetermined adjusted assessed value with the commissioner of education who shall thereupon certify to the county auditors and school districts affected the appropriate levy limits of the school districts affected pursuant to section 275.125, subdivision 3, clause (10). Notwithstanding section 275.07, the districts affected may certify the taxes voted to the county auditor on or before December 1.*

Sec. 47. Minnesota Statutes 1974, Section 275.125, Subdivision 2a, is amended to read:

Subd. 2a. (1) In (1973) 1975, a school district may levy for all general and special school purposes, an amount equal to the amount raised by the (1972) 1974 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 (124.212, SUBDIVISION 7a) 15, clause (2), *of this act*, bears to (\$820) \$970.

(2) In (1974) 1976, a school district may levy for all general and special school purposes, an amount equal to the amount raised by the (1973) 1975 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 (124.212, SUBDIVISION 7a) 15, clause (2), *of this act*, and the greater of (a) (ONE-HALF) *five sixths* of the difference that results when such greater sum is subtracted from (\$875) \$1025, or (b) (\$50) \$55, bears to (\$875) \$1025.

(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 per cent plus one of those voting on the question is required to pass a referendum.

Sec. 48. Minnesota Statutes 1974, Section 275.125, Subdivision 3, is amended to read:

Subd. 3. In addition to the levy authorized by section 275.125, subdivision 2a, a qualifying district may levy additional amounts as follows:

(1) The amounts necessary to make payments for bonds issued and for interest thereon, 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) 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; and provided further that beginning with the levy certified in (1974) 1975, a district may levy for (THAT PORTION OF) transportation costs approved by the commissioner as (QUALIFYING FOR AID) *necessary* because of extraordinary traffic hazards (BUT FOR WHICH NO STATE AID IS RECEIVABLE) for the current fiscal year (PURSUANT TO SECTION 124.223, CLAUSE (1)).

(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).) *For purposes of the 1975 levy, collectible in 1976, any district which qualified for an extra levy under Minnesota Statutes 1974, Section 275.125, Subdivision 3, Clause (5), shall be allowed to levy the same amount per pupil unit allowed by that clause, reduced by two and one-half percent. 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 2.0 mills times the adjusted assessed valuation of the district shall be allowed to levy an amount per pupil unit which is equal to 2.0 mills times the 1974 adjusted assessed valuation of the district divided by the number of pupil units in the district in 1974-1975. Provided further, that any district in Hennepin County or Ramsey County, other than a district with boundaries coterminous with the boundaries of a city of the first class, whose excess levy per pupil unit pursuant to Minnesota Statutes 1974, Section 275.125, Subdivision 3, Clause (5), was among the lowest 20 percent of these levies in such districts shall be allowed in 1975 to make an excess levy in addition to the levy allowed by this clause if the district has had a decrease in actual pupil units for the previous three years. This additional permitted excess levy per pupil unit shall equal the difference between the excess levy per pupil unit for the district and the average excess levy per pupil unit for the districts in Hennepin and Ramsey Counties, other than districts with boundaries coterminous with the boundaries of a city of the first class, allowed pursuant to Minnesota Statutes 1974, Section 275.125, Subdivision 3, Clause (5), or 2.0 mills times the 1974 adjusted assessed valuation, whichever is less.*

(4) (IN 1973 ONLY, FOR A DISTRICT WHICH WAS AUTHORIZED TO LEVY PURSUANT TO MINNESOTA STAT-

UTES 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).) *A district which qualified for a levy under clause (3) above shall be allowed to levy that same amount per pupil unit in 1976, reduced by two and one-half per cent.*

((5) FOR THE 1974 LEVY, COLLECTIBLE IN 1975, ANY DISTRICT, IN WHICH THE 1970-1971 ADJUSTED MAINTENANCE COST PER PUPIL UNIT IN AVERAGE DAILY MEMBERSHIP WAS GREATER THAN \$663 PER PUPIL UNIT, MAY LEVY AN AMOUNT PER PUPIL UNIT WHICH IS EQUAL TO OR LESS THAN THE DIFFERENCE BETWEEN THE 1970-1971 ADJUSTED MAINTENANCE COST PER PUPIL UNIT IN AVERAGE DAILY MEMBERSHIP AND \$663 PER PUPIL UNIT, REDUCED BY TWO AND ONE-HALF PERCENT. NO DISTRICT MAY LEVY UNDER THIS CLAUSE AN AMOUNT WHICH EXCEEDS THE SUM OF THE LEVY PERMITTED UNDER SECTION 275.125, SUBDIVISION 3(3) AND THE AMOUNT RAISED BY 2 MILLS TIMES THE ADJUSTED ASSESSED VALUATION OF THE TAXABLE PROPERTY OF THE DISTRICT FOR THE PRECEDING YEAR. PROVIDED, HOWEVER, THAT A DISTRICT WITH 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 1.9 MILLS TIMES THE ADJUSTED ASSESSED VALUATION OF THE DISTRICT SHALL BE ALLOWED TO LEVY 2.0 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 THESE LAWS, AS AMENDED.)

((7)) 5 (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)) (6) 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. *A district which provides 95 percent or more of the cost of the recreation program for the municipalities and town-*

ships located within it may, with the approval of the commissioner, levy an additional amount, not to exceed one mill times the adjusted assessed valuation of the district for the preceding year, to be used for the costs of the recreation program.

((9)) (7) Districts which receive payments which result in deductions from foundation aid pursuant to section 124.212, subdivision 8a, 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 account 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.

Notwithstanding any other law to the contrary, districts which received payments pursuant to sections 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; and 298.51 to 298.67; shall not include part of estimates of these aids in their permissible levies pursuant to those sections, but instead shall reduce the permissible levies authorized by section 275.125 for collection in the calendar year beginning during the fiscal year in which the deduction from foundation aid is made pursuant to section 124.212, subdivision 8a by the amount of the payment which was not deducted from foundation aid in that fiscal year pursuant to section 124.212, subdivision 8a.

((10)) (8) The commissioner shall certify to the county auditors the levy limits for all school districts headquartered in the respective counties together with adjustments for errors in levies not penalized pursuant to subdivision 4 as well as adjustments to final pupil unit counts.

A school district shall have the right to require the commissioner to review his certification and to present evidence in support of modification of his certification.

The county auditor shall reduce levies for any excess of levies over levy limitations pursuant to section 275.16. Such reduction in excess levies may at the discretion of the school district be spread over not to exceed two calendar years.

((11)) (9) The commissioner of education shall certify to the county auditors any underlevies made in 1971 and 1972 in the transportation levy amounts. The 1971 underlevies shall be determined to be (1) the actual net costs of reimbursable transportation as reported to the department of education for the 1972-1973 school year plus the amount expended by the district to acquire school buses in 1972-1973 used for reimbursable transportation, less (2) the 1971 certified transportation levy as amended and state aids received in 1972-1973 for transportation including depreciation. Underlevies in the 1972 transportation

levy shall be computed in like manner using 1973-1974 costs and state aids received in the 1973-1974 school year. The 1974 levy shall be adjusted to correct for such underlevies, provided that upon written request of the affected school board to the commissioner, the adjustment shall be prorated in the 1974 and 1975 transportation levies. No district may levy under this clause in any year an amount which exceeds the amount raised by a levy of two mills times the previous year's adjusted assessed valuation of the taxable property of the district.

((12)) (10) When a district finds it economically advantageous to rent or lease existing school buildings for instructional purposes, and the proceeds of the levy permitted under section 124.04 are insufficient for this purpose, it may apply to the commissioner for permission to make an additional capital expenditure levy for this purpose. An application for permission to levy under this clause shall contain financial justification for the proposed levy, the terms and conditions of the proposed lease, and a description of the space to be leased and its proposed use. The criteria for approval of applications to levy under this clause shall include: the reasonableness of the price, the appropriateness of the space to the proposed activity, the feasibility of transporting pupils to the leased building, conformity of the lease to the laws and regulations of the state of Minnesota, and the appropriateness of the proposed lease to the space needs and the financial condition of the district. The commissioner shall not authorize a levy under this clause in an amount greater than the cost to the district of renting or leasing a school building for approved purposes.

Sec. 49. Minnesota Statutes 1974, Section 275.125, is amended by adding a subdivision to read:

Subd. 8. In addition to the levy authorized by subdivision 2a, districts maintaining a post-secondary vocational-technical school shall levy for post-secondary vocational-technical purposes as follows:

(1) For districts in cities of the first class, a minimum of one-half mill up to a maximum of one mill, exclusive of debt service, times the adjusted assessed valuation of the taxable property of the district for the preceding year as determined by the equalization aid review committee.

(2) For districts formed pursuant to Laws 1967, Chapter 822, as amended, and Laws 1969, Chapters 775 and 1060 as amended, a minimum of one-half mill up to a maximum of two mills, exclusive of debt service, times the adjusted assessed valuation of the taxable property of the district for the preceding year as determined by the equalization aid review committee.

(3) For other districts maintaining post-secondary vocational schools, a minimum of one mill up to a maximum of three

mills, exclusive of debt service, times the adjusted assessed valuation of the taxable property of the district for the preceding year as determined by the equalization aid review committee.

Sec. 50. Minnesota Statutes 1974, Section 275.125, is amended by adding a subdivision to read:

Subd. 9. In addition to the levy authorized by subdivision 2a, districts maintaining a post-secondary vocational-technical school may levy additional amounts as follows:

(1) A district maintaining a post-secondary vocational-technical school shall assume responsibility for a local share of the district post-secondary vocational deficit. The local share shall be 30 percent of the district post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education pursuant to section 40, subdivision 4, of this act, for post-secondary vocational-technical schools established prior to December, 1971. For post-secondary vocational-technical schools established subsequent to November, 1971, the local share of the district post-secondary vocational deficit as of July 1, 1976, as certified to the commissioner shall be 15 percent.

(2) For the purpose of eliminating the local share of its post-secondary vocational deficit, a district may petition the commissioner of education for authority to make an additional levy. Before such a levy can be made, it must be approved by the commissioner. The approval shall specify the years in which the additional levy may be made and shall specify its dollar amount. No levy so approved shall be made in more than four successive years, beginning with the levy certified in 1975, and shall not annually exceed .25 mills in a district in a city of the first class, .5 mills in districts formed pursuant to Laws 1969, Chapter 1060, as amended; Laws 1969, Chapter 775, as amended; or Laws 1967, Chapter 822, as amended, or three mills in any other district maintaining a post-secondary vocational-technical school times adjusted assessed valuation of the districts for the preceding year as determined by the equalization aid review committee. Under no circumstances may a district, other than a district with a post-secondary vocational-technical school established subsequent to November, 1971, levy a total amount greater than the local share of its post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education. Under no circumstances may a district with a post-secondary vocational-technical school established subsequent to November, 1971, levy a total amount greater than the local share of its post-secondary vocational deficit as of July 1, 1976, as certified to the commissioner of education.

(3) If the additional levy allowed in clause (2) of this subdivision would be insufficient to eliminate the local share of the district's post-secondary vocational deficit as of July 1, 1975, or as of July 1, 1976, in the case of a district with a post-secondary vocational-technical school established subsequent to November,

1971, as certified to the commissioner of education, it may petition the commissioner of education for authority to issue general obligation bonds in an amount sufficient to meet the deficiency. Before the bonds may be issued, they must be authorized by the commissioner. The authorization shall specify a term not to exceed seven years and the amount of the bond issue provided that the levy authorization to pay the principal and interest on the bonds may not annually exceed .25 mills in a district in a city of the first class, .5 mills in districts formed pursuant to Laws 1969, Chapter 1060, as amended; Laws 1969, Chapter 775, as amended; or Laws 1967, Chapter 822, as amended, or six mills in any other district maintaining a post-secondary vocational-technical school times the 1973 adjusted assessed valuation of the district as determined by the equalization aid review committee; provided, however, that the mill limitation is subject to the provisions of Minnesota Statutes, Section 475.74. The bonds authorized by this section shall be sold and issued pursuant to the provisions of Minnesota Statutes, Chapter 475, except as otherwise provided herein. The bonds shall not be included in computing any debt limitation for a district and no election shall be required for their sale and issuance.

(4) A district may not be authorized an additional levy under both clauses (2) and (3) of this subdivision.

(5) The state shall assume responsibility for 70 percent of a district's post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education, for post-secondary vocational-technical schools established prior to December, 1971. The state shall assume 85 percent of a district's post-secondary vocational deficit as of July 1, 1976, as certified to the commissioner of education, for post-secondary vocational-technical schools established subsequent to November, 1971. The state portion of the deficit shall be paid to each district in fiscal years 1977, 1978, and 1979 in three equal payments; provided that the levy for the district's portion of the deficit has been approved by the commissioner and the required portion for the 1975 levy has been certified to the county auditor.

Sec. 51. Minnesota Statutes 1974, Section 475.54, Subdivision 2, is amended to read:

Subd. 2. A serial maturity schedule conforming to subdivision 1 may be established for each new issue of obligations of a municipality, or the governing body may in its discretion adjust such schedule so that the combined maturities of the new issue and any other designated issue or issues will conform to subdivision 1, provided that all such issues are general obligations or all are payable from a common fund. Notwithstanding the provisions of any other general or special law, any school district having an outstanding state loan or loans, if it issues and sells bonds on the public market for any purpose other than refunding such loans, or refunding outstanding bonds as provided herein shall adjust the schedule of the maturities thereof so that

the total amount of principal and interest to become due on these bonds and on all other bonds of the school district, during each of the 30 fiscal or calendar years next following, will be as nearly equal as practicable, provided that the annual amounts of maturing principal may be fixed at multiples of \$5,000. *A school district which has an outstanding state loan or loans may refund outstanding bonds, provided that the school loan committee established in section 124.41 approves such refunding. The committee shall approve refunding outstanding bonds only if such refunding results in lower annual debt service payments than the district made prior to the refunding.*

Sec. 52. Laws 1967, Chapter 822, Section 7, as amended by Laws 1969, Chapter 945, Section 2, is amended to read:

Sec. 7. [TAX LEVIES.] (IF SO PROVIDED IN THE AGREEMENT,) The joint school board (MAY) *shall* each year, for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred for area vocational-technical schools, certify to each participating school district (A) *the* tax levy (WHICH SHALL NEVER IN ANY YEAR EXCEED FOUR MILLS ON EACH DOLLAR OF ASSESSED VALUATION OF ALL TAXABLE PROPERTY. ADDITIONAL TAX LEVIES MAY BE CERTIFIED WHICH SHALL NOT IN ANY YEAR EXCEED TWO MILLS ON EACH DOLLAR OF ASSESSED VALUATION FOR EXPENSES FOR THE FOLLOWING: SPECIAL EDUCATION, AND DRIVING OF MOTOR VEHICLES. OF THE AMOUNT SO LEVIED, HOWEVER, NOT TO EXCEED ONE-HALF OF ONE MILL SHALL BE FOR THE DRIVING OF MOTOR VEHICLES; IT BEING CONTEMPLATED THAT 50 PERCENT OF THE COST THEREOF BE PAID BY THE STUDENT) *specified in section 49, clause (2) of this act.* Each participating school district shall include such tax levy in the next tax roll which it shall certify to the county auditor or auditors, and shall remit the collections of such levy to the board promptly when received. Such levies shall not be included in computing the limitations upon the levy of any district under Minnesota Statutes, Section (275.12) 275.125. The board may, any time after such levy has been certified to the participating school districts, issue and sell certificates of indebtedness in anticipation of the collection of such levy, but in aggregate amounts such as will not exceed the portion of the levy which is then not collected and not delinquent.

Sec. 53. Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended by Laws 1971, Chapter 267, Section 3, is amended to read:

Subd. 2. The intermediate school board (MAY) *shall* in each year for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred certify to each county auditor of each county in which said intermediate

school district shall lie, as a single taxing district, (A) *the tax levy (WHICH SHALL NEVER IN ANY YEAR EXCEED FIVE MILLS, EXCLUSIVE OF DEBT SERVICE, ON EACH DOLLAR OF ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN SAID INTERMEDIATE SCHOOL DISTRICT) specified in section 49, clause (2) of this act.* Said annual tax levy shall be certified pursuant to Minnesota Statutes (1969), Section 124.02. Upon such certification the county auditor or auditors and other appropriate county officials shall levy and collect such levies and remit the proceeds of collection thereof to the intermediate school district as in the case with independent school districts. Such levy shall not be included in computing the limitations, if any, upon the levy of the intermediate district or any of the participating districts under Minnesota Statutes (1967), Section (275.12) *275.125.* After such levies have been certified to the appropriate county officials the intermediate school board may issue and sell by negotiation or at public sale its certificates of indebtedness in anticipation of the collection of such levies, but in aggregate amount such as will not exceed the portion of such tax levy which is then not collected and not delinquent.

Sec. 54. Laws 1969, Chapter 1060, Section 7, is amended to read:

Sec. 7. [TAX LEVIES.] (IF SO PROVIDED IN THE AGREEMENT,) The joint school board (MAY) *shall* each year, for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred for area vocational-technical schools, certify to each participating school district (A) *the tax levy (WHICH SHALL NEVER IN ANY YEAR EXCEED FOUR MILLS ON EACH DOLLAR OF ASSESSED VALUATION OF ALL TAXABLE PROPERTY) specified in section 49, clause (2) of this act.* Each participating school district shall include such tax levy in the next tax roll which it shall certify to the county auditor or auditors, and shall remit the collections of such levy to the board promptly when received. Such levies shall not be included in computing the limitations upon the levy of any district under Minnesota Statutes, Section (275.12) *275.125.* The board may, any time after such levy has been certified to the participating school districts, issue and sell certificates of indebtedness in anticipation of the collection of such levy, but in aggregate amounts such as will not exceed the portion of the levy which is then not collected and not delinquent.

Sec. 55. Laws 1971, Chapter 722, Section 1, is amended to read:

Section 1. [SPECIAL SCHOOL DISTRICT NO. 1; TAX LEVY.] To provide moneys to pay any administrative, operational, planning or capital expenses of an area vocational-technical school established pursuant to the provisions of Minne-

sota Statutes, Section 121.21, the board of directors of special school district No. 1 of Minneapolis (MAY) *shall levy (ANNUALLY UPON ALL TAXABLE PROPERTY IN THE DISTRICT A) the tax specified in section 49, clause (1) of this act in excess of the limitation contained in Minnesota Statutes, Section (275.12) 275.125.*

Sec. 56. Laws 1974, Chapter 521, Section 9, is amended to read:

Sec. 9. Notwithstanding any law to the contrary, in Independent School Districts No. 93 and No. 99 where the adjusted assessed valuation is under contest in a Minnesota court as of February 1, 1974, foundation aid payments for the 1972-73 and 1973-74 school years *and for any future school years until such time as the valuation is finally decided* shall be made on the basis of the uncontested portion of the valuation of these districts. If as a result of the pending litigation these districts experience an increase in the adjusted assessed value as determined by the equalization aid review committee and recover tax revenues in excess of those which would have been raised on the uncontested adjusted assessed value as determined by the equalization aid review committee, any excess in foundation aid payments which resulted from the use of this uncontested adjusted assessed value in the aid determination shall be returned to the state by these districts.

Sec. 57. [CITATION.] *Sections 57 to 60 shall be cited as the Minnesota teacher training and staff maturity aid law.*

Sec. 58. [DETERMINATION OF TEACHER TRAINING AID.] *Subdivision 1. [COMPUTATION OF TEACHER TRAINING INDEX.] A teacher training index shall be determined as follows:*

(a) *The number of classroom teachers in a district having at least an M.A. degree or 60 or more graduate credits shall divided by the total number of classroom teachers in the district. The resultant quotient is the "teacher training ratio." A teacher training ratio shall be computed for each school district in the state.*

(b) *A "point of critical incidence" shall be determined as that ratio at which a district exceeds 90 percent of the districts in the state. If the same ratio applies to more than one district at the 90th percentile, that ratio which is the ratio of the district directly at the 90th percentile shall be the lowest ratio which qualifies for aid, and the next lower ratio shall be the "point of critical incidence."*

(c) *An index shall be computed for each district whose ratio is above the point of critical incidence by subtracting the ratio*

at the point of critical incidence from the district's ratio and multiplying the difference by the number of classroom teachers in the district.

Subd. 2. [COMPUTATION OF TEACHER TRAINING AID.] Each district shall receive that portion of the total aid authorized each year which its teacher training index comprises of the sum of all the teacher training indices for all the districts above the point of critical incidence. The total aid available for this purpose is \$1,250,000 per year.

Sec. 59. [DETERMINATION OF STAFF MATURITY AID; COMPUTATION OF STAFF MATURITY INDEX.] A staff maturity index shall be determined as follows:

(a) The staff maturity level shall be computed by determining for each classroom teacher the number of years of experience which are used in determining the teacher's salary level; provided that no classroom teacher shall be determined to have more years of experience than there are steps in the salary schedule of the district for that type of teacher.

The sum of all the eligible years of experience for all the classroom teachers in a district shall be divided by the total number of classroom teachers in the district. The resultant quotient shall be the staff maturity level.

(b) The "point of critical incidence" shall be determined as that staff maturity level at which a district exceeds 90 percent of the districts in the state. If the same staff maturity level applies to more than one district at the 90th percentile, the staff maturity level which applies to the district directly at the 90th percentile shall be the lowest staff maturity level which qualifies for aid under this section, and the next lower staff maturity level shall be the point of critical incidence.

(c) An index shall be computed for each district whose staff maturity level is above the point of critical incidence by subtracting the staff maturity level at the point of critical incidence from the district's staff maturity level and multiplying the resultant difference by the total number of classroom teachers in the district.

Subd. 2. [COMPUTATION OF STAFF MATURITY AID.] Each district shall receive that portion of the total aid available in any one year which its staff maturity index comprises of the sum of all staff maturity indices for all the districts above the point of critical incidence. The total aid available for this purpose is \$1,250,000 per year.

Sec. 60. [PAYMENT.] The commissioner of education shall pay the teacher training and staff maturity aid in three

payments: 45 percent on or before February 15, 45 percent on or before June 15 and 10 percent on or before September 15. The department of education shall gather any data necessary to implement sections 57 to 60.

Sec. 61. There is appropriated to the department of education from the general fund in the state treasury the sum of \$190,000 to be paid to Independent School District 381.

Sec. 62. [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

	1976	1977
(1) Foundation Aid	\$598,000,000	\$627,700,000
<i>The appropriations in (1) include \$1,500,000 in each year indicated for shared time aid.</i>		
(2) Transportation Aid	\$ 61,000,000	\$ 65,300,000
(3) Special Education Aid	\$ 37,700,000	\$ 45,750,000
(4) Secondary Vocational Aid	\$ 12,000,000	\$ 14,200,000
(5) Post Secondary Vocational Aid	\$ 37,500,000	
(6) Post Secondary Vocational Foundation Aid		\$ 50,000,000
(7) Post Secondary Vocational Debt Service Aid		\$ 7,000,000
(8) Post Secondary Vocational Capital Expenditure Aid		\$ 6,000,000
(9) Post Secondary Vocational Categorical Aid		\$ 11,600,000
(10) Post Secondary Vocational Deficit Aid		\$ 1,000,000
(11) Adult Vocational Aid	\$ 3,900,000	\$ 4,100,000

(12) *Post Secondary Vocational Construction* \$ 1,525,000

(13) *For Gross Earnings Aid Pursuant to Minnesota Statutes, Section 124.28* \$ 800,000 \$ 800,000

(14) *Teacher Training and Staff Maturity Aid* \$ 2,500,000 \$ 2,250,000

(15) *Desegregation Aid* \$ 1,078,000 \$ 1,032,000

(16) *Community Education Aid* \$ 1,600,000 \$ 1,600,000

If the appropriations made in (13) for either year are insufficient, the aids shall be prorated among all qualifying recipients.

None of the amounts appropriated in (1) through (16) above shall be expended for a purpose other than the purpose indicated, unless otherwise provided in (1) through (16).

Sec. 63. [REPEALER.] *Minnesota Statutes 1974, Sections 124.212, Subdivisions 6a and 7a; 124.215, Subdivision 2a; 124.222, Subdivision 1; 124.25; 124.30; 124.475; 124.801; 124.802; 124.803; 124.804; 124.805; 124.806; and Laws 1975, Chapter 13, Sections 110 and 111, are repealed.*

Sec. 64. [REPEALER.] *Laws 1969, Chapter 945, Section 3; Laws 1969, Chapter 1060, Section 8; Minnesota Statutes 1974, Sections 121.21, Subdivisions 5, 7, 9, and 10; 121.211; and 124.50, are repealed. This section of this act shall be effective June 30, 1976.*

Sec. 65. [EFFECTIVE DATES.] *Sections 11, 25, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 51, 56 and 61 shall become effective the day following enactment. Section 7 shall become effective July 1, 1976."*

Further, strike the title in its entirety and insert the following :

"A bill for an act relating to operation of government; providing for aids to education, tax levies; and the distribution of tax revenues; changing the funding of post-secondary vocational-technical education and of education of handicapped children to a current funding basis; providing for changes in the maximum effort school aid law; granting certain powers and duties to school districts and the state board of education; appropriating money; amending Minnesota Statutes 1974, Sections 120.17, Subdivision 1; 121.21, Subdivisions 2, 4, and 6; 121.89; 124.04; 124.11; 124.17, Subdivisions 1 and 2; 124.18, Subdivision 2; 124.20; 124.212, Subdivisions 1, 3a, 8a, and 11, and by adding subdivisions; 124.215, by adding a subdivision; 124.222, Subdi-

visions 2 and 3, and by adding subdivisions 124.223; 124.28, Subdivision 2; 124.32, Subdivision 1, and by adding a subdivision; 124.38, Subdivisions 4, 5, 6, and 7; 124.42, Subdivisions 1, 2, and 4; 124.43, Subdivisions 1, 2, 3, and 4; 124.45; 124.57; 275.125, Subdivisions 2a and 3, and by adding subdivisions; 475.54, Subdivision 2; Chapter 124, by adding sections; Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended; Laws 1969, Chapter 1060, Section 7; Laws 1971, Chapter 722, Section 1; and Laws 1974, Chapter 521, Section 9; repealing Minnesota Statutes 1974, Sections 121.21, Subdivisions 5, 7, 9, and 10; 121.211; 124.212, Subdivisions 6a and 7a; 124.215, Subdivision 2a; 124.222, Subdivision 1; 124.25; 124.30; 124.475; 124.50; 124.801; 124.802; 124.803; 124.804; 124.805; 124.806; and Laws 1969, Chapters 945, Section 3; 1060, Section 8; and Laws 1975, Chapter 13, Sections 110 and 111."

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

The report was adopted.

CALENDAR

H. F. No. 348 was reported to the House.

There being no objection, H. F. No. 348 was continued on the Calendar until Thursday, April 24, 1975.

H. F. No. 700, A bill for an act relating to elections; making the uniform municipal election day mandatory; amending Minnesota Statutes 1974, Sections 205.10, 205.11, Subdivisions 1 and 2; 205.13, and 205.20; repealing Minnesota Statutes 1974, Sections 205.03, 205.04, 205.05, 205.06, 205.07, 205.08, 205.09, 205.091, 205.12, 205.18, and 205.19.

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 101, and nays 23, as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Dieterich	Haugerud	Kalis
Adams, L.	Byrne	Doty	Heinitz	Kelly, R.
Adams, S.	Carlson, A.	Enebo	Hokanson	Kelly, W.
Anderson, G.	Carlson, L.	Evans	Jacobs	Kempe, A.
Anderson, I.	Carlson, R.	Ewald	Jaros	Kempe, R.
Beauchamp	Casserly	Faricy	Jensen	Ketola
Begich	Clark	Fudro	Johnson, C.	Knoll
Berg	Clawson	Fugina	Johnson, D.	Kostohryz
Berglin	Corbid	George	Jopp	Kroening
Birnstihl	Dahl	Graba	Jude	Langseth
Braun	Dean	Hanson	Kahn	Lemke

Lindstrom	Nelson	Reding	Simoneau	Voss
Luther	Norton	St. Onge	Skoglund	Wenstrom
Mangan	Novak	Samuelson	Smith	Wenzel
McCarron	Osthoff	Sarna	Smogard	Wigley
McCollar	Parish	Schreiber	Stanton	Williamson
McEachern	Patton	Schumacher	Suss	Speaker Sabo
Metzen	Pehler	Setzepfandt	Swanson	
Moe	Petrafeso	Sherwood	Tomlinson	
Munger	Philbrook	Sieben, H.	Ulland	
Neisen	Prahl	Sieben, M.	Vento	

Those who voted in the negative were:

Albrecht	Erickson	Kaley	Menning	Sieloff
Biersdorf	Esau	Knickerbocker	Nelsen	White
DeGroat	Fjoslien	Laidig	Niehaus	Zubay
Eckstein	Forsythe	Mann	Peterson	
Eken	Friedrich	McCauley	Savelkoul	

The bill was passed and its title agreed to.

H. F. No. 49, A bill for an act relating to the city of Duluth; authorizing the rendering of emergency service by a physician's trained mobile intensive care paramedic; granting limited immunity from civil liability for paramedics and physicians advising or instructing paramedics.

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 1, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jopp	Metzen	Searle
Adams, L.	Doty	Jude	Moe	Setzepfandt
Adams, S.	Eckstein	Kahn	Munger	Sherwood
Albrecht	Eken	Kaley	Neisen	Sieben, M.
Anderson, G.	Enebo	Kalis	Nelsen	Sieloff
Anderson, I.	Erickson	Kelly, R.	Nelson	Simoneau
Arlandson	Esau	Kelly, W.	Niehaus	Skoglund
Beauchamp	Evans	Kempe, A.	Norton	Smogard
Begich	Ewald	Kempe, R.	Novak	Stanton
Berg	Faricy	Ketola	Osthoff	Suss
Berglin	Fjoslien	Knickerbocker	Parish	Swanson
Biersdorf	Forsythe	Knoll	Patton	Tomlinson
Birnstihl	Friedrich	Kostohryz	Pehler	Ulland
Braun	Fudro	Kroening	Peterson	Vanasek
Brinkman	Fugina	Laidig	Petrafeso	Vento
Byrne	George	Langseth	Philbrook	Voss
Carlson, A.	Graba	Lemke	Pleasant	Wenstrom
Carlson, L.	Hanson	Lindstrom	Prahl	Wenzel
Carlson, R.	Haugerud	Luther	Reding	White
Casserly	Heinitz	Mangan	Rice	Wieser
Clark	Hokanson	Mann	St. Onge	Wigley
Clawson	Jacobs	McCarron	Samuelson	Williamson
Corbid	Jaros	McCauley	Sarna	Zubay
Dahl	Jensen	McCollar	Savelkoul	Speaker Sabo
Dean	Johnson, C.	McEachern	Schreiber	
DeGroat	Johnson, D.	Menning	Schumacher	

Those who voted in the negative were:

Sieben, H.

The bill was passed and its title agreed to.

S. F. No. 645, A bill for an act relating to the city of Two Harbors; authorizing the issuance by the city of Two Harbors of bonds for the betterment of its municipal electric utility and the pledge of the net revenues of such utility for the payment thereof.

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 1, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jude	Munger	Sherwood
Adams, L.	Doty	Kahn	Neisen	Sieben, H.
Adams, S.	Eckstein	Kaley	Nelsen	Sieben, M.
Albrecht	Eken	Kalis	Nelson	Sieloff
Anderson, G.	Enebo	Kelly, R.	Niehaus	Simoneau
Anderson, I.	Erickson	Kelly, W.	Norton	Skoglund
Arlandson	Esau	Kempe, A.	Novak	Smith
Beauchamp	Evans	Kempe, R.	Osthoff	Smogard
Begich	Ewald	Ketola	Parish	Spanish
Berg	Faricy	Knickerbocker	Patton	Stanton
Berglin	Fjoslien	Knoll	Pehler	Suss
Biersdorf	Forsythe	Kostohryz	Peterson	Swanson
Birnstihl	Friedrich	Kroening	Petrafeso	Tomlinson
Braun	Fudro	Laidig	Philbrook	Ulland
Brinkman	Fugina	Langseth	Pleasant	Vanasek
Byrne	George	Lemke	Prahl	Vento
Carlson, A.	Graba	Lindstrom	Reding	Voss
Carlson, L.	Hanson	Luther	Rice	Wenstrom
Carlson, R.	Haugerud	Mann	St. Onge	Wenzel
Casserly	Hokanson	McCarron	Samuelson	White
Clark	Jacobs	McCauley	Sarna	Wieser
Clawson	Jaros	McCollar	Savelkoul	Wigley
Corbid	Jensen	McEachern	Schreiber	Williamson
Dahl	Johnson, C.	Meier	Schumacher	Zubay
Dean	Johnson, D.	Menning	Searle	Speaker Sabo
DeGroat	Jopp	Metzen	Setzepfandt	

Those who voted in the negative were:

Heinitz

The bill was passed and its title agreed to.

H. F. No. 556, A bill for an act relating to highway traffic regulations; speed restrictions; authorizing local authorities to reduce speed limits on certain portions of highways and streets during school hours; amending Minnesota Statutes 1974, Section 169.14, Subdivision 5, 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 129, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jopp	Moe	Sherwood
Adams, L.	Doty	Jude	Munger	Sieben, H.
Adams, S.	Eckstein	Kahn	Neisen	Sieben, M.
Albrecht	Eken	Kaley	Nelsen	Sieloff
Anderson, G.	Enebo	Kalis	Nelson	Simoneau
Anderson, I.	Erickson	Kelly, R.	Niehaus	Skoglund
Arlandson	Esau	Kelly, W.	Norton	Smith
Beauchamp	Evans	Kempe, A.	Novak	Smogard
Begich	Ewald	Kempe, R.	Osthoff	Spanish
Berg	Faricy	Ketola	Parish	Stanton
Berglin	Fjoslien	Knickerbocker	Patton	Suss
Biersdorf	Forsythe	Knoll	Peterson	Swanson
Birnstihl	Friedrich	Kostohryz	Petrafeso	Tomlinson
Braun	Fudro	Kroening	Philbrook	Ulland
Brinkman	Fugina	Laidig	Pleasant	Vanasek
Byrne	George	Langseth	Prahl	Vento
Carlson, A.	Graba	Lemke	Reding	Voss
Carlson, L.	Hanson	Lindstrom	Rice	Wenstrom
Carlson, R.	Haugerud	Luther	St. Onge	Wenzel
Casserly	Heinitz	Mann	Samuelson	White
Clark	Hokanson	McCauley	Sarna	Wieser
Clawson	Jacobs	McCollar	Savelkoul	Wigley
Corbid	Jaros	McEachern	Schreiber	Williamson
Dahl	Jensen	Meier	Schumacher	Zubay
Dean	Johnson, C.	Menning	Searle	Speaker Sabo
DeGroat	Johnson, D.	Metzen	Setzepfandt	

The bill was passed and its title agreed to.

S. F. No. 286, A bill for an act relating to towns; town levy for fire protection or police protection; removing the limitation; amending Minnesota Statutes 1974, Section 365.19.

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:

Abeln	Birnstihl	Dahl	Ewald	Heinitz
Adams, L.	Braun	Dean	Faricy	Hokanson
Albrecht	Brinkman	DeGroat	Fjoslien	Jacobs
Anderson, G.	Byrne	Dieterich	Forsythe	Jaros
Anderson, I.	Carlson, A.	Doty	Friedrich	Jensen
Arlandson	Carlson, L.	Eckstein	Fudro	Johnson, C.
Beauchamp	Carlson, R.	Eken	Fugina	Johnson, D.
Begich	Casserly	Enebo	George	Jopp
Berg	Clark	Erickson	Graba	Jude
Berglin	Clawson	Esau	Hanson	Kahn
Biersdorf	Corbid	Evans	Haugerud	Kaley

Kalis	Mann	Osthoff	Schreiber	Swanson
Kelly, R.	McCauley	Parish	Schumacher	Tomlinson
Kelly, W.	McCollar	Patton	Searle	Ulland
Kempe, A.	McEachern	Pehler	Setzepfandt	Vanasek
Kempe, R.	Meier	Peterson	Sherwood	Vento
Ketola	Menning	Petrafeso	Sieben, H.	Voss
Knickerbocker	Metzen	Philbrook	Sieben, M.	Wenstrom
Knoll	Moe	Pleasant	Sieloff	Wenzel
Kostohryz	Munger	Prahl	Simoneau	White
Kroening	Neisen	Reding	Skoglund	Wieser
Laidig	Nelsen	Rice	Smith	Wigley
Langseth	Nelson	St. Onge	Smogard	Williamson
Lemke	Niehaus	Samuelson	Spanish	Zubay
Lindstrom	Norton	Sarna	Stanton	Speaker Sabo
Luther	Novak	Savelkoul	Suss	

The bill was passed and its title agreed to.

H. F. No. 174, A bill for an act relating to trade regulations; providing for unit pricing of certain packaged commodities; providing for exemptions.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 114, and nays 13, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kahn	Munger	Sieben, H.
Adams, L.	Doty	Kelly, R.	Neisen	Sieben, M.
Anderson, G.	Eckstein	Kelly, W.	Nelson	Sieloff
Anderson, I.	Eken	Kempe, A.	Niehaus	Simoneau
Arlandson	Enebo	Kempe, R.	Norton	Skoglund
Beauchamp	Evans	Ketola	Novak	Smith
Begich	Ewald	Knickerbocker	Osthoff	Smogard
Berg	Faricy	Knoll	Parish	Spanish
Berglin	Fjoslien	Kostohryz	Patton	Stanton
Biersdorf	Fudro	Kroening	Pehler	Suss
Birnstihl	Fugina	Laidig	Petrafeso	Swanson
Braun	George	Langseth	Philbrook	Tomlinson
Brinkman	Graba	Lemke	Pleasant	Ulland
Byrne	Hanson	Luther	Prahl	Vanasek
Carlson, A.	Haugerud	Mangan	Reding	Vento
Carlson, L.	Hokanson	McCarron	Rice	Voss
Carlson, R.	Jacobs	McCauley	St. Onge	Wenstrom
Cassery	Jaros	McCollar	Samuelson	Wenzel
Clark	Jensen	McEachern	Sarna	White
Clawson	Johnson, C.	Meier	Schreiber	Williamson
Corbid	Johnson, D.	Menning	Schumacher	Zubay
Dahl	Jopp	Metzen	Setzepfandt	Speaker Sabo
Dean	Jude	Moe	Sherwood	

Those who voted in the negative were:

Erickson	Friedrich	Kalis	Savelkoul	Wigley
Esau	Heinitz	Nelsen	Searle	
Forsythe	Kaley	Peterson	Wieser	

The bill was passed and its title agreed to.

H. F. No. 493, A bill for an act relating to commerce; franchises; amending Minnesota Statutes 1974, Sections 80C.01, by adding subdivisions; 80C.04, by adding a subdivision; 80C.13, by adding subdivisions; and 80C.14.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Jude	Moe	Sherwood
Adams, L.	Eckstein	Kahn	Munger	Sieben, H.
Albrecht	Eken	Kaley	Neisen	Sieben, M.
Anderson, G.	Enebo	Kalis	Nelsen	Sieloff
Anderson, I.	Erickson	Kelly, R.	Nelson	Simoneau
Arlandson	Esau	Kelly, W.	Niehaus	Skoglund
Beauchamp	Evans	Kempe, A.	Norton	Smith
Begich	Ewald	Kempe, R.	Novak	Smogard
Berg	Faricy	Ketola	Osthoff	Spanish
Berglin	Fjoslien	Knickerbocker	Parish	Stanton
Biersdorf	Forsythe	Knoll	Patton	Suss
Birnstihl	Friedrich	Kostohryz	Pehler	Swanson
Braun	Fudro	Kroening	Peterson	Tomlinson
Brinkman	Fugina	Laidig	Petraleso	Ulland
Byrne	George	Langseth	Philbrook	Vanasek
Carlson, A.	Graba	Lemke	Prahl	Vento
Carlson, L.	Hanson	Lindstrom	Reding	Voss
Carlson, R.	Haugerud	Luther	Rice	Wenstrom
Casserly	Heinitz	Mangan	St. Onge	Wenzel
Clark	Hokanson	Mann	Samuelson	White
Clawson	Jacobs	McCarron	Sarna	Wieser
Corbid	Jaros	McCollar	Savelkoul	Wigley
Dahl	Jensen	McEachern	Schreiber	Williamson
Dean	Johnson, C.	Meier	Schumacher	Zubay
DeGroat	Johnson, D.	Menning	Searle	Speaker Sabo
Dieterich	Jopp	Metzen	Setzepfandt	

The bill was passed and its title agreed to.

H. F. No. 911, A bill for an act relating to crime; prohibiting removing, altering or obliterating identifying marks on property; providing penalties; amending Minnesota Statutes 1974, Section 609.52, 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 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Adams, S.	Anderson, G.	Arlandson	Begich
Adams, L.	Albrecht	Anderson, I.	Beauchamp	Berg

Berglin	Faricy	Kempe, A.	Nelsen	Sieben, H.
Biersdorf	Fjoslien	Kempe, R.	Nelson	Sieben, M.
Birnstihl	Forsythe	Ketola	Niehaus	Sieloff
Braun	Friedrich	Knickerbocker	Norton	Simoneau
Brinkman	Fudro	Knoll	Novak	Skoglund
Byrne	Fugina	Kostohryz	Osthoff	Smith
Carlson, A.	George	Kroening	Parish	Smogard
Carlson, L.	Graba	Laidig	Patton	Spanish
Casserly	Hanson	Langseth	Pehler	Stanton
Clark	Haugerud	Lemke	Peterson	Suss
Clawson	Heinitz	Lindstrom	Petraleso	Swanson
Corbid	Hokanson	Luther	Philbrook	Tomlinson
Dahl	Jacobs	Mangan	Pleasant	Ulland
Dean	Jaros	Mann	Prahl	Vanasek
DeGroat	Jensen	McCarron	Reding	Vento
Dieterich	Johnson, C.	McCauley	Rice	Voss
Doty	Johnson, D.	McCollar	St. Onge	Wenstrom
Eckstein	Jopp	McEachern	Samuelson	Wenzel
Eken	Jude	Meier	Sarna	White
Enebo	Kahn	Menning	Savelkoul	Wieser
Erickson	Kaley	Metzen	Schreiber	Wigley
Esau	Kalis	Moe	Searle	Williamson
Evans	Kelly, R.	Munger	Setzepfandt	Zubay
Ewald	Kelly, W.	Neisen	Sherwood	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 686, A bill for an act relating to Independent School District No. 497; allowing financing of a deficit.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 2, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Jude	Munger	Sieben, H.
Adams, L.	Doty	Kahn	Neisen	Sieben, M.
Adams, S.	Eckstein	Kaley	Nelsen	Sieloff
Albrecht	Eken	Kalis	Nelson	Simoneau
Anderson, G.	Enebo	Kelly, R.	Niehaus	Skoglund
Anderson, I.	Erickson	Kelly, W.	Norton	Smogard
Arlandson	Esau	Kempe, A.	Novak	Spanish
Beauchamp	Evans	Kempe, R.	Osthoff	Stanton
Begich	Ewald	Ketola	Parish	Suss
Berg	Faricy	Knickerbocker	Patton	Swanson
Berglin	Fjoslien	Knoll	Pehler	Tomlinson
Biersdorf	Forsythe	Kostohryz	Peterson	Ulland
Birnstihl	Friedrich	Kroening	Petraleso	Vanasek
Braun	Fudro	Laidig	Philbrook	Vento
Brinkman	Fugina	Langseth	Pleasant	Voss
Byrne	George	Lemke	Reding	Wenstrom
Carlson, A.	Graba	Lindstrom	Rice	Wenzel
Carlson, L.	Hanson	Luther	St. Onge	White
Carlson, R.	Haugerud	Mann	Samuelson	Wieser
Casserly	Heinitz	McCarron	Sarna	Wigley
Clark	Jacobs	McCauley	Savelkoul	Williamson
Clawson	Jaros	McCollar	Schreiber	Zubay
Corbid	Jensen	McEachern	Schumacher	Speaker Sabo
Dahl	Johnson, C.	Menning	Searle	
Dean	Johnson, D.	Metzen	Setzepfandt	
DeGroat	Jopp	Moe	Sherwood	

Those who voted in the negative were:

Meier Prah

The bill was passed and its title agreed to.

H. F. No. 100, A bill for an act relating to game and fish; authorizing the commissioner of natural resources to establish limitations on fishing contests and to issue special permits for fishing contests; amending Minnesota Statutes 1974, Section 101.42, 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 93, and nays 31, as follows:

Those who voted in the affirmative were:

Abeln	Dean	Kempe, A.	Neisen	Skoglund
Adams, L.	Dieterich	Kempe, R.	Nelson	Smith
Adams, S.	Doty	Ketola	Norton	Smogard
Anderson, G.	Eken	Knickerbocker	Novak	Stanton
Anderson, I.	Enebo	Knoll	Osthoff	Suss
Beauchamp	Faricy	Kostohryz	Pehler	Swanson
Berg	Fudro	Kroening	Petraleso	Tomlinson
Berglin	George	Laidig	Philbrook	Ulland
Biersdorf	Graba	Langseth	Reding	Vanasek
Birnstihl	Hanson	Luther	Rice	Vento
Braun	Haugerud	Mangan	St. Onge	Voss
Brinkman	Jacobs	Mann	Samuelson	Wenstrom
Byrne	Jaros	McCollar	Sarna	Wenzel
Carlson, A.	Jensen	McEachern	Schumacher	White
Carlson, L.	Johnson, D.	Meier	Setzepfandt	Williamson
Casserly	Jude	Menning	Sherwood	Zubay
Clark	Kahn	Metzen	Sieben, H.	Speaker Sabo
Clawson	Kaley	Moe	Sieben, M.	
Corbid	Kelly, W.	Munger	Simoneau	

Those who voted in the negative were:

Albrecht	Ewald	Jopp	Niehaus	Sieloff
Arlandson	Fjoslien	Kalis	Patton	Wieser
Begich	Forsythe	Kelly, R.	Peterson	Wigley
DeGroat	Friedrich	Lemke	Prah	
Eckstein	Fugina	Lindstrom	Savelkoul	
Erickson	Heinitz	McCauley	Schreiber	
Evans	Johnson, C.	Nelsen	Searle	

The bill was passed and its title agreed to.

H. F. No. 503, A bill for an act relating to game and fish; prohibiting the use of certain sonic equipment; amending Minnesota Statutes 1974, Section 101.42, by adding subdivisions.

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 117, and nays 8, as follows:

Those voted in the affirmative were:

Adams, L.	Eken	Kelly, W.	Nelson	Sieloff
Adams, S.	Erickson	Kempe, A.	Niehaus	Simoneau
Anderson, G.	Esau	Kempe, R.	Norton	Skoglund
Anderson, I.	Evans	Ketola	Novak	Smith
Beauchamp	Faricy	Knoll	Osthoff	Smogard
Begich	Fjoslien	Kostohryz	Patton	Stanton
Berg	Forsythe	Kroening	Pehler	Suss
Berglin	Friedrich	Laidig	Peterson	Swanson
Biersdorf	Fugina	Langseth	Petrafeso	Tomlinson
Birnstihl	George	Lemke	Philbrook	Ulland
Braun	Graba	Lindstrom	Pleasant	Vanasek
Brinkman	Hanson	Luther	Reding	Vento
Byrne	Haugerud	Mangan	Rice	Voss
Carlson, A.	Hokanson	Mann	St. Onge	Wenstrom
Carlson, L.	Jacobs	McCauley	Samuelson	Wenzel
Carlson, R.	Jaros	McCollar	Sarna	White
Casserly	Jensen	McEachern	Savelkoul	Wieser
Clark	Johnson, C.	Meier	Schreiber	Wigley
Clawson	Johnson, D.	Menning	Schumacher	Williamson
Corbid	Jopp	Metzen	Searle	Zubay
Dean	Jude	Moe	Setzepfandt	Speaker Sabo
DeGroat	Kahn	Munger	Sherwood	
Dieterich	Kaley	Neisen	Sieben, H.	
Doty	Kalis	Nelsen	Sieben, M.	

Those who voted in the negative were:

Abeln	Arlandson	Eckstein	Heinitz	Prahl
Albrecht	Dahl	Enebo		

The bill was passed and its title agreed to.

H. F. No. 594, A bill for an act relating to employments licensed by the state; architects, engineers and surveyors; raising the minimum public building cost for which services of a licensed architect, engineer or land surveyor are required; amending Minnesota Statutes 1974, Section 326.03, 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 126, and nays 6, as follows:

Those who voted in the affirmative were:

Abeln	Begich	Carlson, A.	Dean	Esau
Adams, L.	Berg	Carlson, L.	DeGroat	Ewald
Adams, S.	Berglin	Carlson, R.	Dieterich	Faricy
Albrecht	Biersdorf	Casserly	Doty	Fjoslien
Anderson, G.	Birnstihl	Clark	Eckstein	Forsythe
Anderson, I.	Braun	Clawson	Eken	Fudro
Arlandson	Brinkman	Corbid	Enebo	Fugina
Beauchamp	Byrne	Dahl	Erickson	George

Graba	Ketola	Moe	St. Onge	Swanson
Hanson	Knickerbocker	Munger	Samuelson	Tomlinson
Haugerud	Knoll	Neisen	Sarna	Ulland
Heinitz	Kostohryz	Nelsen	Savelkoul	Vanasek
Hokanson	Kroening	Nelson	Schreiber	Vento
Jacobs	Laidig	Niehaus	Schumacher	Voss
Jaros	Lemke	Norton	Searle	Wenstrom
Jensen	Lindstrom	Novak	Setzepfandt	Wenzel
Johnson, C.	Luther	Osthoff	Sherwood	White
Johnson, D.	Mangan	Parish	Sieben, H.	Wieser
Jopp	Mann	Patton	Sieben, M.	Wigley
Jude	McCarron	Pehler	Simoneau	Williamson
Kahn	McCauley	Peterson	Skoglund	Zubay
Kalis	McCollar	Petrafeso	Smith	Speaker Sabo
Kelly, R.	McEachern	Philbrook	Smogard	
Kelly, W.	Meier	Prahl	Spanish	
Kempe, A.	Menning	Reding	Stanton	
Kempe, R.	Metzen	Rice	Suss	

Those who voted in the negative were:

Evans	Kaley	Langseth	Pleasant	Sieloff
Friedrich				

The bill was passed and its title agreed to.

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to rule 1.6, a roll call was taken on the motion of Begich that H. F. No. 679 be re-referred to the Committee on Agriculture.

There were yeas 45, and nays 82, as follows:

Those who voted in the affirmative were:

Albrecht	Doty	Heinitz	McCauley	St. Onge
Anderson, I.	Eckstein	Jensen	McEachern	Samuelson
Begich	Eken	Johnson, D.	Meier	Schumacher
Biersdorf	Erickson	Jopp	Menning	Sherwood
Birnstihl	Esau	Kalis	Nelsen	Smith
Braun	Evans	Ketola	Niehaus	Spanish
Brinkman	Fjoslien	Lemke	Patton	Wenzel
Dahl	Fugina	Mangan	Pehler	Wieser
DeGroat	Graba	Mann	Prahl	Wigley

Those who voted in the negative were:

Abeln	Berglin	Clawson	Friedrich	Jaros
Adams, L.	Byrne	Corbid	Fudro	Johnson, C.
Adams, S.	Carlson, A.	Dean	George	Jude
Anderson, G.	Carlson, L.	Dieterich	Hanson	Kahn
Arlandson	Carlson, R.	Enebo	Haugerud	Kaley
Beauchamp	Casserly	Faricy	Hokanson	Kelly, R.
Berg	Clark	Forsythe	Jacobs	Kelly, W.

Kempe, A.	McCollar	Peterson	Sieloff	Vento
Kempe, R.	Metzen	Petraleso	Simoneau	Voss
Knickerbocker	Moe	Philbrook	Skoglund	Wenstrom
Knoll	Munger	Pleasant	Smogard	White
Kostohryz	Neisen	Reding	Stanton	Williamson
Kroening	Nelson	Rice	Suss	Zubay
Laidig	Norton	Sarna	Swanson	Speaker Sabo
Langseth	Novak	Schreiber	Tomlinson	
Luther	Osthoff	Sieben, H.	Ulland	
McCarron	Parish	Sieben, M.	Vanasek	

The motion did not prevail.

Pursuant to rule 1.6, a roll call was taken on the following amendment to H. F. No. 679 offered by Wenzel, Sherwood, Zubay, Wieser and Fjoslien.

Page 17, line 11, strike "*one year plus one day*" and insert "*three years*".

There were yeas 48, and nays 74, as follows:

Those who voted in the affirmative were:

Albrecht	Eken	Jopp	McCauley	Sherwood
Anderson, G.	Erickson	Jude	Menning	Smith
Anderson, I.	Esau	Kaley	Neisen	Spanish
Begich	Evans	Kalis	Nelsen	Wenstrom
Biersdorf	Ewald	Kempe, A.	Niehau	Wenzel
Birnsthil	Fjoslien	Kempe, R.	Patton	Wieser
Braun	Friedrich	Kroening	Peterson	Wigley
Brinkman	Haugerud	Laidig	Prahl	Zubay
Doty	Heinitz	Lemke	St. Onge	
Eckstein	Jensen	Mann	Samuelson	

Those who voted in the negative were:

Abeln	DeGroat	Kelly, W.	Nelson	Sieloff
Adams, L.	Dieterich	Ketola	Norton	Simoneau
Adams, S.	Enebo	Knickerbocker	Novak	Skoglund
Arlandson	Forsythe	Knoll	Parish	Smogard
Beauchamp	Fugina	Kostohryz	Pehler	Stanton
Berg	George	Langseth	Petraleso	Suss
Berglin	Graba	Lindstrom	Philbrook	Tomlinson
Byrne	Hanson	Luther	Pleasant	Ulland
Carlson, A.	Hokanson	Mangan	Rice	Vanasek
Carlson, L.	Jacobs	McCarron	Savelkoul	Vento
Casserly	Jaros	McCollar	Schreiber	Voss
Clark	Johnson, C.	Meier	Schumacher	White
Clawson	Johnson, D.	Metzen	Setzepfandt	Williamson
Corbid	Kahn	Moe	Sieben, H.	Speaker Sabo
Dean	Kelly, R.	Munger	Sieben, M.	

The amendment was not adopted.

Pursuant to rule 1.6, a roll call was taken on the following amendment to H. F. No. 679 offered by Wenzel, Sherwood, Zubay, Wieser and Fjoslien:

Page 17, line 11, strike "one year plus one day" and insert "two years".

There were yeas 55, and nays 71, as follows:

Those who voted in the affirmative were:

Albrecht	Doty	Jensen	Mann	Samuelson
Anderson, G.	Eckstein	Jopp	McCauley	Savelkoul
Anderson, I.	Eken	Jude	Menning	Schreiber
Begich	Erickson	Kaley	Neisen	Sherwood
Biersdorf	Esau	Kalis	Nelsen	Smith
Birnsthil	Evans	Kelly, R.	Niehaus	Spanish
Braun	Ewald	Kempe, A.	Patton	Wenstrom
Brinkman	Fjoslien	Kempe, R.	Pehler	Wenzel
Corbid	Friedrich	Knickerbocker	Peterson	Wieser
Dean	Haugerud	Laidig	Prahl	Wigley
DeGroat	Heinitz	Lemke	St. Onge	Zubay

Those who voted in the negative were:

Abeln	Enebo	Knoll	Novak	Smogard
Adams, L.	Faricy	Kostohryz	Osthoff	Stanton
Adams, S.	Forsythe	Kroening	Parish	Suss
Arlandson	Fugina	Langseth	Petraseso	Tomlinson
Beauchamp	George	Lindstrom	Philbrook	Ulland
Berg	Graba	Luther	Pleasant	Vanasek
Berglin	Hanson	Mangan	Reding	Vento
Byrne	Hokanson	McCarron	Rice	Voss
Carlson, A.	Jacobs	McCollar	Schumacher	White
Carlson, L.	Jaros	Meier	Setzepfandt	Williamson
Carlson, R.	Johnson, C.	Metzen	Sieben, H.	Speaker Sabo
Cassery	Johnson, D.	Moe	Sieben, M.	
Clark	Kahn	Munger	Sieloff	
Clawson	Kelly, W.	Nelson	Simoneau	
Dieterich	Ketola	Norton	Skoglund	

The amendment was not adopted.

Pursuant to rule 1.6, a roll call was taken on the following amendment to H. F. No. 679 offered by Anderson, I.:

On pages 9 and 10 strike all of section 7 and insert in lieu thereof the following:

Sec. 7. [] Subdivision 1. A person who is not a resident of one of the counties named in section 20 who owns, possesses or otherwise has control of a pistol shall within 30 days after entering one of the counties named in section 20 obtain a transferee's permit for the pistols which he owned, possessed or otherwise controlled when he entered one of such counties at the office of the chief of police of the municipality in which the person resides, or the county sheriff of the county in which the person resides by completing a transferee's permit application in the manner set out in section 6.

Subd. 2. Within 30 days after becoming a transferee of a pistol outside of one of the counties named in section 20, the transferee shall obtain a transferee's permit for the pistol with the chief of police of the municipality in which the transferee resides or with the county sheriff of the county in which the transferee resides by completing a transferee's permit form in the manner set out in section 6.

Subd. 3. A person required by this section to obtain a transferee's permit for a pistol who fails to do so is guilty of a misdemeanor.

Page 17, insert a new section 20 as follows:

Sec. 20. Sections 1 through 18 apply only to the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.

Renumber the remaining sections.

Further amend the title, line 3 thereof, after the word "pistols" insert "in the metropolitan area".

There were yeas 55, and nays 77.

Those who voted in the affirmative were:

Albrecht	DeGroat	Johnson, D.	Munger	Schumacher
Anderson, G.	Doty	Kaley	Nelsen	Searle
Anderson, I.	Eckstein	Kalis	Niehaus	Setzepfandt
Begich	Eken	Ketola	Patton	Sherwood
Biersdorf	Erickson	Langseth	Pehler	Smith
Birnstihl	Esau	Lemke	Peterson	Smogard
Braun	Evans	Mann	Prahl	Spanish
Brinkman	Fjoslien	McCauley	Reding	Wenstrom
Carlson, R.	Friedrich	McEachern	St. Onge	Wenzel
Corbid	Graba	Meier	Samuelson	Wieser
Dahl	Haugerud	Menning	Savelkoul	Zubay

Those who voted in the negative were:

Abeln	Ewald	Kelly, R.	Neisen	Skoglund
Adams, L.	Faricy	Kelly, W.	Nelson	Stanton
Adams, S.	Forsythe	Kempe, A.	Norton	Suss
Arlandson	Fudro	Kempe, R.	Novak	Swanson
Beauchamp	Fugina	Knickerbocker	Osthoff	Tomlinson
Berg	George	Knoll	Parish	Ulland
Berglin	Hanson	Kostohryz	Petrafeso	Vanasek
Byrne	Heinitz	Kroening	Philbrook	Vento
Carlson, A.	Hokanson	Laidig	Pleasant	Voss
Carlson, L.	Jacobs	Lindstrom	Rice	White
Cassery	Jaros	Luther	Sarna	Wigley
Clark	Jensen	Mangan	Schreiber	Williamson
Clawson	Johnson, C.	McCarron	Sieben, H.	Speaker Sabo
Dean	Jopp	McCollar	Sieben, M.	
Dieterich	Jude	Metzen	Sieloff	
Enebo	Kahn	Moe	Simoneau	

The amendment was not adopted.

Pursuant to rule 1.6, a roll call was taken on the following amendment to H. F. No. 679 offered by Clawson:

Page 6, lines 4 through 31 strike subsection (e).

There were yeas 39, and nays 88, as follows:

Those who voted in the affirmative were:

Adams, S.	Clawson	George	Mangan	Pehler
Anderson, G.	DeGroat	Graba	McCauley	Philbrook
Begich	Doty	Haugerud	Meier	Pleasant
Biersdorf	Eckstein	Jensen	Menning	Reding
Birnstihl	Eken	Johnson, C.	Neisen	Spanish
Braun	Esau	Ketola	Niehaus	Wigley
Brinkman	Evans	Langseth	Norton	Zubay
Carlson, R.	Fjoslien	Lemke	Patton	

Those who voted in the negative were:

Abeln	Faricy	Kempe, R.	Parish	Skoglund
Adams, L.	Forsythe	Knickerbocker	Peterson	Smith
Albrecht	Friedrich	Knoll	Petrafeso	Smogard
Anderson, I.	Fudro	Kostohryz	Prahl	Stanton
Arlandson	Fugina	Kroening	Rice	Suss
Beauchamp	Hanson	Laidig	St. Onge	Swanson
Berg	Hokanson	Lindstrom	Samuelson	Tomlinson
Berglin	Jacobs	Luther	Sarna	Ulland
Byrne	Jaros	Mann	Savelkoul	Vanasek
Carlson, A.	Johnson, D.	McCarron	Schreiber	Vento
Carlson, L.	Jopp	McCollar	Schumacher	Voss
Casserly	Jude	McEachern	Searle	Wenstrom
Clark	Kahn	Metzen	Setzepfandt	Wenzel
Corbid	Kaley	Moe	Sherwood	White
Dean	Kalis	Munger	Sieben, H.	Williamson
Dieterich	Kelly, R.	Nelson	Sieben, M.	Speaker Sabo
Enebo	Kelly, W.	Novak	Sieloff	
Erickson	Kempe, A.	Osthoff	Simoneau	

The amendment was not adopted.

Pursuant to rule 1.6, a roll call was taken on the motion of Berg to recommend passage of H. F. No. 679.

There were yeas 68, and nays 64, as follows:

Those who voted in the affirmative were:

Abeln	Casserly	Hokanson	Knickerbocker	Moe
Adams, L.	Clark	Jacobs	Knoll	Nelson
Adams, S.	Dean	Jaros	Kostohryz	Norton
Arlandson	Dieterich	Johnson, C.	Kroening	Novak
Beauchamp	Enebo	Jude	Laidig	Osthoff
Berg	Faricy	Kahn	Lindstrom	Parish
Berglin	Forsythe	Kelly, R.	Luther	Petrafeso
Byrne	Fudro	Kelly, W.	McCarron	Philbrook
Carlson, A.	George	Kempe, A.	McCollar	Rice
Carlson, L.	Hanson	Kempe, R.	Metzen	Sarna

Schreiber	Simoneau	Swanson	Vento	Williamson
Sieben, H.	Skoglund	Tomlinson	Voss	Speaker Sabo
Sieben, M.	Stanton	Ulland	Wenstrom	
Sieloff	Suss	Vanasek	White	

Those who voted in the negative were:

Albrecht	Doty	Jensen	Menning	Savelkoul
Anderson, G.	Eckstein	Johnson, D.	Munger	Schumacher
Anderson, I.	Eken	Jopp	Neisen	Searle
Begich	Erickson	Kaley	Nelsen	Setzepfandt
Biersdorf	Esau	Kalis	Niehaus	Sherwood
Birnstihl	Evans	Ketola	Patton	Smith
Braun	Ewald	Langseth	Pehler	Smogard
Brinkman	Fjoslien	Lemke	Peterson	Spanish
Carlson, R.	Friedrich	Mangan	Pleasant	Wenzel
Clawson	Fugina	Mann	Prahl	Wieser
Corbid	Graba	McCauley	Reding	Wigley
Dahl	Haugerud	McEachern	St. Onge	Zubay
DeGroat	Heinitz	Meier	Samuelson	

The motion prevailed.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. Nos. 961 and 679 which it recommended to pass.

S. F. Nos. 396 and 422 which it recommended to pass.

H. F. No. 1099 upon which it recommended progress.

H. F. No. 720 upon which it recommended to pass as amended by the Committee of the Whole on Thursday, April 10, 1975, Thursday, April 17, 1975 and with the following amendment offered by Pehler:

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

"Section 1. Minnesota Statutes 1974, Chapter 484, is amended by adding a section to read:

[484.545] [LAW CLERKS.] *Subdivision 1. Notwithstanding any other law to the contrary, the district judges regularly assigned to hold court in each judicial district except for the second and fourth judicial districts may by orders filed with the clerk of court and county auditor of each county in the district appoint two competent law clerks to hold office during the pleasure of the judges.*

Subd. 2. The judges, with the approval of the county board of each of the counties involved, by order filed with the county auditors on or before the first Monday in August, 1975, and annually on or before the first Monday in January thereafter shall

fix and establish the salary of each law clerk, and shall apportion the total salaries paid among the several counties to which the judges are assigned, according to the population of each county. Each county shall be required by the order to pay a specified amount thereof in monthly installments which shall be such proportion of the whole salaries as the population of the county is to the total population of the counties to which the judge is assigned as determined by the last census.

Subd. 3. The law clerks, in addition to their salary, shall be paid necessary mileage, traveling and hotel expenses accrued in their discharge of official duties while absent from home. The county auditor of the county for which the expenses were incurred, upon presentation of a verified statement approved by one of the judges shall issue his warrant in payment thereof."

Further, amend the title by striking it and inserting

"A bill for district courts; providing for the appointment and compensation of law clerks."

H. F. No. 851 upon which it recommended to pass as amended by the Committee of the Whole on Thursday, April 17, 1975 with the following amendments:

Offered by Carlson, R.:

Page 1, delete all of lines 10, 11, 12 and 13 except for word "The" at the end of line 13, and insert the following: "Subdivision 1. Any advisory committee established for a program of occupational training offered in a public secondary school; a co-operative vocational center or a vocational-technical institute, shall consist of a minimum of four members."

Page 2, line 24, strike "1976" and insert "1977".

Page 2, after line 27, insert "Sec. 2. This act shall become effective January 1, 1976."

Offered by Swanson:

Page 2, line 5, after the "." insert "Vocational-technical institutes in districts formed pursuant to Laws 1967, Chapter 822, as amended, Laws 1969, Chapter 775, as amended, and Laws 1969, Chapter 1060, as amended, shall not be subject to the provisions of this section."

Page 2, line 19, strike "six" and insert "three".

Offered by Erickson:

Page 2, line 20 after "Subd. 3." strike "An" and insert "A summary".

Page 2, line 24, after "A" insert "*summary*".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Samuelson reported on the progress of H. F. No. 11, now in Conference Committee.

Pursuant to Joint Rule 13, Haugerud reported on the progress of H. F. No. 1110, now in Conference Committee.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 499:

Prahl, Sieloff and Anderson, G.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 226:

Beauchamp, Voss and Biersdorf.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 72:

Enebo, Sarna and Knickerbocker.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Wednesday, April 23, 1975. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Wednesday, April 23, 1975.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

