

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## NINETIETH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 15, 1976

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

A quorum was present.

Fugina, Graba and Wigley were excused.

The Chief Clerk proceeded to read the Journals of the preceding days. On the motion of Erickson the further readings were 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. 81, 1592, 2115, 2157, 2492, 1801, 2012, 2113, 2230, 1826 and 2204 and S. F. Nos. 354, 2108, 2344 and 634 have been placed in the members' files.

S. F. No. 2108 and H. F. No. 2496, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Biersdorf moved that S. F. No. 2108 be substituted for H. F. No. 2496 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2344 and H. F. No. 2461, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Evans moved that S. F. No. 2344 be substituted for H. F. No. 2461 and that the House File be indefinitely postponed. The motion prevailed.

## PETITIONS AND COMMUNICATIONS

The following communications were received:

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

March 12, 1976

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 1976 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 1976</i>	<i>Date Filed 1976</i>
	749	42	March 11	March 11
	945	43	March 11	March 11

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

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

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<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1976</i>	<i>Date Filed 1976</i>
375		44	March 12	March 12
830		45	March 12	March 12
43		46	March 12	March 12

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 1130, A bill for an act relating to the organization, operation and financing of state government; establishing an indirect cost billing system; requiring revolving fund billing rates to be determined by the commissioner of finance; transferring certain powers and duties relating to finance and recordation from and to the department of finance; appropriating money; amending Minnesota Statutes 1974, Sections 3.30, Subdivision 2; 10.16; 15.191, Subdivision 2; 16.141, Subdivisions 2 and 3a; 16.18; 16A.055; 16A.129; 16A.15, Subdivision 3; 16A.17; 16A.28; 84A.04; 93.12; 124.28, Subdivision 2; 276.09; 276.10; 293.10; 348.04; 354A.07; 379.05; 379.07; 379.09; 385.21; and 473F.07, Subdivisions 1 and 2; and Chapters 16, by adding a section; and 16A, by adding sections; repealing Minnesota Statutes 1974, Sections 3.30, Subdivision 2a; 16.19; 16A.09; 16A.125, Subdivisions 1, 2, 3, 7, 8, 9, and 10; and 136.06.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 3.30, Subdivision 2, is amended to read:

Subd. 2. [MEMBERS; DUTIES.] The chairman of the senate committee on taxes and tax laws, the chairman of the senate committee on finance, the chairman of the house committee on taxes and tax laws, and the chairman of the house committee on appropriations shall constitute (A COMMITTEE TO BE KNOWN AS) the legislative advisory committee. The governor shall preside over the meetings of the committee but shall not be a member thereof. If any of the legislative members elect not to serve on the committee, the house of which they are members, if in session, shall select some other member for such vacancy. If the legislature is not in session, vacancies in the legislative membership of the committee shall be filled by the last speaker of the house or, if he be not available, by the last chairman of the house rules committee, in case of a house vacancy, and by the last senate committee on committees or other appointing authority designated by the senate rules in case of a senate vacancy. The commissioner of finance shall act as secretary of the committee and shall keep a permanent record and minutes of its proceedings, which shall be (MADE AVAILABLE FOR EXAMINATION UPON REQUEST OF ANY INTERESTED CITIZEN) *public records*. The commissioner of finance shall transmit, *under the provisions of section 3.195*, a report to the next legislature of all actions of said committee. The members of the committee shall receive travelling and subsistence expenses in attending meetings of the committee. (FROM THE APPROPRIATION MADE FOR THE COMMITTEE THERE SHALL BE PAID THE TRAVELLING AND SUBSISTENCE EXPENSES OF MEMBERS OF THE COMMITTEE IN ATTENDING MEETINGS THEREOF AND FOR THE PAYMENT OF STENOGRAPHIC SERVICES WHICH IF PERFORMED BY A PERSON IN THE CLASSIFIED SERVICE OF THE STATE SHALL BE IN ADDITION TO HIS REGULAR SALARY.) The committee shall meet from time to time upon the call of the governor or upon the call of the secretary at the request of three or more of its members.

Sec. 2. Minnesota Statutes 1974, Section 15.191, Subdivision 2, is amended to read:

Subd. 2. [APPROVAL.] Before an imprest cash fund is established an application showing the need therefor shall be presented to the (STATE AUDITOR) *commissioner of finance* who shall fix the amount of the fund for the department or agency. Upon the approval of the application by the commissioner of (ADMINISTRATION) *finance*, the imprest cash fund is established and the *commissioner of finance* shall notify the applicant.

Sec. 3. Minnesota Statutes 1974, Section 16A.055, is amended to read:

**16A.055 [DUTIES OF COMMISSIONER.]** The commissioner of finance shall exercise the rights, powers, and duties vested in and imposed upon his office. He shall have charge of the administration of the financial affairs of the state. He shall keep the general books of account of the state. The general books of account shall be on a double entry control basis, with such revenue, expenditure, asset and liability accounts as will give complete control over all financial and expenditure operations of the state and over all officials, departments, and agencies of the state government. Accounts shall be set both as to expenditures and revenue according to generally accepted practice in governmental accounting. The commissioner of finance shall formulate and prescribe for all departments and other state agencies a system of uniform records, accounts, statements, estimates, revenue receipt forms, vouchers, bills, and demands with suitable instructions governing the installation and use thereof. The accounting system and form so prescribed shall be adopted and employed by all officials, departments, and agencies of the state government. The commissioner of finance shall exercise constant supervision and control thereof. All accounting and financial records shall be kept on the fiscal year basis of 12 months ending at midnight between June 30 and July 1. The commissioner of finance and his designated agents shall at all times have free access to the books, records, accounts, and papers of the several departments and agencies.

*To accomplish the above duties, the commissioner may assign a designee to any department or agency of the state to monitor the fiscal activities therein, insure compliance with statutes and administrative requirements promulgated by the commissioner and provide any additional assistance he deems appropriate. Development of a budget consistent with a department or agency's goals, responsibilities and priorities and supervision of a department or agency's personnel shall be the responsibility of the department or agency head.*

Sec. 4. Minnesota Statutes 1974, Chapter 16A, is amended by adding a section to read:

**[16A.095] [PROGRAM BUDGETING.]** *Subdivision 1. [LEGISLATIVE POLICY.] The legislature finds that in the present era of increasing cost and complexity of state governmental operations with the attendant increase in sums requested and appropriated at each legislative session to enable state departments and agencies to perform their functions of service to the public, it is highly desirable that budgets considered by the legislature be stated in terms of services to the people in order to present fiscal policies in the context of services to be accomplished. The legislature therefore finds it desirable that future budgets and appropriations be stated in terms of programs and*

*anticipated accomplishment rather than in terms of objects of expenditure. Program budgeting, herein defined as the arrangement of budgetary information into program categories in such a way as to emphasize the purposes for which state moneys are to be spent, will be of invaluable assistance to the legislature in its consideration of budgets and appropriations requests. It is believed that it will also assist departments and agencies in clearly stating and properly emphasizing their budgetary needs.*

**Subd. 2. [ESTABLISHMENT OF PROGRAM.]** *The commissioner of finance shall develop the budget process to accomplish the policy as stated in subdivision 1 for state departments and agencies, provided, that such process need not comply with other provisions of law relating to the setting forth of expenditures by organizational units, character and objects of expenditure. The commissioner of finance shall promulgate regulations and instructions applicable to budget preparation governing the classification of expenditures and the content, and submission of budget requests and appropriation measures. The commissioner of finance shall select agencies and departments to implement the budget system. The commissioner of finance shall make recommendations to the legislature on the subject of any legislation or special appropriations which may be required for implementation of the budgeting system for all state departments and agencies. Such budget system shall, to the greatest extent practicable, emphasize alternative approaches in the program development and criteria for performance evaluation and measurement. All state departments and agencies shall cooperate with the commissioner of finance to assure implementation of budgets which meet the requirements of the commissioner of finance and which give due regard to the requirements of the various departments and agencies involved. No state agency shall begin or install any system of program or programmatic budgeting until they have first secured the explicit permission of the commissioner of finance.*

**Subd. 3. [WAIVER OF REQUIREMENT OF SUBMITTING BUDGET.]** *Notwithstanding any other law to the contrary, the commissioner of finance after consulting the committee on appropriations of the house of representatives and the committee on finance of the senate may waive the requirements for submitting a budget by object of expenditure for agencies and departments which are, at his direction, requesting programmatic appropriations.*

**Sec. 5.** Minnesota Statutes 1974, Chapter 16A, is amended by adding a section to read:

**[16A.126] [COMMISSIONER TO APPROVE BILLING RATES FOR REVOLVING FUNDS.]** *The commissioner of finance shall approve the rates at which services are billed state departments or agencies by any revolving fund.*

Sec. 6. Minnesota Statutes 1974, Chapter 16A, is amended by adding a section to read:

[16A.127] [INDIRECT COSTS.] *Subdivision 1. [DEFINITIONS.] As used in this section the following terms shall have the meanings given them:*

(a) "State agency" means a state department, board, council, committee, authority, commission or other entity in the executive branch of state government;

(b) "Nongeneral fund moneys" means any moneys any state agency is authorized to receive and expend from a source other than the general fund;

(c) "Statewide indirect costs" means all operating costs incurred by the state treasurer and the departments of administration, finance and personnel which are attributable to the provision of services to any state agency;

(d) "Commissioner" means the commissioner of finance.

Subd. 2. [STATEWIDE INDIRECT COST PLAN.] *Each year the commissioner shall prepare a statewide indirect cost plan showing the category and amount of statewide indirect costs attributable to each state agency for the current fiscal year. The commissioner shall submit copies of the plan to the governor and to the legislature pursuant to section 3.195.*

Subd. 3. [TRANSFER OF FUNDS.] *Pursuant to the statewide indirect cost plan the commissioner shall transfer to the general fund that portion of the statewide indirect costs applicable to nongeneral funds moneys received by any state agency for the previous fiscal year. Upon making such a transfer, the commissioner is authorized and directed to make appropriate entries in the records of the funds involved in the transfer. Notwithstanding the foregoing, the commissioner may determine, for reasons of sound fiscal management, to waive the transfer to the general fund of the indirect costs for certain nongeneral fund moneys. The commissioner shall report any waivers under this subdivision to the governor and the legislature at the time of his submission of the statewide indirect cost plan for the following fiscal year.*

Subd. 4. [FEDERAL INDIRECT COST PROPOSALS.] *Whenever a state agency applies or submits a budget for or receives federal moneys, the state agency shall prepare and submit to the appropriate federal agency an indirect cost proposal and make such further submissions necessary to obtain both statewide and state agency indirect cost moneys. Any indirect cost proposals and related documents must be submitted to and approved by the commissioner prior to the time they are submitted*

*to the appropriate federal agency. A state agency need not prepare and submit an indirect cost proposal if it establishes to the commissioner's satisfaction that such submission is not economically feasible.*

**Subd. 5. [TRANSFER OF FUNDS; FEDERAL INDIRECT COST PROPOSAL.]** *If the appropriate federal agency approves a state agency's indirect cost proposal, the commissioner shall transfer to the general fund that portion of the federal moneys received by the state agency attributable to statewide indirect costs. If the federal agency approves only a portion of the state agency's indirect cost proposal, the commissioner shall transfer to the general fund all or such part, if any, of that portion of the federal moneys received by the state agency attributable to statewide indirect costs that the commissioner deems appropriate. If the federal agency fails to approve any portion of the state agency's indirect cost proposal, the state agency shall submit documentation of the failure to approve and a statement of the reasons therefor to the commissioner.*

**Subd. 6. [REPORTS.]** *The commissioner shall require such information and reports from each state agency as he deems necessary to carry out the duties of this section.*

**Subd. 7. [LEGISLATIVE AUDITOR.]** *Unless otherwise specified by law, a state agency whose financial affairs are audited by the legislative auditor shall transfer to the general fund that portion of the cost of the audit applicable to the moneys received by the agency from sources other than the general fund. The collection by the legislative auditor of the cost of an audit may be waived in whole or in part by the legislative audit commission upon recommendation by the legislative auditor.*

**Sec. 7.** Minnesota Statutes 1974, Section 16A.129, is amended to read:

**16A.129 [COMMISSIONER TO MAKE RULES.]** The commissioner of finance shall have the following powers: to approve or reject the compensation schedules submitted by the commissioner of personnel (BOARD) for the various classes, grades, and titles of the classified and unclassified employees of the various officials, departments, and agencies of the state government and institutions under their control; to require a complete record of the officers, assistants, and employees appointed thereby or employed therein, and to require the salaries of the same to be in conformity with the scale of compensation established pursuant to law; to prepare and prescribe classes of expenditures and revenue for the purpose of budget-making and accounting (**; TO PROCURE BY LEASE, WITH THE APPROVAL OF THE GOVERNOR, OFFICE SPACE AND BUILDINGS FOR THE USE OF THE STATE GOVERNMENT OR ANY DEPARTMENT, OFFICE, OR INSTITUTION THEREOF, TO PURCHASE, EXCEPT AS OTHERWISE PROVIDED IN**



LAWS 1925, CHAPTER 426, AS AMENDED, ALL SUPPLIES AND EQUIPMENT FOR ALL STATE OFFICIALS, DEPARTMENTS, AND AGENCIES OF THE STATE GOVERNMENT, INCLUDING TOOLS, MACHINERY, AND MATERIALS TO BE USED BY THE STATE IN THE CONSTRUCTION AND MAINTENANCE OF STATE HIGHWAYS, BUT THE COMMISSIONER, IN HIS DISCRETION, MAY DESIGNATE AN OFFICER OR EMPLOYEE OF ANY SUCH DEPARTMENT TO MAKE, UNDER THE GENERAL SUPERVISION AND DIRECTION OF THE COMMISSIONER, SUCH PURCHASES FOR THE DEPARTMENT IN WHICH SUCH DESIGNATION IS SO MADE AS HE MAY SPECIFY).

(THE AUTHORITY OF THE COMMISSIONER TO APPROVE OR REJECT A SCALE OF COMPENSATION THEREFOR SHALL NOT APPLY TO THE UNCLASSIFIED SERVICE AS PRESCRIBED BY THE STATE CIVIL SERVICE LAW.)

Sec. 8. Minnesota Statutes 1974, Chapter 16A, is amended by adding a section to read:

[16A.14] [ALLOTMENT AND ENCUMBRANCE.] *Subdivision 1. [ALLOTMENT PERIOD.] For the purposes of operation of the allotment system, each fiscal year shall be one fiscal year of 12 months which shall end at midnight between each June 30 and July 1, provided, that the commissioner of finance may prescribe a different period suited to the circumstances, not exceeding 12 months nor extending beyond the end of the fiscal year. This provision does not apply to allotments made with respect to appropriations made for constructions or permanent improvement.*

*Subd. 2. [FUNDS TO WHICH SYSTEM APPLIES.] Except as otherwise expressly provided therein, the provisions of Laws 1939, Chapter 431, relating to the allotment system and to the encumbering of funds shall apply to appropriations and funds of all kinds, including standing or annual appropriations and dedicated funds from which expenditures are to be made, from time to time, by or under the authority of any agency, but shall not apply to appropriations for the courts or the legislature, nor to payment of unemployment compensation benefits nor to the funds deposited in the state treasury for disbursement by the commissioner of highways when acting as the agent of a political subdivision pursuant to law. In the case of construction contracts and transactions for the acquisition of real estate for public purposes; where periodical allotments are impracticable, the commissioner may dispense therewith and prescribe such regulations as will insure proper application and encumbering of funds. Contingent funds appropriated for the governor or the attorney general shall not be subject to the provisions thereof relating to allotment, but shall be subject to the other provisions thereof relating to expenditure and encumbering of funds.*

**Subd. 3. [APPROPRIATIONS AVAILABLE FOR ALLOTMENT; SPENDING PLANS.]** No appropriation to any agency shall become available for expenditure thereby during any allotment period until such agency shall have submitted to the commissioner of finance a spending plan in advance, in such form as the commissioner shall prescribe, for such allotment period next ensuing, of the amount required for each activity to be carried on and each purpose for which money is to be expended during that period, and until such spending plan shall have been approved, increased, or decreased by the commissioner of finance and funds allotted therefor.

**Subd. 4. [SPENDING PLANS WITHIN APPROPRIATION; APPROVAL; PROCEDURE.]** If the spending plan is within the terms of the appropriation as to amount and purposes, having due regard for the probable further needs of the agency for the remainder of the fiscal year or other term for which the appropriation was made, and if there is a need for such appropriation for the next ensuing allotment period, the commissioner of finance shall approve the estimated amount for expenditure. Otherwise the commissioner of finance shall modify the spending plan so as to conform with the terms of the appropriation and the prospective needs of the agency and shall reduce the amount allotted accordingly. The commissioner of finance shall act promptly upon all spending plans, and shall notify every agency of its allotments at least five days before the beginning of each allotment period. The total amount allotted to any agency for the fiscal year or other terms for which the appropriation was made shall not exceed the amount appropriated for such year or term.

**Subd. 5. [MODIFICATION.]** The commissioner of finance shall also have authority at any time to modify or amend any spending plan previously approved by him, upon application of or upon notice to the agency concerned, and upon a showing of emergency or other cause; provided, no deficit or undue reduction of funds to meet future needs of such agency will result therefrom.

**Sec. 9.** Minnesota Statutes 1974, Chapter 16, is amended by adding a section to read:

**[16.243] [COMMISSIONER; ADDITIONAL POWERS.]** The commissioner of administration shall have the following powers: to procure by lease, with the approval of the governor, office space and buildings for the use of the state government or any department, office, or institution thereof; to purchase, except as otherwise provided in chapter 16, all supplies and equipment for all state officials, departments, and agencies of the state government, including tools, machinery, and materials to be used by the state in the construction and maintenance of state highways; but the commissioner, in his discretion, may

*designate an officer or employee of any such department to make, under the general supervision and direction of the commissioner, such purchases for the department in which such designation is so made as he may specify.*

Sec. 10. Minnesota Statutes 1974, Section 16A.15, Subdivision 3, is amended to read:

Subd. 3. [PAYMENT WITHIN ALLOTMENT AND ENCUMBRANCE; EXCEPTIONS.] No payment shall be made (AND) *without prior obligation*. No obligation shall be incurred against any fund, allotment, or appropriation unless the commissioner of finance shall first certify that there is a sufficient unencumbered balance in such fund, allotment, or appropriation to meet the same. Every expenditure or obligation authorized or incurred in violation of the provisions of Laws 1939, Chapter 431, shall be presumed invalid and shall be ineligible for payment until its validity is established as hereinafter provided. Every payment made in violation of the provisions of Laws 1939, Chapter 431, shall be deemed illegal, and every official authorizing or making such payment, or taking part therein, and every person receiving such payment, or any part thereof, shall be jointly and severally liable to the state for the full amount so paid or received. If any appointive officer or employee of the the state shall knowingly incur any obligation or shall authorize or make any expenditure in violation of the provisions of Laws 1939, Chapter 431, or take part therein, it shall be grounds for his removal by the officer appointing him, and, if the appointing officer be other than the governor and shall fail to remove such officer or employee, the governor may exercise such power of removal, after giving notice of the charges and opportunity for hearing thereon to the accused officer or employee and to the officer appointing him. Claims presented against existing appropriations without prior allotment or encumbrance may, upon investigation, review, and approval by the commissioner of finance be determined valid where the services, materials, and supplies for which payment is claimed have been actually rendered or furnished to the state in good faith without collusion and without intent to defraud. Thereafter the commissioner of finance may draw his warrant in payment of such claims in the same manner in which other claims, properly allotted and encumbered prior to inception thereof, are paid.

*Subject to approval by the commissioner of finance and pursuant to increases authorized by Minnesota Statutes, Section 16.07, Subdivision 1, the payment amount for materials and supplies may exceed the obligation amount.*

Sec. 11. Minnesota Statutes 1974, Chapter 16A, is amended by adding a section to read:

[16A.155] [BUDGET AND ALLOTMENT SYSTEM, RE-FUNDS.] *Notwithstanding the provisions of section 8 of this*

*act and section 16A.15, or any other law to the contrary, the payment of a refund for any purpose authorized by law shall be chargeable against the fund, appropriation, allotment or encumbrance for the period in which the refund is paid.*

Sec. 12. Minnesota Statutes 1974, Section 16A.17, Subdivision 1, is amended to read:

16A.17 [PREPARATION OF STATE PAYROLL.] Subdivision 1. [COMMISSIONER TO DETERMINE PAY PERIOD.] The commissioner of finance, with the approval of the governor, shall fix the time for payment of salaries due elective and appointive officers and employees of the state government. (AS HEREIN DETERMINED SAID) Salaries shall be paid either monthly, semi-monthly or for each two week period; provided, however, that no employee whose salary is less than (\$500 A MONTH) *the amount prescribed by Title 29, Code of Federal Regulations, Part 541, as amended through December 31, 1974,* shall be paid on a monthly or longer basis.

Sec. 13. Minnesota Statutes 1974, Section 16A.17, Subdivision 4, is amended to read:

Subd. 4. [EQUAL SALARY PAYMENTS; ALLOCATION.] If the commissioner provides for equal payments of salaries throughout the year, the payroll shall be allocated as provided in this subdivision.

(1) If the payroll period extends beyond one quarter of the year and into another quarter of the year, the amount of the payroll for such payroll period shall be chargeable to the respective allotments and encumbrances according to procedures to be established by the commissioner of finance.

(2) This subdivision is applicable to salaries of state officers and employees payable in equal payments throughout the year notwithstanding any *other* provision in Minnesota Statutes (1957, CHAPTER 16, AND ANY ACT AMENDATORY THEREOF RELATING TO THE BUDGET, ALLOTMENT, AND ENCUMBRANCE SYSTEM). No provision of any subsequent law relating to the budget, allotment, and encumbrance system or to appropriations for the payment of salaries of state officers and employees shall be construed as inconsistent with this subdivision unless and except only so far as expressly provided in such subsequent act that the provisions of this subdivision shall not be applicable or shall be superseded, modified, amended, or repealed.

Sec. 14. Minnesota Statutes 1974, Section 16A.17, Subdivision 5, is amended to read:

Subd. 5. [PAYROLL DEDUCTIONS MADE BY FINANCE.] Whenever in any law the duty is imposed upon the head of a state department or agency to make deductions from,

or employer contributions on, the salaries and wages of state officers and employees for such purposes as are authorized or directed by law and to prepare or issue vouchers in connection therewith and the payroll for such officers and employees is prepared by the (CENTRAL PAYROLL SECTION OF THE) department of finance, such duties (AS HEREINBEFORE REFERRED TO) shall devolve upon the commissioner of finance. Notwithstanding any other law to the contrary, where a state officer or employee directs, in writing, that a voluntary deduction shall be made from his salary or wages, the officer or employee shall file an original and one copy of his written instruction with the credit union, organization, association, agency, or carrier to which the deduction is to be paid and the intended recipient of such deduction shall forward the original of the instruction, signed by the employee, together with such other information as the commissioner of finance may prescribe concerning the amount of the deduction or change therein to the head of the state department or agency who prepares the payroll involved.

Sec. 15. Minnesota Statutes 1974, Section 16A.17, Subdivision 6, is amended to read:

Subd. 6. [PAYROLL PREPARATION.] All payrolls for the compensation of work performed, by elective and appointive state officers and employees, (WITH THE EXCEPTION OF THE LEGISLATIVE AND JUDICIAL BRANCHES,) *in the executive branch* shall be prepared by the (CENTRAL PAYROLL SECTION OF THE) department of finance. *Upon request of the rules committee of the senate or the rules committee of the house of representatives or legislative commissions or the supreme court, as appropriate, the commissioner shall also prepare payrolls for the legislative and judicial branches by using pay procedures similar to those used in the executive branch.*

Sec. 16. Minnesota Statutes 1974, Section 16A.17, Subdivision 7, is amended to read:

Subd. 7. [REPORTING OF HOURS WORKED.] (1) (TO FACILITATE THE LOWERING OF THE PAYROLL PREPARATION COST,) The commissioner of finance may authorize certification by authorized officials as to hours worked for payroll purposes in anticipation of the hours actually worked. The commissioner shall prescribe such procedures as may be necessary to assure that no payment shall be made for hours not worked unless covered by leave in accordance with (CIVIL SERVICE) rules and regulations *of the department of personnel* or as provided in clause (2).

(2) Upon certification by the commissioner of finance, any agency of the state government shall release part or all of any fund held for an employee to correct an overpayment to any officer or employee described in subdivision 6 who has been erroneously paid.

Provided, however, that employee contributions in a retirement fund shall not be released until such time as the former state employee or person otherwise entitled thereto would be eligible to apply for a refundment and has been given proper notice. Amounts paid under the provisions of this section shall be considered the equivalent of a refundment. If an employee or survivor is entitled to an immediate or deferred annuity or survivor benefit, no funds shall be paid from his retirement account under the provisions of this section.

Sec. 17. Minnesota Statutes 1974, Section 16A.17, is amended by adding a subdivision to read:

*Subd. 9. [PAYROLL COSTS.] The moneys in the computer services revolving fund used for the costs of preparing the state payroll, and all the earnings accrued thereto, are appropriated to a central payroll revolving fund under the department of finance. In the instance of a direct appropriation for the costs of preparing the state payroll, all state departments and agencies shall be billed for their share of the payroll preparation costs through the indirect cost billing system, with the moneys collected being deposited in the general fund.*

Sec. 18. Minnesota Statutes 1974, Chapter 16A, is amended by adding a section to read:

**[16A.275] [RECEIPTS DEPOSITED WITH THE STATE TREASURER.]** *All receipts from any source shall be deposited with the state treasurer each day, except as otherwise provided by law, and unless such receipts are under \$50 in which event payment may be deferred until they aggregate such sum; and at the same time a report of all receipts since the last previous report and of the disposition thereof shall be made to the commissioner of finance by the depositing agency. All moneys received by the treasurer during any month shall be credited by him and by the commissioner of finance to the proper funds not later than the first day of the following month.*

Sec. 19. Minnesota Statutes 1974, Section 16A.28, is amended to read:

**16A.28 [APPROPRIATIONS TO REVERT TO STATE TREASURY.]** *Except as specifically provided for in appropriation acts, every appropriation or part thereof of any kind hereafter made subject to the provisions of this section remaining unexpended and unencumbered at the close of any fiscal year shall lapse and the commissioner shall cause same to be returned to the fund from which such appropriation was made; provided, that the commissioner, with the approval of the governor, may continue such appropriations or balances in force temporarily and further provided, that an appropriation for construction or other permanent improvement shall not lapse until the purposes for*

which the appropriation was made shall have been accomplished or abandoned unless such appropriation has stood during the entire fiscal biennium without any expenditure therefrom or encumbrances thereon.

*On October 16 of each year all allotments and encumbrances for the preceding fiscal year shall be cancelled unless an agency certifies to the commissioner that there is an encumbrance incurred pursuant to law for services rendered or goods ordered in the preceding fiscal year. The commissioner may reinstate that portion of the cancellation needed to meet the certified encumbrance or he may charge the certified encumbrance against the current year's appropriation.*

Except as otherwise expressly provided by law, the provisions of this section shall apply to every appropriation of a stated sum for a specified purpose or purposes heretofore or hereafter made (FROM THE GENERAL FUND), but shall not, unless expressly so provided by law, apply to any fund or balance of a fund derived wholly or partly from special taxes, fees, earnings, fines, federal grants, or other sources which are by law appropriated for special purposes by standing, continuing, or revolving appropriations.

Sec. 20. Minnesota Statutes 1974, Chapter 16A, is amended by adding a section to read:

[16A.30] [APPLICATIONS FOR NONSTATE FUNDS.]  
*Subdivision 1. Every department or agency of the executive branch of state government shall, prior to the submission of any application for nonstate funds, submit the original of the application to the commissioner of finance. The commissioner shall promptly return the application indicating his approval or disapproval. No application for funds shall be submitted without the prior approval of the commissioner of finance. The commissioner of finance may promulgate rules, regulations, and directives to implement the provisions of this section.*

*Subd. 2. The provisions of this section shall not apply to the Minnesota historical society.*

Sec. 21. Minnesota Statutes 1974, Section 84A.04, is amended to read:

84A.04 [LISTS OF LANDS.] (NOT LATER THAN SEPTEMBER 1, 1929.) The auditor of each county in which a portion of this preserve and hunting ground is situated shall certify to the commissioner of (FINANCE) *natural resources* a list of all the lands within the boundaries of the preserve and hunting ground, except lands lying within the boundaries of any incorporated city, which have been bid in for the state at the delinquent tax sale held in the year 1928 for the non-payment of taxes or special drainage assessments and not redeemed or

assigned to an actual purchaser, which certificate shall contain the following information:

- (1) The legal description of each parcel of such lands;
- (2) The amount of principal and interest of delinquent drainage assessments, if any, or instalments thereof, for all years prior to the date of such report, against each such parcel of land; and
- (3) The amount of drainage assessments thereof assessed against each such parcel of land which have been or are to be extended upon the tax rolls of such county for collection with the taxes for the year 1927 and subsequent years.

On or before June fifteenth, of each year thereafter, such county auditor shall certify to the commissioner of (FINANCE) *natural resources* a supplemental report giving the information contained in the original report covering such lands within this preserve and hunting ground bid in for the state at the annual tax sale of that year and not included in the previous report.

When redemption is made of any parcel of such land within the preserve and hunting ground which has been bid in for the state at any tax sale for taxes heretofore levied or when the tax liens on such land are assigned to an actual purchaser, the county auditor shall report the same forthwith to the commissioner of (FINANCE) *natural resources*, and the county treasurer shall transmit forthwith the proceeds of such redemption to the state treasurer.

After each distribution has been made of the tax collections on the June and November tax settlements, such county auditor shall certify to the commissioner of (FINANCE) *natural resources* the following information relating to bonds issued to finance or refinance public drainage ditches lying wholly or partly within this preserve and hunting ground and the collection of assessments levied on account of such ditches:

- (1) The amount of principal and interest to become due on such bonds prior to the next ensuing tax settlement and distribution;
- (2) The amount of moneys collected from such drainage assessments and credited to the funds of these ditches; and
- (3) The amount of the deficit in the ditch fund of the county chargeable to such ditches.

Upon the approval of this certificate by the commissioner of (FINANCE) *natural resources*, he shall draw a warrant or warrants on the state treasurer, payable out of the Red Lake game



preserve fund, for the amount of the deficit in favor of such county.

As to all public drainage ditches which lie wholly within this preserve and hunting ground, the maximum amount of money which shall be paid to or for the benefit of such county, in the manner above provided, shall never exceed the principal and interest of the bonds issued to finance and refinance such ditches outstanding at the time of the passage and approval of sections 84A.01 to 84A.11, less moneys on hand in the county ditch fund to the credit of such ditches, and such liability shall be reduced, from time to time, by the amount of any and all payments of assessments hereafter extended, made by the owners of lands heretofore assessed for benefits on account of such ditches. As to all public drainage ditches which lie partly within and partly without the boundaries of this preserve and hunting ground, the maximum amount which shall be paid to or for the benefit of such county shall never exceed the percentage of bonds issued to finance and refinance such ditches so outstanding, less moneys on hand in the county ditch fund to the credit of such ditches at the time of the passage and approval of sections 84A.01 to 84A.11, which bears the same proportion to the whole amount of such bonds as the original benefits assessed against lands within the game preserve bear to the original total benefits assessed to the entire system of such ditches, and such liability shall be reduced, from time to time, by the payments of all assessments hereafter extended, made by the owners of lands in this preserve and hunting ground, of assessments for benefits heretofore assessed on account of any such ditch. The commissioner of (FINANCE) *natural resources* shall have authority to provide and prescribe the forms for any reports required by sections 84A.01 to 84A.11 to be made to him, and to require any further and additional information from any officials of these counties which he deems necessary for the proper administration of sections 84A.01 to 84A.11.

Sec. 22. Minnesota Statutes 1974, Section 93.12, is amended to read:

93.12 [FORFEITURE OF PERMITS AND LEASES.] In the event the holder of such permit or lease shall fail to comply with all the provisions contained in sections 93.08 to 93.12 to be by him performed or observed and such default shall continue for a period of 30 days the commissioner of *natural resources* upon 30 days notice to the holder of such permit or lease by registered mail to the address of such holder as shown by the records of the commissioner of (FINANCE) *natural resources* may declare such permit or lease and all rights acquired thereunder forfeited. Upon the filing of the order of forfeiture with the commissioner of (FINANCE) *natural resources* all rights under such lease or permit shall cease.

Sec. 23. Minnesota Statutes, 1975 Supplement, 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 (EDUCATION) *revenue* on or before July 1 of each year for such a refund and the commissioner of (EDUCATION) *revenue* 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 (EDUCATION) *revenue* shall forthwith (DRAW) *request the commissioner of finance to issue* 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 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 five 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 subdivision.

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. 24. Minnesota Statutes 1974, Section 276.09, is amended to read:

276.09. [SETTLEMENT BETWEEN AUDITOR AND TREASURER.] On the last day of February, May, and October, of each year, the county treasurer shall make full settlement with the county auditor of his receipts and collections for all purposes, from the date of the last settlement up to and including each day mentioned, and the auditor shall, within 30 days after each settlement, send an abstract of same to the (COMMISSIONER OF FINANCE) *state auditor* in such form as the (COMMISSIONER OF FINANCE) *state auditor* may prescribe. At each settlement the treasurer shall make complete returns of his collections on the current tax list, showing the amount collected on account of the several funds included in the list.

Sec. 25. Minnesota Statutes 1974, Section 276.10, is amended to read:

276.10 [APPORTIONMENT AND DISTRIBUTION OF FUNDS.] On the last day of February, May, and October, of each year, the county auditor and county treasurer shall make distribution of all undistributed funds remaining in the treasury, apportioning the same, as provided by law, and placing the same to the credit of the state, town, city, or school district, and each county fund. Within 20 days after such distribution is completed, the county auditor shall make report thereof to the (COMMISSIONER OF FINANCE) *state auditor*, in such form as the (COMMISSIONER OF FINANCE) *state auditor* may prescribe. The county auditor shall issue his warrant for the payment of any moneys remaining in the county treasury to the credit of the state, town, city, or school district on application of the persons entitled to receive the same.

Sec. 26. Minnesota Statutes 1974, Section 293.10, is amended to read:

293.10 [DRAFT ON DELINQUENT; EVIDENCE.] On or before the tenth day of June, in each year, the commissioner of (FINANCE) *revenue* shall (MAKE HIS DRAFT UPON THE) *issue his order to any person delinquent in the payment of such tax for the amount of taxes and penalty due thereon and (PLACE THE SAME IN THE HANDS OF THE STATE TREASURER FOR COLLECTION. THE DRAFT OF THE COMMISSIONER OF FINANCE FOR THE TAX AND PENALTY IMPOSED BY THE PROVISIONS OF THIS CHAPTER) this order* shall be prima facie evidence in any court where proceedings may be brought for its enforcement that the amount therein stated is due from the person (AGAINST WHOM THE SAME IS DRAWN).

Sec. 27. Minnesota Statutes 1974, Section 348.04, is amended to read:

348.04 [PROOFS SENT TO COMMISSIONER OF NATURAL RESOURCES.] Before August first the county auditor shall compare the proofs furnished by the claimant with the assessor's report, and, if they correspond in substance, he shall immediately forward to the commissioner of (FINANCE) *natural resources* the original proofs of claim and a certified list of all plats filed.

Sec. 28. Minnesota Statutes 1974, Section 379.05, is amended to read:

379.05 [RECORD OF DESCRIPTION OF TOWN, WHERE KEPT; ABSTRACT SENT TO COMMISSIONER OF REVENUE.] Each county auditor shall within 30 days after any such town is organized transmit by mail to the commissioner of (FI-

NANCE) *revenue* an abstract of such report, giving the name and boundaries of such town and record in a book kept for that purpose a full description of each such town.

Sec. 29. Minnesota Statutes 1974, Section 379.07, is amended to read:

379.07 [TOWNS WITH SAME NAME.] If the commissioner of (FINANCE) *revenue*, on comparing the abstracts of the reports from the several counties, finds that two or more towns have the same name, he shall transmit to the auditor of the proper county the name to be altered, and the county board shall, at its next meeting thereafter, adopt for such town a different name. When such name is adopted the county auditor shall inform the commissioner of (FINANCE) *revenue*, as before directed.

Sec. 30. Minnesota Statutes 1974, Section 379.09, is amended to read:

379.09 [ORDER OF BOARD.] (THE PRAYER OF THE) Petition being granted, the board shall make a formal order to that effect, which shall be filed with the county auditor and thereupon the official name of such town shall be the one so adopted. The auditor shall within 20 days after any such change of name of town transmit by mail to the commissioner of (FINANCE) *revenue* an abstract of all the proceedings and orders of the county commissioners relative to such change of name.

Sec. 31. Minnesota Statutes 1974, Section 385.21, is amended to read:

385.21 [ACTION AGAINST.] If any county treasurer fails to make return or settlement, or to pay over all money with which he stands charged, at the time and in the manner prescribed by law, the county auditor, on receiving instructions for that purpose from the (COMMISSIONER OF FINANCE) *state auditor* or from the county board of his county, shall cause an action to be commenced against such treasurer and his sureties in the district court of his county; and judgment may be rendered therein against them for the amount due from such treasurer, with interest and a penalty of ten percent thereon.

Sec. 32. Minnesota Statutes 1974, Section 473F.07, Subdivision 1, is amended to read:

473F.07 [COMPUTATION OF AREA-WIDE TAX BASE.] Subdivision 1. Each county auditor shall certify the determinations pursuant to sections 473F.04, 473F.05, and 473F.06 to the administrative auditor on or before November 20 of (1972 AND) each (SUBSEQUENT) year. The administrative auditor shall determine the sum of the amounts certified pursuant to section 473F.06, and divide that sum by two and one half. The resulting

amount shall be known as the "area-wide tax base for (year).".

Sec. 33. Minnesota Statutes 1974, Section 473F.07, Subdivision 2, is amended to read:

Subd. 2. The commissioner of (FINANCE) *revenue* shall certify to the administrative auditor, on or before November 20 of (1972 AND) each (SUBSEQUENT) year, the population of each municipality for the preceding year, the proportion of that population which resides within the area, the average fiscal capacity of municipalities for the preceding year, and the fiscal capacity of each municipality for the preceding year.

Sec. 34. Minnesota Statutes, 1975 Supplement, Section 484.54, is amended to read:

484.54 [EXPENSES OF JUDGES.] The judges of the district court shall be paid, in addition to the amounts now provided by law, all sums they shall hereafter pay out as necessary traveling and hotel expenses while absent from their places of residence in the discharge of their official duties, (AND) *except that a judge shall not be paid such travel expenses for travel from his place of residence to and from his permanent chambers. Judges shall submit their travel expenses on the same forms state employees must utilize to seek travel reimbursement. Additionally, judges of the district court shall be reimbursed for all sums, not reimbursed by counties, they shall necessarily hereafter pay out for telephone tolls, postage; expressage, (AND) stationery, including printed letterheads and envelopes for official business (EXCEPT THAT A JUDGE SHALL NOT BE PAID SUCH TRAVELING EXPENSES FOR TRAVEL FROM HIS PLACE OF RESIDENCE TO AND FROM HIS PERMANENT CHAMBERS), membership dues and fees for legal and judicial organizations, educational programs when attendance is approved by the president of the state district court judges association, legal publications and the care of judicial robes. Each judge claiming reimbursement for allowable expenses may file with the supreme court monthly and shall file (WITHIN) not later than 90 days after the expenses are incurred, (UNLESS THE TIME IS EXTENDED BY THE COMMISSIONER OF FINANCE, WITH THE COMMISSIONER OF FINANCE) an itemized statement, verified by (HIM) the judge, of all (SUCH) allowable expenses actually paid by him (WHICH SHALL BE AUDITED BY THE COMMISSIONER OF FINANCE AND PAID UPON HIS WARRANT). All statements shall be audited by the supreme court and, if approved by the supreme court, shall be paid by the commissioner of finance from appropriations for this purpose.*

Sec. 35. [REPEALER.] Minnesota Statutes 1974, Sections 3.30, Subdivision 2a; 10.16; 16.141; 16.16; 16.161; 16.164; 16.18; 16.19; 16A.09; 16A.125, Subdivisions 1, 2, 3, 7, 8, 9, and 10; 16A.17, Subdivision 2; and 136.06, are repealed.

Sec. 36. [EFFECTIVE DATE.] *This act is effective the day following its final enactment.*"

Further, strike the title and insert:

"A bill for an act relating to the organization, operation and financing of state government; establishing an indirect cost billing system; requiring revolving fund billing rates to be determined by the commissioner of finance; transferring certain powers and duties relating to finance and recordation from and to the department of finance; appropriating money; amending the expense provisions for district court judges; amending Minnesota Statutes 1974, Sections 3.30, Subdivision 2; 15.191, Subdivision 2; 16A.055; 16A.129; 16A.15, Subdivision 3; 16A.17, Subdivisions 1, 4, 5, 6, 7, and by adding a subdivision; 16A.28; 84A.04; 93.12; 276.09; 276.10; 293.10; 348.04; 379.05; 379.07; 379.09; 385.21; 473F.07, Subdivisions 1 and 2; Chapter 16, by adding a section; and Chapter 16A, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 124.28, Subdivision 2; and 484.54; repealing Minnesota Statutes 1974, Sections 3.30, Subdivision 2a; 10.16; 16.141; 16.16; 16.161; 16.164; 16.18; 16.19; 16A.09; 16A.125, Subdivisions 1, 2, 3, 7, 8, 9, and 10; 16A.17, Subdivision 2; and 136.06."

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. 1997, A bill for an act relating to the operation of state government; providing for aids to education, tax levies and the distribution of tax revenues; changing the funding of special education, adult vocational education and secondary vocational education to a current funding basis; granting certain powers and duties to school districts, the commissioner of education, and the state board of education; establishing a uniform financial accounting and reporting system for Minnesota school districts; requiring the provision of special education on a shared time basis to nonpublic school pupils; appropriating money; amending Minnesota Statutes 1974, Sections 120.17, by adding a subdivision; 120.73, Subdivision 1; 120.74, Subdivision 1; 121.21, by adding a subdivision; 122.45, Subdivisions 2 and 3a; 124.212, by adding a subdivision; 124.32, as amended; Chapter 124, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 122.23, Subdivision 15; 122.45, Subdivision 1; 124.04; 124.17, Subdivisions 1 and 2; 124.212, Subdivision 8a; 124.271, Subdivision 2; 124.43, Subdivision 1; 124.561, Subdivision 3, and by adding a subdivision; 124.562, Subdivision 2; 124.563, Subdivision 3, and by adding a subdivision; 124.564; 124.565, Subdivision

2; 124.611, Subdivisions 1 and 2; 275.125, Subdivisions 2a, 4, 5, 8, 9, and 14; repealing Minnesota Statutes 1974, Sections 122.54 and 275.39.

Reported the same back with the following amendments:

Page 53, after line 29, insert

*"Subd. 4. For the payment of gross earnings aid pursuant to section 124.28, the sum of \$291,442 is appropriated for the fiscal year ending June 30, 1977.*

*(a) The appropriation in this subdivision shall be in addition to the sum appropriated for the fiscal year ending June 30, 1977, in Laws 1975, Chapter 432, Section 96, Clause (20).*

*(b) The appropriation in this subdivision shall be expended to pay \$237,884 to Independent School District No. 181, \$43,980 to Independent School District No. 703, and \$9,578 to Independent School District No. 381, for gross earnings aid not paid in fiscal years 1974 and 1975.*

*(c) The appropriation in this subdivision shall not be prorated pursuant to section 124.28, subdivision 2, among all districts entitled to gross earnings aid, but payments pursuant to this subdivision shall be deemed fiscal year 1977 payments to the designated districts pursuant to section 124.28 for all other purposes, including deductions from foundation aid pursuant to section 124.212 and reductions of levies pursuant to section 275.125.*

*Subd. 5. For payment of emergency aid, the sum of \$300,000 is appropriated for the fiscal year ending June 30, 1977.*

*The appropriation in this subdivision shall be added to the sum appropriated in Laws 1975, Chapter 432, Section 96, Clause (1) for the year ending June 30, 1977.*

*Subd. 6. The sum of \$150,000 is appropriated for fiscal year ending June 30, 1976, for the employment of six staff, in addition to the number shown on official worksheets, and necessary and related expenses in connection with the review and approval of special education programs and budgets. Any balances remaining on June 30, 1976, shall not cancel but shall be available for the second year of the biennium."*

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. 2201, A bill for an act relating to census data; providing for implementation of federal law permitting the state to design a plan for return of census data to the state; appropriating money; amending Minnesota Statutes 1974, Section 4.12, Subdivision 7; and Minnesota Statutes, 1975 Supplement, Section 204A.06, Subdivision 1, and by adding a subdivision.

Reported the same back with the following amendments:

Page 4, after line 3, add a new section as follows:

*"Sec. 4. Notwithstanding the provisions of Minnesota Statutes, Section 410.21, or any other law, ordinance or charter, the provisions of sections 2 and 3 of this act shall apply to all municipalities."*

Page 4, line 6, after "act" insert "*which shall be available until expended*".

Renumber sections in sequence.

Further, amend the title.

Page 1, line 2, delete "census data" and insert "the state planning agency; providing additional responsibilities for the state demographer".

Page 1, line 5, after "state;" insert "providing precinct boundaries to facilitate census data returns;".

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:

S. F. No. 429, A bill for an act relating to the Minnesota zoological garden; providing a means of public access to the garden at the time of its opening; directing the department of highways to improve a certain road to provide such public access; and appropriating money.

Reported the same back with the following amendments:

Page 2, delete lines 30 to 32.



Page 3, delete line 1 and insert:

"Sec. 5. The appropriation made in section 4 shall be available for expenditure upon the signing of an agreement between the commissioner of highways, and the cities of Apple Valley and Eagan in which the cities authorize the commissioner of highways to withhold for a period of less than 10 years, commencing July 1, 1980, such portion of the cities' apportionments from the municipal state aid street fund that is sufficient to repay the state's general fund without interest for 50 percent of the cost of the project. The commissioner of highways will annually deposit the withheld amounts in the state general fund.

Sec. 6. [EFFECTIVE DATE.] This act is effective the day following its final enactment. The appropriation shall not cancel but shall be available until expended or the project is completed or abandoned."

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:

S. F. No. 916, A bill for an act relating to historic sites; providing for acquisition, administration and control of additional sites by the Minnesota historical society; appropriating money; amending Minnesota Statutes 1974, Sections 138.025, Subdivision 1, and by adding subdivisions; and 138.53, Subdivision 50; repealing Minnesota Statutes 1974, Sections 85.012, Subdivision 7; and 138.025, Subdivisions 7 and 8.

Reported the same back with the following amendments:

Page 1, delete lines 12 to 25.

Page 2, delete lines 1 to 10.

Page 2, line 13, delete "9" and insert "10".

Page 2, line 26, delete "10" and insert "11".

Page 3, delete lines 6 to 21 and insert

"Sec. 3. Minnesota Statutes 1974, Section 138.53, Subdivision 3, is amended to read:

Subd. 3. Minnesota (MAN) *Woman*, owned by the state, is in Otter Tail county, and consists of government lot 5, township 136 north, range 43 west."

Page 3, line 27, delete "\$200,000" and insert "\$75,000".

Renumber the sections in order.

Further, amend the title.

Lines 6 and 7, delete "Subdivision 1, and".

Line 8, delete "Subdivision" and insert "Subdivisions 3 and".

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:

S. F. No. 1120, A bill for an act relating to flood plain management; providing for a program of grants to local government units for the construction of floodwater retention and retarding structures; appropriating money; amending Minnesota Statutes 1974, Chapter 104, by adding sections.

Reported the same back with the following amendments:

Page 2, line 12, delete "50" and insert "75".

Page 6, line 21, after "*expended.*" insert "*The state soil and water conservation commission shall make application for funds to the legislative commission on Minnesota resources and any funds received from the legislative commission on Minnesota resources would reduce the amount of the unencumbered balance of this appropriation.*".

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:

S. F. No. 345, A bill for an act relating to insurance; providing for indemnification and subrogation in certain cases; amending Minnesota Statutes 1974, Section 65B.53; repealing Minnesota Statutes 1974, Section 65B.62.

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. 687, A bill for an act relating to credit unions; allowing credit union members to vote by mail for officers and amendments; allowing credit unions certain powers with respect to dividends; amending Minnesota Statutes 1974, Sections 52.02; 52.07 and 52.18.

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:

S. F. No. 1296, A bill for an act relating to insurance; making more certain which group insurance policies and subscriber contracts are required to provide insurance coverage to employees after termination of employment; extending the period for certain notices to terminated employees; requiring certain group insurance policies to provide for optional conversion to an individual policy after group coverage terminates; amending Minnesota Statutes 1974, Sections 62A.16; and 62A.17, Subdivisions 2 and 5, and by adding a subdivision.

Reported the same back with the following amendments:

Page 2, delete lines 2 to 32, and insert:

“Sec. 2. Minnesota Statutes, 1975 Supplement, Section 62A.17, Subdivision 5, is amended to read:

Subd. 5. [NOTICE OF OPTIONS.] Upon the termination of employment of an eligible employee, the employer shall inform the employee within (FIVE) *ten* days (OF SUCH) *after* termination of:

- (a) his right to elect to continue the coverage;
- (b) the amount he must pay monthly to the employer to retain the coverage;
- (c) the manner in which and the office of the employer to which the payment to the employer must be made; and
- (d) the time by which the payments to the employer must be made to retain coverage.

If the policy, contract or health care plan is administered by a trust, the terminating employer is relieved of the obligation

imposed by clauses (a) to (d). The trust shall inform the employee of the information required by clauses (a) to (d).

Notice may be in writing and sent by first class mail to the employee's last known address which the employee has provided the employer or trust. If the employer or trust fails to so notify the employee who is properly enrolled in the program, the employee shall have the option to retain coverage provided he makes this election within 60 days of the date his employment is terminated by making the proper payment to the employer or trust to provide continuous coverage."

Page 3, line 5, delete "five" and insert "ten".

Page 3, after line 24, insert a new section to read: "Sec. 4. *This act is effective on August 1, 1976.*"

Renumber the section accordingly.

Amend the title as follows:

Page 1, line 11, delete "Subdivisions 2".

Page 1, line 12, delete "and 5, and".

Page 1, line 12, after "subdivision" insert "; and Minnesota Statutes, 1975 Supplement, Section 62A.17, Subdivision 5".

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:

S. F. No. 1636, A bill for an act relating to insurance; clarifying license requirements for persons who enter into, acquire or hold insurance premium finance agreements; amending Minnesota Statutes 1974, Section 59A.03, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 13, after "company" strike "or" and insert a comma.

With the recommendation that when so amended 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. 1763, A bill for an act relating to motor vehicle sales finance companies; establishing fees and permitting refunds of fees; requiring written agreements to extend, defer or renew contracts; amending Minnesota Statutes 1974, Sections 168.67; and 168.74.

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. 1848, A bill for an act relating to insurance; including surety bonds within the scope of the Minnesota insurance guaranty association act; amending Minnesota Statutes 1974, Sections 60C.02, Subdivisions 1 and 2; 60C.03, Subdivision 4; 60C.04; 60C.09, Subdivision 1; 60C.14, Subdivision 2.

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:

S. F. No. 1865, A bill for an act relating to insurance; providing a countersignature commission; amending Minnesota Statutes 1974, Section 60A.17, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 16, delete "*Minnesota resident agents*" and insert "*a non-resident agent who is a resident agent of Minnesota*".

Page 1, line 18, delete "*non-resident*" and insert "*resident*".

Page 1, line 18, after "*agent*" and before the comma insert "*of that state*"; and after the comma and before "*the*" insert "*then*"; and after "*agent*" at the end of the line insert "*of Minnesota*".

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. 1548, A bill for an act relating to the conduct of public officials and campaigns for public office; redefining certain terms; providing for the filing of certain reports and statements; providing penalties; amending Minnesota Statutes 1974, Sections 10A.01, Subdivisions 2 and 11; 10A.02, Subdivisions 1, 8 and 11; 10A.04, Subdivision 4; 10A.07, Subdivision 1; 10A.09, Subdivision 5; 10A.14, Subdivision 2; 10A.19, Subdivision 1; 10A.20, Subdivisions 1, 2, and 3, and by adding a subdivision; 10A.21, Subdivision 1; 10A.22, Subdivision 5; 10A.23; 10A.25, Subdivisions 3 and 6; 10A.27, Subdivision 3; repealing Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; 10A.22, Subdivisions 2 and 8.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 10A.01, Subdivision 2, is amended to read:

Subd. 2. "Administrative action" means an action (OF A NON-MINISTERIAL NATURE) by any official, board, commission or agency of the executive branch *to make rules*. "Administrative action" *does not include the application or administration of those rules, except in cases of rate setting, power plant siting and others specified by the commission.*

Sec. 2. Minnesota Statutes 1974, Section 10A.01, Subdivision 5, is amended to read:

Subd. 5. "Candidate" means an individual who seeks nomination for election or election to any statewide office or legislative office, other than a federal office for which candidates are required to report under federal laws. The term candidate shall also include *an individual who seeks nomination for election or election to supreme court and district court (JUDGES) judge-ships of the state.* An individual shall be deemed to seek nomination for election or election if he has taken the action necessary under the law of the state of Minnesota to qualify himself for nomination for election or election to an office, has received contributions or made expenditures in excess of \$100, or has given his consent, implicit or explicit, for any other person to receive contributions or make expenditures in excess of \$100 with a view to bringing about his nomination for election or election to an office.

Sec. 3. Minnesota Statutes 1974, Section 10A.01, Subdivision 11, is amended to read:

## Subd. 11. "Lobbyist" means any:

(a) Individual who is engaged for pay or other consideration or is authorized by another person to spend money for the purpose of attempting to influence legislative or administrative action by communicating with public officials;

(b) Officially designated (REPRESENTATIVES) *representative* of any person or association which has as a major purpose the influencing of legislative or administrative action who attempt to influence an action by communicating with public officials; or

(c) Individual *acting on his own behalf* who spends more than \$250, not including traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating with public officials:

"Lobbyist" does not include any:

(a) (A) Public official or employee of the state or any of its political subdivisions or public bodies acting in his official capacity;

(b) (PARTIES AND THEIR REPRESENTATIVES) *Party or his representative* appearing in a proceeding before a state board, commission or agency of the executive branch unless the board, commission or agency is (ACTING IN A NON-MINISTERIAL CAPACITY) *taking administrative action*;

(c) (INDIVIDUALS) *Individual* in the course of selling goods or services to be paid for by public funds; (OR)

(d) News media or their employees or agents (, BUT ONLY WHILE) acting in the ordinary course of business of publishing or broadcasting news items, editorials or other comments or paid advertisements which directly or indirectly urge official action;

(e) Paid expert (WITNESSES) *witness* whose testimony is requested *either* by the body before which (THEY ARE) *he* is appearing or one of the parties to a proceeding, but only (WHILE ACTING IN THE ORDINARY COURSE) *to the extent of preparing or delivering testimony*;

(f) *Stockholder of a family farm corporation as defined in section 500.24, subdivision 1, who does not spend over \$250, excluding travel expenses, in any year in communicating with public officials; or*

(g) *Officer or employee of any corporation, cooperative, partnership, or other business who is not engaged as or offi-*

*cially designated as its lobbyist and who spends not over five hours in any month or not over \$250 excluding travel time and expense in any year in communicating with public officials.*

Sec. 4. Minnesota Statutes 1974, Section 10A.01, is amended by adding a subdivision to read:

*Subd. 19. "Office holder" means an individual who holds any statewide or legislative office, except a federal office for which candidates are required to report under federal laws, state supreme court justice or district court judge.*

Sec. 5. Minnesota Statutes 1974, Section 10A.02, Subdivision 1, is amended to read:

10A.02 [STATE ETHICS COMMISSION.] Subdivision 1. There is hereby created a state ethics commission composed of six members. The members shall be appointed by the governor with the advice and consent of three-fifths of both the senate and the house of representatives acting separately. Failure by either house to confirm the appointment of a commission member within 45 legislative days after his appointment shall be deemed to be a refusal to advise and consent and his appointment shall terminate immediately after 45 legislative days or non-confirmation, whichever is earlier. One member shall be a former state legislator from a *major* political party different from that of the governor; one member shall be a former state legislator from the same political party as the governor; two members shall be persons who have not been public officials, held office in a political party other than precinct delegate, or been elected to public office for which party designation is required by statute in the three years prior to the time of their appointment; and the other two members shall not support the same political party. No more than three of the members of the commission shall support the same political party.

Sec. 6. Minnesota Statutes 1974, Section 10A.02, Subdivision 8, is amended to read:

Subd. 8. The commission shall: (a) Report at the close of each fiscal year to the legislature, the governor and the public concerning the action it has taken, the names, salaries, and duties of all individuals in its employ and the money it has disbursed. The commission shall include and identify in its report any other reports it has made during the fiscal year. It may indicate apparent abuses and offer legislative recommendations;

(b) Prescribe forms for statements and reports required to be filed under sections 10A.01 to 10A.34 and make the forms available to persons required to file them;



(c) Make available to the persons required to file the reports and statements a manual setting forth the recommended uniform methods of bookkeeping and reporting;

(d) Develop a filing, coding and cross-indexing system consistent with the purposes of sections 10A.01 to 10A.34;

(e) Make the reports and statements filed with it available for public inspection and copying by the end of the second day following the day on which they were received. Any person may copy a report or statement by hand or by duplicating machine and the commission shall provide duplicating services at cost for this purpose. No information copied from reports and statements shall be sold or utilized by any person for any commercial purpose;

(f) *Notwithstanding the provisions of section 138.163*, preserve reports and statements for a period of (SIX) five years from the date of receipt;

(g) Compile and maintain a current list and summary of all statements or parts of statements pertaining to each candidate; and

(h) Prepare and publish reports as it may deem appropriate.

Sec. 7. Minnesota Statutes 1974, Section 10A.02, Subdivision 11, is amended to read:

Subd. 11. Any hearing or action of the commission concerning any complaint or investigation shall be confidential and all information obtained by the commission shall be privileged until the commission makes a finding that the commission believes there is or is not probable cause to conclude that a violation of Laws 1974, Chapter 470 (OR OTHER CAMPAIGN LAWS) has occurred. Any person, including any member or employee of the commission, violating the confidentiality provisions of this subdivision shall be guilty of a gross misdemeanor. *The commission shall make a finding within 30 days of receipt of a written complaint unless a majority of the commission agrees to extend the time limit.* After determination of its findings the commission shall report any finding of probable cause to the appropriate law enforcement authorities.

Sec. 8. Minnesota Statutes 1974, Section 10A.04, Subdivision 4, is amended to read:

Subd. 4. The report shall include (ALL) such information (REQUIRED ON) *as the commission may require from the registration form and the following information for the reporting period:*

(a) The lobbyist's total disbursements on lobbying and a breakdown of those disbursements into categories specified by the commission, including but not limited to the cost of publication and distribution of each publication used in lobbying; other printing; media, including the cost of production; postage; travel; fees, including allowances; entertainment; telephone and telegraph; and other expenses;

(b) *The amount and nature of each honorarium, gift (OR), loan, item or benefit, excluding contributions to a candidate, equal in value to \$20 or more, given or paid to any public official by the lobbyist or any employer or any employee of the lobbyist. The list shall include the name and address of each public official to whom the honorarium, gift, loan, item or benefit was given or paid and the date it was given or paid; and*

(c) Each original source of funds in excess of \$500 in any year used for the purpose of lobbying. The list shall include the name, address and employer, or, if self employed, the occupation and principal place of business, of each payer of funds in excess of \$500.

Sec. 9. Minnesota Statutes 1974, Section 10A.04, is amended by adding a subdivision to read:

*Subd. 4a. If in any reporting period the lobbyist's reportable disbursements total not over \$100 and no honorarium, gift, loan, item or benefit equal in value to \$20 or more was given or paid to any public official, a statement to that effect in lieu of the report may be filed for that period. The unreported disbursements shall be included in the report for the following period, unless the total for that period, including the carryover, is not over \$100. The October 15 report shall include all previously unreported disbursements, even though the total for the year is not over \$100.*

Sec. 10. Minnesota Statutes 1974, Section 10A.09, Subdivision 5, is amended to read:

Subd. 5. A statement of economic interest required by this section shall be on a form prescribed by the commission. The individual filing shall provide the following information:

(a) His name, address, occupation and principal place of business;

(b) The name of each business with which he is associated and the nature of that association; and

(c) A listing of all real property within the state, excluding homestead property, in which he has a fee simple interest, a contract for deed or an option to buy, whether direct or indirect, and

which interest is valued in excess of \$2,500. The filing shall indicate *the street address and the municipality (, IF ANY) or the section, township, range and approximate acreage, whichever applies*, and the county wherein the property is located.

Sec. 11. Minnesota Statutes 1974, Section 10A.14, Subdivision 2, is amended to read:

Subd. 2. The statement of organization shall include:

(a) The name and address of the political committee or political fund;

(b) The names and addresses of the supporting associations of a political fund;

((C) THE GEOGRAPHIC AREA IN WHICH IT WILL OPERATE AND THE PURPOSE OF THE POLITICAL COMMITTEE OR POLITICAL FUND;)

((D) THE NAME, ADDRESS AND POSITION OF THE CUSTODIAN OF BOOKS AND ACCOUNTS;)

((E)) (c) The name and address of the chairman, the treasurer, and any (OTHER PRINCIPAL OFFICERS INCLUDING) deputy treasurers (, IF ANY);

((F) THE NAME, ADDRESS, OFFICE SOUGHT, AND PARTY AFFILIATION, IF ANY, OF EACH CANDIDATE WHOM THE COMMITTEE OR POLITICAL FUND IS SUPPORTING, OR, IF THE COMMITTEE OR POLITICAL FUND IS SUPPORTING THE ENTIRE TICKET OF ANY PARTY, THE NAME OF THE PARTY;)

((G) A STATEMENT AS TO WHETHER THE COMMITTEE OR POLITICAL FUND IS A CONTINUING ONE;)

((H)) (d) A listing of all depositories or safety deposit boxes used; and

((I)) (e) A statement as to whether the committee is a principal campaign committee.

Sec. 12. Minnesota Statutes 1974, Section 10A.19, Subdivision 1, is amended to read:

10A.19 [PRINCIPAL CAMPAIGN COMMITTEE.] Subdivision 1. Every candidate shall designate and cause to be formed a single principal campaign committee *which shall be responsible for reporting contributions and authorized expenditures on behalf of the candidate.*

Sec. 13. Minnesota Statutes 1974, Section 10A.20, Subdivision 1, is amended to read:

10A.20 [CAMPAIGN REPORTS.] Subdivision 1. (EVERY) *The treasurer of (A) every political committee (OR) and political fund shall begin to file the reports required by this section in (ANY) the first year it receives contributions or makes expenditures in excess of \$100 and shall continue to file until the committee or fund is terminated.*

Sec. 14. Minnesota Statutes 1974, Section 10A.20, Subdivision 2, is amended to read:

Subd. 2. The reports shall be filed with the commission (BY THE FOLLOWING DATES:)

((A) IN YEARS IN WHICH ANY CANDIDATE BEING SUPPORTED DOES NOT STAND FOR ELECTION:)

((1) JANUARY 7; AND)

((2) JULY 7;)

((B) IN YEARS IN WHICH ANY CANDIDATE BEING SUPPORTED DOES STAND FOR ELECTION:)

((1) JANUARY 7;)

((2) JULY 7;)

((3) FIVE) *on or before January 7 of each year, and in each year in which the name of the candidate being supported is on the ballot; ten days before (ANY) the primary (ELECTION IN WHICH THE CANDIDATE STANDS FOR ELECTION;)*

((4) FIVE DAYS BEFORE ANY) *or special primary and general or special election (IN WHICH THE CANDIDATE STANDS FOR ELECTION; AND)*

((5) 30 DAYS AFTER THE LAST ELECTION IN WHICH A CANDIDATE STANDS FOR ELECTION;)

((C) IN SPECIAL OR SPECIAL PRIMARY ELECTIONS IN WHICH A CANDIDATE STANDS FOR ELECTION;)

((1) 30 DAYS BEFORE THE ELECTION; AND)

((2) FIVE DAYS BEFORE THE ELECTION).

*If a scheduled filing date falls on a Saturday, Sunday or legal holiday, the filing date shall be the next regular business day.*

Sec. 15. Minnesota Statutes 1974, Section 10A.20, Subdivision 3, is amended to read:

Subd. 3. Each report under this section shall disclose:

(a) The amount of liquid assets on hand at the beginning of the reporting period;

(b) The name (,) *and* address (AND EMPLOYER, OR, IF SELF-EMPLOYED, OCCUPATION) of each person, political committee or political fund who has made one or more contributions to or for the political committee or political fund including the purchase of tickets for dinners, luncheons, rallies, and similar fund raising events within the year in an aggregate amount or value in excess of \$50 for legislative candidates and in excess of \$100 for statewide candidates, together with the amount and date of the contributions, and the aggregate amount of contributions within the year (OF) *from* each contributor so disclosed. The lists of contributors shall be in alphabetical order;

(c) The total sum of individual contributions made to or for the political committee or political fund during the reporting period and not reported under clause (b);

((D)) THE NAME AND ADDRESS OF EACH POLITICAL COMMITTEE, POLITICAL FUND OR CANDIDATE FROM WHICH THE REPORTING COMMITTEE OR FUND RECEIVED, OR TO WHICH THAT COMMITTEE MADE, ANY TRANSFER OF FUNDS, TOGETHER WITH THE AMOUNTS AND DATES OF ALL TRANSFERS. THE LISTS SHALL BE IN ALPHABETICAL ORDER;)

((E)) (d) Each loan to or from any person within the year in an aggregate amount or value in excess of \$100, together with the (FULL NAMES) *name* and (MAILING) address, (OCCUPATIONS) *occupation* and the principal (PLACES) *place of* business, if any, of the lender or (ENDORSERS, IF ANY,) *any endorser* and the date and amount of the (LOANS) *loan*;

((F)) (e) Each receipt in excess of \$100 not otherwise listed under clauses (b) to ((C)) (d);

((G)) (f) The total sum of all receipts by or for the political committee or political fund during the reporting period;

((H)) (g) The name (,) *and* address (, OCCUPATION AND THE PRINCIPAL PLACE OF BUSINESS, IF ANY,) of each person to whom expenditures have been made by the political committee or political fund or on its behalf within the year in an aggregate amount in excess of \$100, the amount, date and purpose of each expenditure and the name and address of,

and office sought by, each candidate on whose behalf the expenditure was made;

((I)) *(h)* The sum of individual expenditures (WHICH IS) not otherwise reported under clause ((H)) *(g)*;

((J) THE NAME, ADDRESS, OCCUPATION AND THE PRINCIPAL PLACE OF BUSINESS, IF ANY, OF EACH PERSON TO WHOM AN EXPENDITURE FOR PERSONAL SERVICES, SALARIES, AND REIMBURSABLE EXPENSES IN EXCESS OF \$100 HAS BEEN MADE, AND WHICH IS NOT OTHERWISE REPORTED, INCLUDING THE AMOUNT, DATE AND PURPOSE OF THE EXPENDITURE;)

((K) THE SUM OF INDIVIDUAL EXPENDITURES FOR PERSONAL SERVICES, SALARIES AND REIMBURSABLE EXPENSE WHICH IS NOT OTHERWISE REPORTED UNDER (J);)

((L)) *(i)* The total expenditures made by the political committee or political fund during the reporting period;

((M)) *(j)* The amount and nature of (DEBTS AND OBLIGATIONS) *any debt or obligation* owed by or to the political committee or political fund, and (A CONTINUOUS REPORTING OF THEIR DEBTS AND OBLIGATIONS AFTER THE ELECTION UNTIL THE DEBTS AND OBLIGATIONS ARE EXTINGUISHED;)

((N) THE AMOUNT AND NATURE OF) *any written* contract, promise or agreement (, IN WRITING, WHETHER OR NOT LEGALLY ENFORCEABLE,) to make a contribution or expenditure; *and*

((O)) *(k)* *For principal campaign committees only:* The name of each person, committee or political fund, which has been authorized by the treasurer to make expenditures on behalf of the candidate and the nature and amount of each authorized expenditure.

Sec. 16. Minnesota Statutes 1974, Section 10A.20, is amended by adding a subdivision to read:

*Subd. 12. The commission shall notify any person who fails to file a statement required by this section. A person who knowingly fails to file the statement within seven days after receiving notice from the commission is guilty of a misdemeanor.*

Sec. 17. Minnesota Statutes 1974, Section 10A.21, Subdivision 1, is amended to read:

10A.21 [REPORTS TO COUNTY AUDITOR.] Subdivision 1. All reports or statements that must be filed with the commission by the principal campaign committee of legislative candidates shall (ALSO) be *duplicated and filed by the commission with the county auditor of each county in which the legislative district lies within 72 hours of the date the report or statement is required to be filed or, if the report or statement is delinquent, within 72 hours of the time the report is actually filed.*

Sec. 18. Minnesota Statutes 1974, Section 10A.23, is amended to read:

10A.23 [CHANGES AND CORRECTIONS.] Any material changes in information previously submitted and any corrections to a report or statement shall be reported in writing to the commission within ten days following the date of the event prompting the change or the date upon which the person filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph containing the information to be changed or corrected. Any person who wilfully fails to report a material change or correction is guilty of a gross misdemeanor.

Sec. 19. Minnesota Statutes 1974, Section 10A.25, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding subdivision 2, clause (a), a candidate for the endorsement for the office of lieutenant governor at the convention of a political party may spend \$30,000 or five percent of the amount in subdivision 2, clause (a) (, PRIOR TO THE TIME OF) to seek endorsement. This (MONEY) amount shall be in addition to the (MONEY) amount which may be expended pursuant to subdivision 2, clause (a).

Sec. 20. Minnesota Statutes 1974, Section 10A.25, Subdivision 6, is amended to read:

Subd. 6. In a year in which (A CANDIDATE DOES NOT STAND FOR ELECTION) *an election does not occur for an office held or sought*, no expenditures shall be made and no obligations to make expenditures shall be incurred by a candidate or officeholder or by a political committee, political fund or individual which makes expenditures with the authorization, express or implied, and under the control, direct or indirect, of the candidate or officeholder or his agents which shall result in the aggregate expenditure on behalf of the candidate or officeholder in that year of an amount in excess of 20 percent of the amount of the aggregate expenditure permitted by subdivision 2. Expenditures permitted by this subdivision shall be in addition to expenditures permitted by subdivision 2.

Sec. 21. Minnesota Statutes 1974, Chapter 10A, is amended by adding a section to read:

[10A.261] *Nothing in chapter 10A shall be construed as abridging the right of an association to communicate with its members.*

Sec. 22. Minnesota Statutes 1974, Section 10A.27, Subdivision 3, is amended to read:

Subd. 3. Expenditures by (A) *the state or local committee of any political party on behalf of candidates of that party generally, without referring to any of them specifically in any advertisement published (OR), posted, (ON ANY) or broadcast, or (IN) any sample ballot or telephone conversation (, IF THAT CONVERSATION MENTIONS) listing three or more (CANDIDATES) persons whose names are to appear on the ballot, shall not be allocated to any candidate or subject to the limitations of section 10A.25, subdivision 2.*

Sec. 23. Minnesota Statutes 1974, Section 10A.27, is amended by adding a subdivision to read:

Subd. 5. *Nothing in chapter 10A shall be construed as limiting expenditures by a political committee, political fund, or individual which are made without the written authorization of the candidate; provided that the political committee, political fund, or individual is in compliance with the provisions of section 10A.17, subdivision 5.*

Sec. 24. Minnesota Statutes 1974, Section 10A.30, Subdivision 2, is amended to read:

Subd. 2. Within the state elections campaign fund account there shall be maintained (SEPARATE ACCOUNTS) *a separate account for the candidates of each political party and a general account.*

Sec. 25. Minnesota Statutes 1974, Section 10A.31, Subdivision 3, is amended to read:

Subd. 3. The commissioner of the department of revenue shall on the first page of the income tax form notify the taxpayer of his right to allocate \$1 of his taxes (\$2 if filing a joint return) to finance the election campaigns of state candidates. The form shall also contain language prepared by the commissioner which permits the taxpayer to direct the state to allocate the \$1 (or \$2 if filing a joint return) to (ONE OF THE FOLLOWING): (i) *one of the major political parties; (ii) (THE NAME OF) any minor political party (PROVIDED THAT IF) for which a petition is filed to qualify as a minor political party (IT BE FILED) by June 1 of that taxable year; (AND) or (iii) (DISTRIBUTION TO) all qualifying candidates as provided by this section.*

Sec. 26. Minnesota Statutes 1974, Section 10A.31, Subdivision 5, is amended to read:



Subd. 5. ((A) IN EACH FISCAL YEAR, 40 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATEWIDE OFFICE.)

((B) OF THE AMOUNT SET ASIDE IN CLAUSE (A), 40 PERCENT SHALL BE DISTRIBUTED TO THE CANDIDATES FOR GOVERNOR AND LIEUTENANT GOVERNOR JOINTLY; 24 PERCENT SHALL BE DISTRIBUTED TO THE CANDIDATE FOR ATTORNEY GENERAL; AND 12 PERCENT EACH SHALL BE DISTRIBUTED TO THE CANDIDATES FOR SECRETARY OF STATE, STATE TREASURER AND STATE AUDITOR. IF THERE IS NO NOMINEE OF THAT PARTY FOR ONE OF THE OFFICES, THE SHARE SET ASIDE FOR THAT OFFICE SHALL BE DISTRIBUTED TO THE OTHER STATEWIDE CANDIDATES OF THAT PARTY IN THE SAME PROPORTIONS AS THE ORIGINAL AMOUNT.)

((C) WITHIN TWO WEEKS OF THE CERTIFICATION BY THE STATE CANVASSING BOARD OF THE RESULTS OF THE PRIMARY ELECTION, THE STATE TREASURER SHALL DISTRIBUTE AVAILABLE FUNDS IN EACH ACCOUNT, OTHER THAN THE GENERAL ACCOUNT, OF THE STATE ELECTIONS FUND TO THE APPROPRIATE CANDIDATES WHO ARE TO APPEAR ON THE BALLOT FOR THE GENERAL ELECTION AS PRESCRIBED IN CLAUSES (A) AND (B).)

((D) WITHIN TWO WEEKS OF THE CERTIFICATION BY THE STATE CANVASSING BOARD OF THE RESULTS OF THE GENERAL ELECTION, THE STATE TREASURER SHALL DISTRIBUTE THE AVAILABLE FUNDS IN THE GENERAL ACCOUNT IN THE SAME PROPORTIONS AS PROVIDED IN CLAUSE (B), IN AN EQUAL AMOUNT TO EACH CANDIDATE WHO RECEIVED AT LEAST FIVE PERCENT OF THE VOTE CAST IN THE GENERAL ELECTION FOR THE OFFICE FOR WHICH HE WAS A CANDIDATE.) *In each calendar year the moneys in each party account and the general account shall be allocated to candidates as follows:*

(a) *16 percent for the offices of governor and lieutenant governor jointly;*

(b) *9.6 percent for the office of attorney general;*

(c) *4.8 percent each for the offices of secretary of state, state auditor and state treasurer;*

(d) *in each calendar year during the period in which state senators serve a four year term, 20 percent for the office of state senator and 40 percent for the office of state representative;*

(e) in each calendar year during the period in which state senators serve a two year term, and in 1975 and 1976, 30 percent for the office of state senator and 30 percent for the office of state representative;

(f) all candidates of one party for the state senate and state house of representatives whose names are to appear on the ballot in the general election shall share equally in the funds allocated to their respective offices from their party account, except that any candidate may refuse his share, which shall then be divided equally among the remaining candidates of his party for the same office.

If a candidate elects to refuse moneys from the state elections campaign fund, he shall not be subject to the expenditure limitations imposed by section 10A.25 or limited in the amount he may contribute to his own campaign.

Sec: 27. Minnesota Statutes 1974, Section 10A.31, Subdivision 6, is amended to read:

Subd. 6. ((A) IN EACH OF THE FISCAL YEARS DURING THE PERIOD IN WHICH THE STATE SENATE SERVES A FOUR YEAR TERM WHICH COMMENCES AFTER APRIL 13, 1974, 20 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATE SENATE. IN EACH OF THE FISCAL YEARS DURING THE PERIOD IN WHICH THE STATE SENATE SERVES A TWO YEAR TERM, AND IN 1975 AND 1976, 30 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATE SENATE.)

((B) THE AMOUNT SET ASIDE IN CLAUSE (A) SHALL BE DISTRIBUTED IN EQUAL SHARES TO EACH OF THE CANDIDATES FOR STATE SENATE OF THAT PARTY.)

((C)) Within two weeks (OF THE) after certification by the state canvassing board of the results of the primary (ELECTION), the state treasurer shall distribute the available funds in each party account, (OTHER THAN THE GENERAL ACCOUNT TO THE APPROPRIATE CANDIDATES WHO) as certified by the commissioner of revenue on September 15, to the candidates of that party who have signed the agreement as provided in section 10A.32, subdivision 3, and whose names are to appear on the ballot (FOR) in the general election (AS PRESCRIBED IN CLAUSES (A) AND (B); according to the allocations set forth in subdivision 5. If there is no candidate of a party for any one office designated in subdivision 5 in any year in which that office appears on the ballot, the allocation for that office shall be distributed to all other candidates of that party in proportion to their shares as set forth in subdivision 5.

((D) WITHIN TWO WEEKS OF THE CERTIFICATION BY THE STATE CANVASSING BOARD OF THE RESULTS OF THE GENERAL ELECTION, THE STATE TREASURER SHALL DISTRIBUTE THE AVAILABLE FUNDS IN THE GENERAL ACCOUNT IN AN EQUAL AMOUNT TO EACH CANDIDATE WHO RECEIVED AT LEAST TEN PERCENT OF THE VOTES CAST IN THE GENERAL ELECTION FOR THE OFFICE FOR WHICH HE WAS A CANDIDATE.)

Sec. 28. Minnesota Statutes 1974, Section 10A.31, Subdivision 7, is amended to read:

Subd. 7. ((A) IN EACH OF THE FISCAL YEARS DURING THE PERIOD IN WHICH THE STATE SENATE SERVES A FOUR YEAR TERM WHICH COMMENCES AFTER APRIL 13, 1974, 40 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATE REPRESENTATIVES. IN EACH OF THE FISCAL YEARS DURING THE PERIOD IN WHICH THE STATE SENATE SERVES A TWO YEAR TERM, AND IN 1975 AND 1976, 30 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATE REPRESENTATIVES.)

((B) THE AMOUNT SET ASIDE IN CLAUSE (A) SHALL BE DISTRIBUTED IN EQUAL SHARES TO EACH OF THE CANDIDATES FOR STATE REPRESENTATIVE OF THAT PARTY.)

((C) WITHIN TWO WEEKS OF THE CERTIFICATION BY THE STATE CANVASSING BOARD OF THE RESULTS OF THE PRIMARY ELECTION, THE STATE TREASURER SHALL DISTRIBUTE AVAILABLE FUNDS IN EACH ACCOUNT, OTHER THAN THE GENERAL ACCOUNT, TO THE APPROPRIATE CANDIDATES WHO ARE TO APPEAR ON THE BALLOT FOR THE GENERAL ELECTION AS PRESCRIBED IN CLAUSES (A) AND (B).)

((D)) Within two weeks (OF THE) *after* certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account, *as certified by the commissioner of revenue on November 15 and according to the allocations set forth in subdivision 5,* in (AN) equal (AMOUNT) amounts to (EACH CANDIDATE) *all candidates for each statewide office who received at least five percent of the votes cast in the general election for that office, and to all candidates for legislative office who received at least ten percent of the votes cast in the general election for the specific office for which (HE WAS A CANDIDATE) they were candidates.*

Sec. 29. Minnesota Statutes 1974, Section 10A.31, is amended by adding a subdivision to read:

*Subd. 8. Within one week after certification by the state canvassing board of the results of the primary, the commission shall certify to the state treasurer the name of each candidate who has signed the agreement as provided in section 10A.32, subdivision 3, and the amount he is to receive from the available funds in his party account.*

Sec. 30. Minnesota Statutes 1974, Section 10A.31, is amended by adding a subdivision to read:

*Subd. 9. Within one week after certification by the state canvassing board of the results of the general election, the commission shall certify to the state treasurer the name of each candidate who is qualified to receive funds from the general account, together with the amount he is to receive from the available funds in the general account.*

Sec. 31. Minnesota Statutes 1974, Section 10A.31, is amended by adding a subdivision to read:

*Subd. 10. Within one week after all the tax returns have been processed, the commissioner of revenue shall certify to the commission the amount accumulated in each account since the previous certification. Within one week thereafter, the commission shall certify to the state treasurer the amount to be distributed to each candidate according to the allocations as provided in subdivision 5. As soon as practicable thereafter, the state treasurer shall distribute the amounts to the candidates.*

Sec. 32. Minnesota Statutes 1974, Section 10A.32, is amended to read:

**10A.32 [LIMITATIONS UPON THE STATE ELECTION CAMPAIGN FUND.]** Subdivision 1. No candidate shall be entitled to receive from the state elections campaign fund an amount greater than the total amount of expenditures which may be made by him or on his behalf (OF THE CANDIDATE) under sections 10A.25 and 10A.27. The amount by which the expenditure limit is exceeded shall be distributed to all other candidates of the same party whose shares do not exceed their expenditure limits in proportion to their shares as set forth in section 10A.31.

**Subd. 2.** No candidate shall be entitled to receive from the state election campaign fund an amount greater than the total amount actually expended by him or on his behalf (OF THE CANDIDATE DURING HIS CAMPAIGN) in the year of the election. If the report required to be filed on or before January 7 in the year following the general election indicates that the amount received by the candidate is greater than the amount expended on his behalf, the treasurer of his principal campaign committee shall refund to the state treasurer an amount equal to the difference. The refund in the form of a check or money

*order shall be submitted with such report and the commission shall forward the refund to the state treasurer.*

Subd. 3. As a condition of receiving any funds from the state elections campaign fund, any candidate, prior to receipt of the funds, shall agree by stating in writing to the commission on or before September 1 that expenditures on his behalf shall not exceed the expenditure limits as set forth in section 10A.25 and that his principal campaign committee shall not accept contributions (EXCEEDING) for the period beginning with the registration of his principal campaign committee and ending December 31 of the election year which exceed 105 percent of the difference between the amount which may legally be expended by him or on his behalf (OF THAT CANDIDATE), and the amount which (THE CANDIDATE) he receives from the state elections campaign fund. Any amount by which his total contributions exceed 105 percent of the difference shall be refunded to the state treasurer. The refund in the form of a check or money order shall be submitted in the same manner as provided in subdivision 2.

*For the purposes of this subdivision only, the total amount to be distributed to each candidate is his share of the total estimated funds in his party account as provided in subdivision 3a, plus the total amount estimated as provided in subdivision 3a to be in the general account and set aside for that office divided by the number of candidates whose names are to appear on the general election ballot for that office. If the amount actually received by the candidate is greater by reason of a lesser number of qualifying candidates sharing in the funds in each account, and his contributions thereby exceed 105 percent of the difference, the agreement shall not be considered violated.*

Subd. 3a. The commissioner of revenue shall certify to the commission on or before the last day for filing for office his estimate of the total to be accumulated in each account in the state elections campaign fund after 100 percent of the tax returns have been processed. Within seven days after the last day for filing for office the secretary of state shall certify to the state treasurer and the commission the name, address, office sought, and party affiliation of each candidate. Within seven days thereafter the commission shall estimate the minimum amount to be received by each candidate who qualifies as provided in section 10A.31, subdivisions 6 and 7, and notify all candidates on or before August 15 of the applicable amount.

Subd. 4. If a political party for whose candidates funds have been accumulated in the state elections campaign fund does not have a candidate for (STATEWIDE) any office (, STATE REPRESENTATIVE OR STATE SENATOR), the moneys (WHICH WOULD BE USED FOR DISTRIBUTION TO THAT CATEGORY OR CATEGORIES) shall be (TRANSFERRED TO THE GENERAL) maintained in that account until the year of the next general election. If in two successive general election years

*that political party does not have a candidate for any office, the accumulated funds shall be transferred to the general fund.*

Sec. 33. *Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; and 10A.22, Subdivisions 2 and 8, are repealed.*

Sec. 34. *This act is effective the day following final enactment."*

And further, to amend the title as follows :

Page 1, line 5, after "statements;" insert "providing for distribution of moneys in the state elections campaign fund;"

Page 1, line 6, after "1974," insert "Chapter 10A, by adding a section;"

Page 1, line 7, after "2" insert ", 5," and after "11" insert ", and by adding a subdivision".

Page 1, line 8, after "Subdivision 4" and before the semicolon insert ", and by adding a subdivision"; and after the semicolon strike "10A.07, Subdivision".

Page 1, line 9, strike "1;"

Page 1, line 12, strike "10A.22, Subdivision 5;"

Page 1, line 14, after "3" insert ", and by adding a subdivision; 10A.30, Subdivision 2; 10A.31, Subdivisions 3, 5, 6, and 7, and by adding subdivisions; and 10A.32".

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. 1342, A bill for an act relating to soil and water conservation; providing for the operation of the soil and water conservation commission; amending Minnesota Statutes 1974, Sections 40.03, Subdivisions 1 and 4; and 40.06, Subdivision 2.

Reported the same back with the following amendments:

Pages 1, 2, and 3, delete all of section 1 and insert:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 40.03, Subdivision 1, is amended to read:

40.03 [SOIL AND WATER COMMISSION.] Subdivision 1. [MEMBERS.] There is hereby established, to serve as an agency within the department of natural resources and to perform the functions conferred upon it in this chapter, the state soil and water conservation commission to be composed of 11 members, seven of whom shall be elected supervisors of soil and water conservations districts selected as herein provided. Four members thereof shall be ex officio members composed of the following: The director of the agricultural extension service of the University of Minnesota; the dean of the institute of agriculture of the University of Minnesota; the director of the pollution control agency; the commissioner of agriculture. (THE DIRECTOR OF THE AGRICULTURAL EXTENSION SERVICE) *Each ex officio member* may designate (THE ASSOCIATE DIRECTOR OF THE AGRICULTURAL EXTENSION SERVICE) *a person within his organization* to act in his stead as a member of the commission, with all his rights and privileges. The designation shall be filed with the secretary of state. (SIMILARLY, THE DEAN OF THE INSTITUTE OF AGRICULTURE MAY DESIGNATE THE ASSOCIATE DEAN OF THE INSTITUTE OF AGRICULTURE TO ACT IN HIS STEAD, WITH ALL HIS RIGHTS AND PRIVILEGES, WHICH DESIGNATION ALSO SHALL BE FILED WITH THE SECRETARY OF STATE.) The commission shall invite the state conservationist of the United States soil conservation service to serve as an advisory member. The commission may also invite a representative of the state association of soil and water conservation districts, the association of Minnesota counties, the league of municipalities and such other organizations and governmental agencies as may be deemed necessary to serve as advisory members. The other seven members of said commission shall be appointed by the governor from nominees who are elected representatives of the state soil and water conservation districts, recommended by the state association of soil and water conservation district supervisors submitted to the governor, and in the event of a failure to submit such nominees to the governor he shall make the necessary appointments from present or past supervisors of soil and water conservation districts. One member shall be appointed from each department of natural resources region except that two members shall be appointed from region number one. The four members heretofore appointed shall serve for the balance of the terms for which they were appointed. The fifth, sixth and seventh (MEMBER) members shall be appointed for (A TERM) terms of five years. Thereafter as vacancies occur all appointments shall be made for terms of five years. The commission shall keep a record of its official actions, and may perform such acts, hold such public hearings, and promulgate such rules and regulations as may be necessary for the execution of its functions under this chapter. The commission shall (BE RESPONSIBLE TO THE COMMISSIONER OF NATURAL RESOURCES AND SHALL CONTINUE TO) exercise all powers and duties as conferred upon it by law."

Page 3, after line 6, insert a section to read:

"Sec. 2. Minnesota Statutes 1974, Section 40.03, Subdivision 2, is amended to read:

Subd. 2. [EMPLOYEES.] (THE STATE SOIL AND WATER CONSERVATION COMMISSION MAY EMPLOY, WITH THE APPROVAL OF THE COMMISSIONER OF NATURAL RESOURCES, AN ADMINISTRATIVE OFFICER IN THE UNCLASSIFIED SERVICE AND SUCH TECHNICAL EXPERTS AND SUCH OTHER AGENTS AND EMPLOYEES, PERMANENT AND TEMPORARY, AS IT MAY REQUIRE, AND SHALL DETERMINE THEIR QUALIFICATIONS, DUTIES, AND COMPENSATION.) *The department of natural resources shall provide administrative functions of Minnesota Statutes, Section 40.03. The commissioner of natural resources shall make available by separate budget to the state soil and water conservation commission such staff services, funds for operation, and office space as are necessary for the administration and coordination of its functions. The commission shall be responsible to the commissioner for reporting purposes in regard to staff functions and those operations as they relate to department activities.*

*The commissioner of natural resources shall in agreement with the state soil and water conservation commission provide an administrative officer and such technical experts and such other agents and employees, permanent and temporary, as it may require in carrying out Minnesota Statutes, Section 40.03, and shall determine their qualifications and duties, and recommend compensation to the commissioner of personnel. The commission may call upon the attorney general for such legal services as it may require. It shall have authority to prescribe the powers and duties of its officers and employees, and to delegate to its chairman or to one or more of its other officers or members or administrative officer such of its own powers and duties as it may deem proper. (THE ADMINISTRATIVE OFFICER SHALL SERVE AT THE PLEASURE OF THE COMMISSIONER AND MAY BE DISMISSED ONLY UPON THE ADVICE AND RECOMMENDATION OF THE COMMISSION. ALL OTHER PERSONNEL OF THE COMMISSION SHALL BE TRANSFERRED TO THE DEPARTMENT OF NATURAL RESOURCES AND SHALL BE IN THE CLASSIFIED SERVICE OF THE STATE.) The administrative officer is responsible to the commission and may be dismissed by the commissioner of natural resources only upon the advice and recommendation of the commission. All permanent personnel of the commission are employees of the department of natural resources and are in the classified service of the state except as otherwise required by statute. All rights, duties and responsibilities of the existing staff of the commission on November 12, 1971 shall remain unchanged except as may be agreed upon by the commission and the commissioner. Upon request of the commission, for the purpose of carrying out any of its functions, the supervising officer*



of any state agency, or of any state institution of learning, shall insofar as may be possible under available appropriations, and having due regard to the needs of the agency to which the request is directed, assign or detail to the commission members of the staff or personnel of the agency or institution of learning, and make such special reports, surveys, or studies as the commission may request."

Renumber the remaining sections in order.

Page 3, after line 12, insert.

*"(1) To prepare and present to the commissioner of the department of natural resources a budget to finance the activities of the commission and the districts and to administer any law appropriating funds to districts;"*

Page 4, after line 3, insert:

*"(5) To require annual reports from districts and other special reports as requested by the commission;*

*(6) To approve or disapprove the plans or programs of districts as they relate to the use of state funds as administered by the commission;"*

Renumber the clauses in sequence.

Page 5, line 7, delete "1975" and insert "1976".

Further amend the title:

Line 5, after "Subdivisions" delete "1" and insert "2".

Line 6, delete "and".

Line 6, after "Subdivision 2" insert "; and Minnesota Statutes, 1975 Supplement, Section 40.03, Subdivision 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. 1444, A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act; appropriating money; amending Minnesota Statutes 1974, Sections 490.121,

Subdivisions 2 and 4; 490.124, Subdivisions 1, 2, 3, 6, 8, 9, and 10; 490.125, Subdivision 2; and 490.128, by adding subdivisions.

Reported the same back with the following amendments:

"Page 1, after line 9, insert a section to read: "

"Section 1. Minnesota Statutes, 1975 Supplement, Section 356.30, Subdivision 3, is amended to read:

Subd. 3. [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) unclassified employees retirement plan, established pursuant to chapter 352D;

(4) highway patrolmen's retirement fund, established pursuant to chapter 352B;

(5) legislators' retirement plan, established pursuant to chapter 3A;

(6) elective state officers' retirement plan, established pursuant to chapter 352C;

(7) public employees retirement association, established pursuant to chapter 353;

(8) public employees police and fire fund, established pursuant to chapter 353;

(9) teachers retirement fund; established pursuant to chapter 354;

(10) Minneapolis municipal employees retirement fund, established pursuant to chapter 422A;

(11) Minneapolis teachers retirement fund association, established pursuant to chapter 354A;

(12) St. Paul teachers retirement fund association, established pursuant to chapter 354A;

(13) Duluth teachers retirement fund association, established pursuant to chapter 354A;

(14) *Judges retirement fund, established pursuant to sections 490.121 to 490.132.*"

Page 1, line 18, after the stricken language, insert "or".

Page 1, line 19, reinstate the stricken language.

Page 1, line 21, delete "*Fractions of a year of*".

Page 1, delete lines 22 and 23 and insert "*It shall not include service as a retired judge.*".

Page 1, after line 23, insert sections to read:

"Sec. 4. Minnesota Statutes 1974, Section 490.121, Subdivision 13, is amended to read:

Subd. 13. "Disability" means permanent inability to perform the functions of judge *prior to the normal retirement date* by reason of physical or mental impairment resulting from sickness or injury.

Sec. 5. Minnesota Statutes 1974, Section 490.123, Subdivision 1, is amended to read:

490.123 [JUDGES' RETIREMENT FUND.] Subdivision 1. [CREATION; CONTRIBUTIONS.] There is hereby created a special fund known as the "judges' retirement fund". The fund shall be credited with all contributions, all interest and all other income authorized by law. From this fund there are appropriated the payments authorized by sections 490.121 to 490.132 in the amounts and at times provided herein, including the expenses of administering the fund. Except as provided in section 490.128, subdivision 2, each judge shall contribute to the fund from each salary payment a sum equal to the salary multiplied by the rate of employee tax under the Federal Insurance Contributions Act as defined in section 355.01, subdivision 9. *Any former judge who is receiving an annuity under the provisions of sections 490.121 to 490.126 and who is also serving as a retired judge shall not be required to make contributions from each salary payment pursuant to this subdivision and shall not be credited with any additional years of service.* The balance of all money necessary for administering sections 490.121 to 490.132 and the judges' retirement fund, including payment of retirement compensation and other benefits under sections 490.121 to 490.132, shall be contributed to the fund by the state. The amount required therefor is hereby annually appropriated from the general fund to the judges' retirement fund."

Page 2, line 15, delete "1974" and insert "1975 Supplement".

Pages 2 and 3, delete all of subdivision 2 and insert:

"Subd. 2. [YEARS OF SERVICE.] No judge shall be eligible for an annuity at normal or early retirement date if he has less than ten years of service. A judge who shall retire on or, as permitted under sections 490.121 to 490.132, after mandatory retirement date, shall be entitled to a proportionate annuity based upon his service at date of retirement.

A judge who was in office on December 31, 1973 and thereafter and who, by the date on which his term expires, would not be eligible to retire with (FULL BENEFITS) *such benefits as may be available, whether full or partial, solely under statutes in effect on December 31, 1973, may apply to the governor for an extension to serve up to three additional years, stating his intention to retire upon such eligibility. Notwithstanding section 490.125 hereof, the governor shall forthwith make a written order accepting such retirement application, and extending the term of office of such judge for such period of time, not exceeding three years, as may be necessary to make such judge eligible for such retirement, solely for purposes of computing benefits to be paid hereunder."*

Page 3, strike lines 9 and 10 and insert "*he is under age 65 on his retirement date.*".

Page 4, line 3, strike "60 days" and insert "*six months*".

Page 4, line 4, delete the new language and insert "*July 1, 1976*".

Page 4, line 23, delete "1974" and insert "*1975 Supplement*".

Pages 4 and 5, delete all of subdivision 9 and insert:

"Subd. 9. [SURVIVORS' ANNUITY.] *Except as qualified hereinafter, upon the death of a judge prior to retirement, his surviving spouse or, if there be no surviving spouse or there shall be a surviving spouse who shall thereafter die leaving one or more dependent children, his dependent children, shall receive an annuity, payable monthly, equal to 60 percent of the normal retirement annuity which would have been payable to the judge (HAD) computed as though he were at least age 65 on the date of his death (BEEN THE NORMAL RETIREMENT DATE), provided that the surviving spouse or dependent children shall receive an annuity of not less than 25 percent of the judge's (FINAL AVERAGE COMPENSATION) salary earned in the 12 full calendar months immediately preceding his retirement. With respect to a judge who was in office on December 31, 1973 and shall die in office thereafter, the benefits to be paid to a surviving spouse or dependent children hereunder shall in no event be less than as provided under statutes in effect on December 31, 1973.*

If a judge, whose surviving spouse was not entitled to survivors benefits provided solely for judges under statutes in effect prior to January 1, 1974, shall have died prior to retirement on or after May 23, 1973 and before January 1, 1974, his surviving spouse and dependent children, if any, shall be entitled to survivors benefits as provided hereunder as if such judge had died on January 1, 1974.”.

Page 5, after line 32, insert a section to read:

“Sec. 13. Minnesota Statutes 1974, Section 490.124, is amended by adding a subdivision to read:

*Subd. 13. [SERVICE BY A RETIRED JUDGE.] Notwithstanding sections 488A.02, subdivision 9, 484.62, or any other law to the contrary, effective January 1, 1977, should any retired judge again become entitled to receive salary or wages from the state, county, or municipality for service as a judge, his annuity or retirement allowance shall cease when he has earned \$3,000 in any calendar year. The annuity shall be resumed when his service as a judge terminates, or, if the retired judge is still serving as a judge at the end of that calendar year, his annuity or retirement allowance shall be resumed at the beginning of the next calendar year, and payment shall again terminate when he has earned \$3,000.”.*

Page 6, after line 16, insert sections to read:

“Sec. 15. Minnesota Statutes 1974, Section 490.132, is amended to read:

490.132 [ELECTION.] A judge of the supreme court, who holds office on or prior to January 1, 1974, is covered by the retirement provisions of chapter 490, and shall continue to receive all the benefits thereunder unless he elects, in writing, to come under the provisions of sections 490.121 to 490.132 by notifying the director of the state retirement system thereof by January 1, (1974) 1977. None of the provisions of sections 490.121 to 490.132 shall apply to a judge of the supreme court who does not make such election.

Sec. 16. *Any judge of office on December 31, 1973 who failed to elect to continue contributions as authorized by Minnesota Statutes, Section 490.124, Subdivision 10, may elect to resume said contributions as of July 1, 1976 by giving notice to the executive director of the Minnesota state retirement system prior to July 1, 1976. The notice shall be accompanied by a remittance equal to four percent of the salary earned by the judge between January 1, 1974 and July 1, 1976 plus six percent of the amount remitted in lieu of interest.”.*

Pages 6, 7, and 8, delete sections 11, 12, 13, and 14.

Page 8, line 8, delete "*This act is*" and insert "*Sections 2, 9, 10, 14, and 15 are*".

Page 8, line 9, after "1974." insert "*The remainder of this act shall be effective on July 1, 1976.*".

Renumber sections in sequence.

Further amend the title:

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

Page 1, line 5, after "Subdivisions 2" insert ", 4".

Page 1, line 5, after "and" delete "4" and insert "13".

Page 1, line 5, before "490.124," insert "490.123, Subdivision 1;".

Page 1, line 6, delete "2,".

Page 1, line 6, delete "9" and insert "10".

Page 1, line 6, after "and" delete "10" and insert "by adding a subdivision".

Page 1, line 7, after "Subdivision 2;" delete the balance of the line.

Page 1, line 8, delete all of line 8 and insert "490.132; and Minnesota Statutes, 1975 Supplement, Sections 356.30, Subdivision 3; and 490.124, Subdivisions 2 and 9.".

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. 2306, A bill for an act relating to the board of medical examiners; adding four public members; requiring sanctions after determination of board; providing procedures for reporting and investigating malpractice complaints; requiring malpractice information from physicians from other states; prescribing reports to the complaining parties; authorizing the attorney general to investigate; amending Minnesota Statutes 1974, Sections 144.651; 147.021, Subdivision 1; 147.031, Subdivision 1; and Chapter 147 by adding sections; amending Minne-

sota Statutes, 1975 Supplement, Sections 147.01; 147.021, Subdivision 2; and 147.03.

Reported the same back with the following amendments:

Page 12, line 16, reinstate the stricken language and delete the new language.

Page 13, delete line 29 and insert "*(d) The dollar amount of each medical malpractice settlement or award.*".

Further amend the title:

Page 1, line 2, delete "adding".

Page 1, line 2, delete "four public members;".

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

The report was adopted.

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

H. F. No. 2503, A bill for an act relating to state employees; limiting severance allowances for certain employees; amending Minnesota Statutes, 1975 Supplement, Section 43.224.

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. 2535, A bill for an act relating to retirement; inclusions and exclusions under the Minnesota State Retirement System; amending Minnesota Statutes 1974, Section 352.01, Subdivisions 2A and 2B.

Reported the same back with the following amendments:

Page 1, after line 6, insert a new section to read:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 43.051, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding the provisions of subdivision 1, any employee of the state of Minnesota in a covered classification

as defined in the special retirement program for correctional personnel defined in chapter 352, must retire from such covered classification upon having reached or upon reaching the mandatory retirement age as of the effective dates established herein:

Effective Date	Mandatory Retirement Age
July 1, 1974	65
January 1, 1975	62
July 1, 1975	59
January 1, 1976	57
July 1, 1976	55

A covered correctional employee may be employed beyond the mandatory retirement age (FOR A PERIOD OF ONE YEAR NOT TO EXTEND BEYOND JULY 1, 1976,) but in no event beyond age of 62, subject to an annual medical examination and the written approval of the commissioner of corrections, whose decision shall be final. A correctional employee desiring employment beyond mandatory retirement age shall be examined at his own expense and the results and findings of the medical examination shall be transmitted to the commissioner of corrections prior to the date the employee would otherwise have to retire pursuant to this subdivision."

Page 6, line 10, after "*employed*" insert "*in positions designated by the department of personnel*".

Page 6, after line 15, insert new sections to read:

"Sec. 4. Minnesota Statutes 1974, Section 352C.02, Subdivision 2, is amended to read:

Subd. 2. "Commissioner" means a person who was duly elected and qualified *and is serving* as (A) *an elected* member of the department of public service of Minnesota. "Constitutional officer" means a person who was duly elected and qualified *and is serving* as a governor, a lieutenant governor, an attorney general, a secretary of state, a state auditor, or a state treasurer of the state of Minnesota. "*Former constitutional officer or commissioner*" means a person who has ceased to be a constitutional officer or commissioner subsequent to the effective date of this act for any reason, including but not limited to expiration of the term of office for which elected, retirement, or death.

Sec. 5. Minnesota Statutes 1974, Section 352C.02, Subdivision 3, is amended to read:



Subd. 3. ("WIDOW") *"Surviving spouse"* means the surviving wife or husband of a constitutional officer or commissioner or former constitutional officer or commissioner.

Sec. 6. Minnesota Statutes 1974, Section 352C.02, is amended by adding a subdivision to read:

Subd. 4. *"Dependent child"* means any natural or adopted child of a deceased constitutional officer or commissioner or former constitutional officer or commissioner who is under the age of 18, or who is under the age of 22 and is a full time student, and who in either case is unmarried and was actually dependent for more than one half of his support upon such constitutional officer or commissioner for a period of at least 90 days immediately prior to the death of the constitutional officer or commissioner. It also includes a posthumous child of such constitutional officer or commissioner.

Sec. 7. Minnesota Statutes 1974, Section 352C.04, Subdivision 1, is amended to read:

352C.04 [SPOUSE'S AND DEPENDENT CHILDREN'S SURVIVOR BENEFITS.] Subdivision 1. Upon the death of a constitutional officer or commissioner while serving in such office, or a former constitutional officer or commissioner with at least eight years of allowable service, (WHO ON THE DATE THEREOF WAS ENTITLED TO A RETIREMENT ALLOWANCE, HIS) the surviving spouse (WIDOW) is entitled to a survivor benefit in the amount of one half of the retirement allowance of such constitutional officer or commissioner computed as though such constitutional officer or commissioner were at least age 65 on the date of death and based upon the attained allowable service or eight years whichever is greater (HAD NOT DIED). Such benefit shall be paid to a (WIDOW) surviving spouse eligible therefor during the remainder of (HER) the spouse's natural life or until (SHE REMARRIES) remarriage. Upon remarriage such (WIDOW) spouse shall no longer be eligible for such benefit except as provided by Minnesota Statutes, 1975 Supplement, Section 356.31.

Sec. 8. Minnesota Statutes 1974, Section 352C.04, Subdivision 2a, is amended to read:

Subd. 2a. Upon the death of a constitutional officer or commissioner while serving in such office, or a former constitutional officer or commissioner with at least eight years of allowable service, (WHO ON THE DATE THEREOF WAS IN ALL RESPECTS ENTITLED TO A RETIREMENT ALLOWANCE EXCEPT THAT (A) HE HAD NOT RETIRED OR (B) HE HAD NOT REACHED THE AGE OF 65,) each dependent child of such deceased constitutional officer or commissioner (MEMBER) shall be paid a survivor benefit in the following amount: First dependent child a monthly (ALLOWANCE) benefit which

equals 25 percent of the monthly *retirement* allowance of the constitutional officer or commissioner computed as though the constitutional officer or commissioner (HAD RETIRED AT THE AGE OF) *were at least age 65 on the date of his death and based upon the attained allowable service or eight years whichever is greater*; for each additional dependent child a monthly (ALLOWANCE) benefit which equals 12 1/2 percent of the monthly *retirement* allowance of the constitutional officer or commissioner computed as in the case of the first child; but the total amount paid to the surviving spouse and dependent children shall not exceed in any one month 100 percent of the monthly allowance of the constitutional officer or commissioner computed as in the case of the first child. The payments for dependent children shall be made to the surviving spouse or the guardian of the estate of the dependent child, if there is one. A posthumous child qualifies as a dependent child for benefits provided herein from the date of its birth.

Sec. 9. Minnesota Statutes 1974, Section 352C.05, is amended to read:

352C.05 [APPLICATION FOR SURVIVOR BENEFIT.] (WIDOWS) *Surviving spouses or guardians of the estate of the dependent children entitled to payment of benefits under section 352C.04 shall file their applications therefor with the executive director of the Minnesota state retirement system, and payments shall commence as of the first of the month next following the filing of the application, but shall be retroactive to the first of the month following the death of the constitutional officer or commissioner, but no payment shall be retroactive for more than 12 months prior to the month the application is filed with the director.*

Sec. 10. Minnesota Statutes 1974, Section 352C.09, Subdivision 1, is amended to read:

352C.09 [CONTRIBUTIONS.] Subdivision 1. Every constitutional officer or commissioner shall contribute (SEVEN) *eight percent of his or her total salary beginning the first full pay period after July 1, 1976, (PAID AFTER JANUARY 1, 1967,) by payroll deduction, to be paid into the state treasury and deposited in the general fund. (DEDUCTIONS AS TO TOTAL SALARY FOR THE PERIOD BETWEEN JANUARY 1, 1967 AND JULY 1, 1967 SHALL BECOME IMMEDIATELY PAYABLE OR IF NOT SO PAID, PAYROLL DEDUCTIONS DURING THE ENSUING SIX MONTHS SHALL BE INCREASED SUFFICIENTLY TO AMOUNT TO TOTAL PAYMENT.)* In case of retirement any unpaid deductions shall be deducted from any retirement allowance that becomes payable. All deductions and payments, if any, in lieu of deductions are to be paid into the state treasury and deposited in the general fund. It shall be the duty of the executive director of the Minne-

sota state retirement system to record the contributions of each constitutional officer or commissioner and credit such contribution to such officer's or commissioner's account.

Sec. 11. Minnesota Statutes 1974, Chapter 352C, is amended by adding a section to read:

[352C.091] [ADMINISTRATION.] *Subdivision 1. The provisions of Minnesota Statutes, Chapter 352C, shall be administered by the Minnesota state retirement system.*

*Subd. 2. Sections 4 to 11 of this act shall apply to constitutional officers in office on and after the effective date of this act.*

Sec. 12. Minnesota Statutes, 1975 Supplement, Section 352D.-02, Subdivision 1, is amended to read:

352D.02 [COVERAGE.] Subdivision 1. The following employees in the unclassified service of the state who are eligible for coverage under the Minnesota state retirement system shall participate in the unclassified program unless such employee gives notice to the executive director of the state retirement system within one year following June 5, 1975 or the commencement of his employment, whichever is later, that he desires coverage under the regular employee plan. For the purposes of this chapter, an employee who does not file such notice with the executive director shall be deemed to have exercised his option to participate in the unclassified plan. The employee and applicable employer contributions for those employees covered by the regular plan on June 5, 1975, who after such date participate in the unclassified plan, shall be transferred to the supplemental fund in accordance with sections 352D.02, subdivision 4 and 352D.03 as though the employee had elected to participate when first eligible to make such election. This subdivision shall also be applicable to any person who was an employee in an eligible position on or after January 1, 1975, has terminated service before June 5, 1975 with less than ten years of allowable service, and has not taken a refund of his contributions.

(1) Any employee in the office of the governor, lieutenant governor, secretary of state, state auditor, state treasurer, attorney general, revisor of statutes or the state board of investment,

(2) Any department, division, or agency head, the assistant department head or deputy, or any employee enumerated in sections 15A.081, subdivision 1 or 15A.083, subdivision 3, (AND)

(3) Any permanent, full-time unclassified employee of the legislature or any commission or agency of the legislature or a part-time legislative employee having shares in the supplemental retirement fund whether or not eligible for coverage under the Minnesota state retirement system(.),

(4) *Any person employed in a position established pursuant to section 43.09, subdivision 2a, which is at the deputy or assistant head of department or agency or director level, and*

(5) *The chairman and chief administrator of the metropolitan waste control commission and the chairman and executive director of the metropolitan council and not exceeding nine each division directors or administrative deputies as designated by the council or commission.*

*The eligibility to participate of those employee specified in clauses (4) and (5) employed in such positions on the effective date of this act, shall be retroactive to their date of appointment to such positions.*

Sec. 13. *The surviving spouse of a member of the public employees retirement association who died between May 1, 1974 and June 1, 1974 and who as of the date of death had attained the age of not less than 63 years, received credit for not less than 33 years of allowable service, and had selected an optional 100 percent joint and survivor annuity, may elect to receive benefits which would have been payable pursuant to the 100 percent joint and survivor annuity had the member been qualified therefor on his date of death. Payments pursuant to this section shall be in lieu of further payments pursuant to Minnesota Statutes, Section 353.31, Subdivision 1, and shall commence on the first day of the month following application therefor.*

Sec. 14. Minnesota Statutes, 1975 Supplement, 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 reorganized prior to July 1, 1975 pursuant to legislation enacted by the 1959 Legislature.

Sec. 15. Minnesota Statutes 1974, Chapter 353, is amended by adding a section to read:

[353.019] [SOIL AND WATER CONSERVATION DISTRICT EMPLOYEES.] *Subdivision 1. From and after July 1, 1976, all employees of a soil and water conservation district shall become members of the public employees retirement association coordinated fund, unless specifically exempt under section 353.01, subdivision 2b.*

**Subd. 2. [PURCHASE OF PRIOR SERVICE CREDIT.]**  
*Any employee of a soil and water conservation district covered by the retirement association after July 1, 1976, who was so employed prior to July 1, 1976, and who was excluded from coverage by the retirement association for such prior service shall be allowed to obtain allowable service credit for such prior service by (a) paying to the retirement association an employee contribution equal to six percent of covered salary in effect when such service was rendered plus interest at the rate of six percent per annum compounded annually from the year of purchase to the date payment is made; (b) the member at the same time shall pay additionally a matching amount equal to that required to be paid under (a); providing the employing soil and water conservation district may, in its sole discretion, for all its employees electing to make payment hereunder, pay the retirement association the obligation under (b). Payment must be made in one lump sum prior to July 1, 1980, or prior to termination of public service whichever is earlier, and no allowable service with respect to such payment shall be credited to the employee's account until payment is received by the retirement association.*

**Sec. 16. Minnesota Statutes 1974, Section 352C.04, Subdivisions 2 and 2b, are repealed."**

Page 6, line 18, after "coverage" insert "by section 3".

Renumber the sections accordingly.

Further amend the title:

Page 1, line 2, after "retirement;" insert "mandatory retirement age for correctional officers;"

Page 1, line 3, after "System;" insert "inclusion of employees of the soil and water conservation district in membership of the public employees retirement association; miscellaneous changes in the elective state officers' plan and the unclassified employees retirement plan;"

Page 1, line 4, delete "Section" and insert "Sections".

Page 1, line 5, after "and 2B" insert "; 352C.02, Subdivisions 2, 3, and by adding a subdivision; 352C.04, Subdivisions 1 and 2a; 352C.05; 352C.09, Subdivision 1; Chapters 352C, by adding a section; and 353, by adding a section; and Minnesota Statutes, 1975 Supplement, Sections 43.051, Subdivision 3; 352D.02, Subdivision 1; 353.01, Subdivision 6; and repealing Minnesota Statutes 1974, Section 352C.04, Subdivisions 2 and 2b.

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. 2608, A bill for an act relating to the city of Buhl; police officers membership in the public employees retirement association.

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. 2632, A bill for an act relating to the city of Fridley; providing for membership of a certain employee thereof in the Public Employees Police and Fire Fund.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 1550, bill for an act relating to public welfare; authorizing payments to county welfare departments for former institutionalized persons placed in community residential and day programs; amending Minnesota Statutes 1974, Section 256.01, Subdivision 2.

Reported the same back with the following amendments:

Page 5, line 19, after "*Payments*" insert "*initially*".

Page 5, line 23, after "*July 1,*" delete "*1975*" and insert "*1976*".

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:

S. F. No. 1552, A bill for an act relating to public welfare; pertaining to the development of community based residential care facilities for the mentally ill, mentally deficient and drug de-

pendent through the housing finance agency; amending Minnesota Statutes 1974, Sections 462A.02, by adding a subdivision; 462A.03, Subdivision 7, and by adding subdivisions.

Reported the same back with the following amendments:

Page 1, line 16, after "are" delete "best" and insert "better".

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. 2280, A bill an act relating to the city of Maplewood; paramedic service; authorizing the collection of taxes in excess of the levy limits for purposes of the paramedic program.

Reported the same back with the following amendments:

Page 1, delete lines 14 to 16 and insert:

"Sec. 2. This act is effective upon approval by a majority of the voters of the city of Maplewood, on or before September 30, 1976 of a levy limit base adjustment for levy year 1976 and subsequent levy years, pursuant to Minnesota Statutes, Section 275.58, for the purpose of financing the paramedic program provided for in Laws 1975, Chapter 426, Section 4."

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2281, A bill for an act relating to metropolitan government; changing the metropolitan parks and open space commission to the metropolitan parks, arts and recreation commission and prescribing its powers and duties; authorizing the metropolitan council to issue bonds and levy taxes therefor; authorizing the commission to impose an admissions tax; imposing a transient lodging tax in the metropolitan area; requiring the completion of an environmental impact statement prior to construction of a new sports facility; requiring a certificate of need for regional recreational facilities; amending Minnesota Statutes 1974, Chapter 473, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 473.121, Subdivisions 7 and 14; 473.146, by adding a

subdivision; 473.147; 473.301; 473.302; and 473.303, Subdivision 1; repealing Minnesota Statutes 1974, Section 340.11, Subdivision 11a.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 139.08, Subdivision 5, is amended to read:

Subd. 5. [REPORTS.] By November 15 of each year, the board shall prepare and deliver to the legislature and the governor a report which shall include the following:

(a) a financial statement showing receipts and disbursements for the year ending the preceding June 30, including a listing of the donors and amounts of gifts to the board of its advisory committees valued in excess of \$1,000;

(b) a brief description of the activities of the board for the preceding year;

(c) the number of meetings and approximate hours spent by board members in meetings and on other board activities;

(d) the names of board members and their addresses, occupations, and dates of appointment and re-appointment to the board;

(e) the names and job classifications of board employees;

(f) a brief summary of board rules proposed or adopted during the period with appropriate citations to the state register and published rules;

(g) the number of requests for assistance received by the board and the number of written and oral complaints received from residents of the state relating to the activities of the board or the performance of the duties of the board as provided in this chapter;

(h) a summary by category of the substance of the complaints and requests referred to in (g) above and the responses of the board thereto;

(i) a listing of all grants, loans or other forms of assistance given by the board. This listing shall indicate (1) the recipients of board assistance who are members of the board or its advisory committees, and (2) each recipient sponsoring organization having a member of the board or its advisory committees as a director, officer or employee. The indication required in clause (2)



shall also specify the name of the member who is the officer, director or employee;

(j) *a summary of the local arts development program established pursuant to section 5 of this act, including a description of the membership, activities, and criteria and guidelines of each of the 13 regional arts task forces and a statement describing progress in achieving the purposes of the program;*

(k) *a summary of grants made to major arts organizations for general operating support under section 6 of this act and a statement describing progress in achieving the purposes of the program of state grants for general operating support.*

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 139.10, Subdivision 1, is amended to read:

139.10 [DUTIES.] Subdivision 1. The board shall through the following activities stimulate and encourage the creation, performance and appreciation of the arts in the state:

(a) receive and consider any requests for grants, loans or other forms of assistance;

(b) advise and serve as a technical resource at the request of sponsoring organizations and political subdivisions in the state on programs relating to the arts;

(c) advise and recommend on existing or proposed activities of the departments of the state relating to the arts;

(d) accept gifts and grants to the board and distribute the same in accordance with the instructions of the donor insofar as the instructions are consistent with law;

(e) promulgate by rule procedures *consistent with this chapter* to be followed by the board in receiving and reviewing requests for grants, loans or other forms of assistance;

(f) promulgate by rule standards consistent with this chapter to be followed by the board in the distribution of grants, loans and other forms of assistance;

(g) distribute according to the above procedures and standards grants, loans and other forms of assistance for artistic activities to departments and agencies of the state, political subdivisions, sponsoring organizations and, in appropriate cases, to individuals engaged in the creation or performance of the arts; provided that a member of the board shall not participate in deliberations or voting on assistance to groups or persons in which that member has an interest as officer, director, employee or recipient;

(h) appoint advisory committees which the board determines are essential to the performance of its power and duties under this section; provided that no member of an advisory committee shall within two years prior to his appointment have received or applied for in his own name a grant, loan or other form of assistance from the board or its predecessor;

(i) establish a comprehensive statewide system of information and publicity about the arts and artistic activities;

(j) administer a program of state grants for the payment of touring costs for professional touring, provided that grants for touring made with funds from the local arts development program shall be made according to the provisions of section 5 of this act;

(k) administer a program of state grants for general operating support to major arts organizations, in accordance with this section and section 6 of this act;

(l) administer the program of local arts development established by section 5 of this act.

Sec. 3. Minnesota Statutes, 1975 Supplement, Section 139.10, Subdivision 2, is amended to read:

Subd. 2. In performing the duties under subdivision 1, the board shall insofar as reasonably possible in accordance with the provisions of chapter 139 and other applicable law:

(a) avoid any actions which infringe on the freedom of artistic expression or which interfere with programs in the state which relate to the arts but which do not involve board assistance;

(b) distribute board assistance equitably according to population throughout the geographical regions of the state;

(c) give special consideration to requests for assistance for the creation or performance of types or variations of the arts which have yet to receive the level of general support and assistance given to the more established types or variations of the arts;

(d) distribute annually to individuals engaged in the creation or performance of the arts at least five percent of the moneys from the state's general fund appropriated to the board for each fiscal year.

Sec. 4. Minnesota Statutes, 1975 Supplement, Section 139.10, is amended by adding a subdivision to read:

*Subd. 3. Every publication, program or other graphic material prepared by the board or prepared for use by any other organization in connection with an activity funded in whole or part by the board shall bear the legend: This activity is made possible in part by a grant provided by the Minnesota state legislature and the Congress of the United States.*

**Sec. 5.** Minnesota Statutes 1974, Chapter 139, is amended by adding a section to read:

**[139.11] [LOCAL ARTS DEVELOPMENT PROGRAM.]**

*Subdivision 1. It is the purpose of the local arts development program to assist and encourage the arts and artistic expression within the various regions of the state and to improve and expand the opportunity to enjoy and participate in the arts in smaller cities and towns and in rural areas within each region.*

*Subd. 2. The regional development commissions established pursuant to section 462.387 and the metropolitan council established pursuant to section 473.123, in consultation with the board, shall create 13 regional arts task forces within regions designated pursuant to section 462.385 and the metropolitan area defined in section 473.121. Each task force shall be composed of no less than nine members, distributed so as to ensure equitable representation from all parts of the region or metropolitan area, including smaller cities and towns and rural areas. The membership of each task force shall include majority representation from the major art disciplines and shall also include local elected officials, provided that no organization shall be permitted more than one representative on the task force. At least one member of each task force shall be a member of the regional development commission or metropolitan council serving that region. Trustees or employees of major arts organizations receiving state grants from the board for general operating support shall not be eligible for membership on any task force.*

*Subd. 3. The regional arts task forces shall advise and assist the board and the regional development commissions or metropolitan council on the design, development, implementation, and evaluation of the local arts development program. Each task force shall meet at least bi-monthly and shall review and make recommendations to the board on applications for grants under the program. Each task force, in consultation with the board and the regional development commission or metropolitan council, shall develop guidelines and criteria for funding projects, programs and organizations of artistic merit within the regions and shall submit the guidelines and criteria to the board and the regional development commission or metropolitan council for review and approval. Guidelines and criteria shall promote local arts development in all parts of the region or metropolitan area and shall ensure an equitable distribution of benefits to smaller cities and towns and rural areas. Guidelines and criteria may permits grants to organizations for general operating support,*

provided that a demonstration of operating efficiency and continuing increases in earned income and revenues derived from private contributions shall be required of applicants as a condition to receiving any such grant and provided further that no recipient of state grants for general operating support under any other program administered by the board shall be eligible for such grants under the local arts development program. At the end of each fiscal year, the board and each regional development commission and the metropolitan council shall review and assess the adherence of each task force to its guidelines and criteria. The board or the regional development commission or metropolitan council may require modifications in the guidelines and criteria.

Subd. 4. Applications for grants under the local arts development program shall be made to the regional arts task forces, which shall forward copies of each application to the board and regional development commission or metropolitan council. The task force shall review each application on the basis of the criteria and guidelines established pursuant to subdivision 3 and shall recommend to the board whether the application should be granted. The recommendations of a task force whose guidelines and criteria are approved by the board and the regional development commission or metropolitan council pursuant to subdivision 3 shall be binding on the board, provided that grants made under the program shall be distributed by the board according to the populations of the respective regions and that not less than 75 percent of the funds expended under the program in each region and the metropolitan area shall be expended for local arts development and not more than 25 percent for special projects or for the payment of touring costs for professional touring.

Sec. 6. Minnesota Statutes 1974, Chapter 139, is amended by adding a section to read:

[139.12] [MAJOR ARTS ORGANIZATIONS; GENERAL OPERATING SUPPORT.] Subdivision 1. It is the purpose of the program of state grants for general operating support to assist the major arts organizations in the state, to ensure a broader and more equitable distribution of benefits from such organizations to all areas of the state, and to promote activities by major arts organizations to bring their services to nonmetropolitan areas.

Subd. 2. The board shall establish guidelines for the distribution of grants under this section. The guidelines shall include standards and criteria to ensure that recipients of grants provide public and educational services on a statewide or regional basis and are responsive to the needs of nonmetropolitan areas of the state.

Subd. 3. The board shall demand the highest level of fiscal responsibility from recipients of grants under this section. A

*demonstration of operating efficiency and continuing increases is earned income and revenues derived from private contributions shall be required of applicants by the board as a condition of receiving any grant under this section.*

*Subd. 4. Recipients of grants under this section shall be subject to the provision of Minnesota Statutes, Section 471.705.*

*Subd. 5. Recipients of grants under this section shall not be eligible for any other grant from state funds administered by the board.*

*Sec. 7. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:*

**[473.357] [RECREATION AND SPORTS FACILITIES: INVESTIGATION AND REPORT.]** *The council shall investigate the operation and financial condition of recreational and sports auditorium and stadium facilities having a seating capacity of 10,000 or more located in the metropolitan area, other than sports facilities, as defined in section 9, subdivision 7, of this act, to determine the effect of competition between and among such facilities upon their economic viability. The council shall report its findings to the legislature on or before February 1, 1977, including its recommendation as to the function, if any, that the metropolitan sports facilities commission, established by section 11 of this act, may perform in reference to such facilities. The council is authorized to undertake all necessary investigations whether public or private and, if necessary, to hold public hearings.*

*Sec. 8. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:*

**[473.358] [CERTIFICATE OF NEED FOR NEW PUBLIC REGIONAL SPORTS AND AUDITORIUM FACILITIES.]** *Subdivision 1. The council shall, subject to chapter 15, promulgate regulations governing the issuance of a certificate of need for new public regional sports and auditorium facilities with a planned capacity of more than 5,000 persons or requiring a total capital expenditure of more than five million dollars.*

*The regulations shall provide for the manner in which a local governmental unit, or agency thereof, may apply for a certificate of need, and for the process by which the council shall review the applications. The regulations shall include the factors to be considered in a decision whether to accept or reject an application for a certificate of need. Those factors shall include:*

*(a) the need for the particular new public regional sports or auditorium facility proposed;*

(b) *the extent to which this need can be met by existing regional facilities;*

(c) *the relationship between the proposed facility and other existing and proposed facilities in the metropolitan area;*

(d) *the level of governmental subsidy required to support the proposed facility.*

*Subd. 2. No new public regional sports facility or auditorium with a planned capacity of more than 5,000 persons or requiring a total capital expenditure of more than five million dollars may be constructed unless a certificate of need has been issued for the proposed facility by the council.*

**Sec. 9.** Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.851] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 9 to 24, the following terms shall have the meanings here given them.*

*Subd. 2. "Commission" means the metropolitan sports facilities commission.*

*Subd. 3. "Metropolitan sports area commission" means that commission established by an ownership and operations agreement made and entered into as of August 13, 1954, validated by Laws 1955, Chapter 445, to which the cities are now parties.*

*Subd. 4. "Metropolitan sports area" means the real estate in the city of Bloomington described in the ownership and operations agreement, and all buildings, structures, improvements and equipment thereon, now owned by the cities.*

*Subd. 5. "Use agreements" means all agreements now in effect entered into by the metropolitan sports area commission on behalf of the cities, providing for the use of the metropolitan sports area or any part thereof by any person, firm or corporation.*

*Subd. 6. "Cities" means the cities of Minneapolis, Bloomington, and Richfield.*

*Subd. 7. "Sports facility" means real, personal, or mixed property comprising a multipurpose stadium, suitable for university and major league baseball and football and for soccer, with adjacent parking facilities.*

*Subd. 8. "Council" means the metropolitan council.*

**Sec. 10.** Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.852] [LEGISLATIVE POLICY; PURPOSE.] *The legislature finds that the population in the metropolitan area has a need for additional sports facilities and that this need cannot be adequately met by the activities of individual municipalities, agreements among municipalities, or by the private efforts of the people in the metropolitan area. It is therefore necessary for the public health, safety and general welfare to create a metropolitan sports facilities commission.*

Sec. 11. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.853] [SPORTS FACILITIES COMMISSION; MEMBERS; EXECUTIVE DIRECTOR.] *Subdivision 1. [CREATION.] The metropolitan sports facilities commission is created as an agency of the metropolitan council.*

*Subd. 2. [MEMBERS.] The commission shall consist of seven members appointed as follows:*

*(a) Four members appointed by the metropolitan council, one from each of the following areas:*

- (1) Council districts 1, 2, 3 and 4;*
- (2) Council districts 5, 6, 7 and 8;*
- (3) Council districts 10, 12, 13 and 14;*
- (4) Council districts 9, 11, 15 and 16.*

*(b) Three members appointed by the governor, at least one of whom shall be experienced in municipal finance, and one of whom shall be experienced in building construction management.*

*The members appointed by the council shall reside while serving in the area from which they are appointed. Two members appointed by the governor shall reside outside the metropolitan area.*

*Subd. 3. [TERM.] Members shall be appointed for four year terms except that the terms of the members initially appointed by the governor shall expire with the term of the governor and the terms of members appointed by the metropolitan council shall expire two years thereafter. The term of each member shall continue until his successor is appointed and qualified.*

*Subd. 4. [VACANCIES.] An office shall be deemed vacant under the conditions specified in chapter 351. The vacant office shall be filled by the respective appointing authority.*

*Subd. 5. [COMPENSATION.] Members shall be compensated in the manner provided in section 473.141, subdivision 7. Meetings and operating procedures are subject to section 473.141, Subdivisions 8 and 13 (a).*

*Subd. 6. [OFFICERS.] At its first meeting, the commission shall select from among its members a chairman who shall preside at all meetings of the commission, if present, and shall perform all other duties assigned to him by the commission or by law. The commission may select a vice-chairman from among its members to act for the chairman during his temporary absence or disability. A secretary and treasurer or secretary-treasurer may be selected and shall serve in the manner provided in section 473.141, subdivision 10.*

*Subd. 7. [EXECUTIVE DIRECTOR.] The chairman of the commission shall, subject to the approval of the commission, appoint an executive director who shall be chosen solely on the basis of his training, experience, and other qualifications, and who shall serve at the pleasure of the commission at a salary determined by the commission. The director shall attend all meetings of the commission, but shall not vote, and shall have the following powers and duties:*

*(a) He shall see that all resolutions, rules, regulations, or orders of the commission are enforced.*

*(b) He shall appoint and remove, subject to the provisions of any personnel code adopted by the commission, upon the basis of merit and fitness, all subordinate officers and regular employees of the commission.*

*(c) He shall present to the commission plans, studies, and reports prepared for commission purposes and recommend to the commission for adoption such measures as he deems necessary to enforce or carry out the powers and duties of the commission, or to the efficient administration of the affairs of the commission.*

*(d) He shall keep the commission fully advised as to its financial condition, and he shall prepare and submit to the commission its annual budget and such other financial information as it may request.*

*(e) He shall recommend to the commission for adoption such rules and regulations as he deems necessary for the efficient operation of the commission's functions.*

*(f) He shall perform such other duties as may be prescribed by the commission.*

**Sec. 12.** Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:



[473.854] [POWERS OF COMMISSION.] *Subdivision 1. [GENERAL.] The commission shall have all powers necessary or convenient to discharge the duties imposed by law, including but not limited to those specified in this section.*

*Subd. 2. [ACTIONS.] The commission may sue and be sued, and shall be a public body within the meaning of chapter 562.*

*Subd. 3. [ACQUISITION OF PROPERTY; FACILITY CONSTRUCTION AND OPERATION; EXEMPTION OF PROPERTY.] The commissioner may acquire by lease, purchase, gift, devise, or eminent domain pursuant to the provisions of Minnesota Statutes, Chapter 117, all necessary right, title, and interest in and to real and personal property deemed necessary to the purposes contemplated by sections 9 to 24 within the limits of the metropolitan sports area and within three quarters of a mile of the intersection of 12th avenue and 2nd street in the city of Minneapolis, and may construct, equip, improve, operate, manage, and maintain sports facilities, including existing facilities. The power of eminent domain may be exercised by the commission for a specific property only upon the approval of the council. The power of eminent domain may not be exercised by the commission in the area to the east of trunk highway 394. Any properties, real or personal, acquired, owned, leased, controlled, used or occupied by the commission for any of the purposes of this act, are declared to be acquired, owned, leased, controlled, used, and occupied for public, governmental, and municipal purposes, and shall be exempt from taxation by the state or any political subdivision of the state, provided that such properties shall be subject to the special assessments levied by a political subdivision for a local improvement in amounts proportionate to and not exceeding the special benefit received by the properties from such improvement.*

*Subd. 4. [DISPOSITION OF PROPERTY.] The commission may sell or otherwise dispose of any real or personal property acquired by it which is no longer required for accomplishment of its purposes, subject to the approval by the council of any sale of real property. The property shall be sold in the manner provided by section 462.325, insofar as practical. The proceeds of sale shall be used, subject to the provisions of section 15 and as directed by the council, to pay the capital cost of sports facilities or to pay bonds issued by the council for that purpose or bonds upon which it is obligated under the provisions of section 13, subdivision 2.*

*Subd. 5. [EMPLOYEES AND CONTRACTS.] The commission may employ persons and contract for services and materials, supplies and equipment as may be necessary to carry out its functions.*

*Subd. 6. [GIFTS AND GRANTS.] The commission may accept gifts, may apply for and accept grants or loans of money*

or other property from the United States, the state, or any person for any of its purposes, may enter into any agreement required in connection therewith, and may hold, use, and dispose of such money or property in accordance with the terms of the gift, grant, loan or agreement relating thereto.

Subd. 7. [RESEARCH.] The commission may conduct research studies and programs, collect and analyze data, prepare reports, maps, charts, and tables, and conduct all necessary hearings and investigations in connection with its functions; and may advise and assist the metropolitan council and other governmental units on planning matters within the scope of its powers, duties and objectives.

Subd. 8. [AGREEMENTS WITH UNIVERSITY.] The commission and the board of regents of the university of Minnesota may enter into agreements and do all other acts necessary to further the functions prescribed herein.

Subd. 9. [USE AGREEMENTS.] The commission may lease, license, or enter into other agreements for the use of part or all of any property or facility under its ownership or control for purposes as will provide athletic, educational, cultural, commercial or other entertainment, instruction or activity for the citizens of the state.

Subd. 10. [CONTRACTS.] Contracts for the purchase of materials, supplies, and equipment shall be made in accordance with section 471.345; except that the commission with the approval of the council, and without advertisement for bids, may employ a person, firm, or corporation to perform one or more or all of the functions of architect, engineer, construction manager, or contractor for both design and construction, with respect to all or any part of a sports facility project. Any such person, firm, or corporation shall certify, before the contracts are finally signed, a total construction price to the commission and shall post a bond in the amount of \$10,000,000 to cover any costs which may be incurred over and above the certified price. The commission shall secure surety bonds as required in section 574.26, securing payment of just claims in connection with all public work undertaken by it. Persons entitled to the protection of such bonds may enforce them as provided in sections 574.28 to 574.32, and shall not be entitled to a lien on any property of the commission under the provisions of sections 514.01 to 514.16.

Subd. 11. [TRAFFIC OFFICERS.] The commission may employ on such terms as it deems advisable persons or firms for the purpose of providing traffic officers to direct traffic on property under the control of the commission, and on the city streets in the general area of the property controlled by the commission. The traffic officers shall not be peace officers and shall not have authority to make arrests for violations of traffic regulations.

*Subd. 12. [INSURANCE.] The commission may require any employee to obtain and file with it an individual bond or fidelity insurance policy; and may procure insurance in the amounts it deems necessary against liability of the commission or its officers and employees or both, for personal injury or death and property damage or destruction, with the force and effect stated in Minnesota Statutes, Chapter 466, and against risks of damage to or destruction of any of its facilities, equipment, or other property as it deems necessary.*

*Sec. 13. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:*

*[473.855] [METROPOLITAN SPORTS AREA.] Subdivision 1. [TRANSFER OF OWNERSHIP.] On the effective date of this act the commission shall assume ownership of the metropolitan sports area.*

*Subd. 2. [CONVEYANCE OF PROPERTY; TRANSFER TO FUNDS.] The cities and the metropolitan sports area commission shall cause all conveyances and other instruments to be executed, delivered, and recorded on their behalf which the commission, upon advice of counsel, deems necessary or desirable to transfer and convey to it all of the cities' right, title, and interest in and to the metropolitan sports area and all parts thereof and appurtenances thereto. The comptroller-treasurer of the city of Minneapolis shall remit, endorse, assign and transfer to the treasurer or secretary-treasurer of the commission all moneys and securities credited to the metropolitan sports area fund on the city's official books and records under the provisions of the ownership and operations agreement.*

*Subd. 3. [ASSUMPTION OF OBLIGATIONS.] The metropolitan council shall be and become obligated and shall provide for the payment of the principal and interest thereafter due and payable with respect to the general obligation bonds and revenue bonds issued by the city of Minneapolis under the provisions of the ownership and operations agreement and amendments thereto. For the purpose of making such payments the metropolitan council shall have all the powers and duties conferred upon it by section 19 and by chapter 475 for the payment of bonds issued by the metropolitan council and interest thereon. The commission shall assume all of the cities' obligations and those of the metropolitan sports area commission under the provision of all use agreements relating to the metropolitan sports area, and the cities and the metropolitan sports area commission shall cause to be executed all such assignments and other documents as the commission, upon advice of the council, shall deem necessary or desirable and appropriate to vest all their rights and privileges under such agreements in the commission, provided that nothing herein shall be construed as imposing upon the commission an obligation to the cities and the metropolitan sports area commission, or any of them, to compensate the cities for all or any part*

*of the metropolitan sports area, or to continue to operate and maintain the metropolitan sports area facilities taken over by the commission.*

*Subd. 4. [EMPLOYEES.] All persons employed by the metropolitan sports area commission are transferred by this act to the metropolitan sports facilities commission without loss of right or privilege.*

*Sec. 14. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:*

*[473.856] [RETIREMENT; ADMINISTRATION; PURCHASES OF PRIOR SERVICE CREDIT.] Subdivision 1. All employees of the commission shall be members of the Minnesota state retirement system with respect to service rendered on or after the effective date of this act, except that temporary employees hired for a period of less than six months and part time employees hired to work less than 30 hours per week shall be excluded from membership in the retirement system if the commission certifies them to the executive director of the retirement system as being temporary or part time employees. Provided, however, that any employee of the commission who was an employee of the metropolitan sports area commission immediately prior to the effective date of this act and who was a member of the public employees retirement association on account of such employment may elect no later than 30 days following the effective date of this act to remain a member of the public employees retirement association. Such election shall be made on forms provided by the commission, and the commission shall give immediate notice of any such elections to the executive directors of the public employees retirement association and the Minnesota state retirement system. Any person who makes such an election shall be excluded from membership in the Minnesota state retirement system with respect to employment by the commission. The commission shall make the employer's contribution to pension funds of its employees.*

*Subd. 2. Any permanent full time employee of the commission who was a permanent full time employee of the metropolitan sports area commission prior to the effective date of this act for whom such prior employment was not covered by the public employees retirement system, may obtain allowable service credit in the Minnesota state retirement system by paying to the retirement system (a) an amount equal to four percent of his or her current salary rate multiplied by the days and months of such prior service for which he or she desires to obtain allowable service credit plus (b) an amount representing the employer's required contributions, except that the commission may agree to pay such matching amount on behalf of its employees. Proof of prior permanent full time service and the duration thereof shall be established by the certification of the commission to the executive director of the retirement system. The payments shall*

*be made either in a lump sum or by payroll deduction arranged for on or before July 1, 1977.*

Sec. 15. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.857] [LIMITATION ON GIFTS AND CAPITAL EXPENDITURES.] *The commission shall not accept gifts or grants, any one of which is valued at more than \$10,000, under the provisions of section 12, subdivision 6, nor expend more than \$44,500,000 in capital expenditures for the purpose authorized in section 12, subdivision 3, without the prior approval of the council. In evaluating proposed gifts, grants, agreements required in connection therewith, and capital expenditures, the council shall examine the possible short-range and long-range impact on (a) commission revenues and (b) commission operating expenditures.*

Sec. 16. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.858] [EXEMPTION FROM METROPOLITAN COMMISSION REQUIREMENTS.] *The construction of a sports facility under this act shall be accomplished pursuant to the provisions of sections 9 to 24 and shall not be affected by Minnesota Statutes, Sections 473.161 and 473.163.*

Sec. 17. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.869] [DEBT OBLIGATIONS.] *Subdivision 1. [BONDS.] The metropolitan council may by resolution authorize the sale and issuance of its general obligation revenue bonds for any or all of the following purposes:*

(a) *To provide funds for the acquisition or betterment of sports facilities by the commission, subject to the limitations in subdivision 3 and section 18;*

(b) *To refund bonds issued hereunder and bonds upon which the council is obligated under section 13, subdivision 2; and*

(c) *To fund judgments entered by any court against the commission or against the council in matters relating to the commission's functions.*

Subd. 2. [PROCEDURE.] *Such bonds shall be sold, issued, and secured in the manner provided in chapter 475, and the council shall have the same powers and duties as a municipality and its governing body in issuing bonds under that chapter. The amount thereof shall not be limited except as provided in subdivision 3 and section 18 shall not be included in the net debt of any*

city, county, or other subdivision of the state for the purpose of any net debt limitation, and no election shall be required.

**Subd. 3. [LIMITATION OF AMOUNT AND PURPOSE; CONDITIONS.]** *Until and unless otherwise provided by law, the principal amount of bonds issued pursuant to subdivision 1, clause (a), shall be limited to \$47,500,000, and the proceeds thereof shall be used only for the acquisition and betterment of a sports facility, including a stadium seating approximately 65,000 person suitable for university and major league baseball and football and for soccer, with adjacent parking facilities for approximately 3,000 automobiles and road access improvements, situated within three quarters of a mile of the intersection of twelfth avenue and second street in the city of Minneapolis, provided that:*

*(a) No more than \$38,500,000 of the proceeds shall be used for the construction and furnishing of the stadium, including the appropriate professional fees and charges relating to the stadium structure but excluding costs for site preparation and no less than \$3,000,000 of the proceeds shall be placed in the debt service fund established pursuant to subdivision 4;*

*(b) None of the bond proceeds or other funds of the council or the commission shall be used for the acquisition of the site;*

*(c) No bonds in excess of \$1,500,000 may be issued unless and until the requirements of section 18 have been satisfied.*

**Subd. 4. [SECURITY.]** *The net revenues from time to time received by the commission from charges for the use of its sports facilities and from the taxes authorized in section 19, in excess of (a) amounts necessary to pay when due the current, reasonable, and necessary expenses of the operation, administration, and maintenance of the sports facilities and the funds and revenues thereof, and (b) reserves authorized by the council to be accumulated and maintained for working capital and for major repairs, replacements, or improvements, shall be pledged and appropriated to the council's debt service fund in the amounts needed to reduce and if possible cancel the tax otherwise required to be extended and assessed annually upon taxable property by section 475.61. The council is authorized to establish and maintain a reserve in its debt service fund, from bond proceeds or from revenues of the commission, in the amount determined to be necessary and feasible for this purpose. The tax, if required, shall be levied upon all taxable property within the metropolitan area under the jurisdiction of the council, without limitation as to rate or amount.*

**Subd. 5. [CERTIFICATES OF INDEBTEDNESS.]** *At any time or times after approval of an annual budget of the commission for operation, administration, and maintenance of its sports*

facilities, and in anticipation of the collection of the tax and other revenues appropriated in the budget, the council may authorize the issuance, negotiation, and sale, in such form and manner and upon such terms as it may determine, of general obligation certificates of indebtedness in aggregate principal amounts not exceeding 50 percent of the total amount of such appropriations, and maturing not later than three months after the close of the budget year. An amount of the anticipated revenues equal to not less than 105 percent of the amount required to pay the certificates and interest thereon when due shall be reappropriated to a special debt service fund established in the council's financial records, and all revenues received after expenditure or encumbrance of the remaining amount appropriated shall be credited to the fund until the certificates and interest are fully paid. If for any reason the anticipated revenues are insufficient, the certificates and interest shall be paid from the first tax and other revenues received in the following budget year, and the council shall levy a tax in the amount of the deficiency on all taxable property in the metropolitan area.

Sec. 18. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.860] [BONDS; CONDITIONS OF SALE.] *The council shall not issue any bonds pursuant to section 17, subdivision 1, clause (a), in excess of \$1,500,000 unless and until:*

(1) *The council has reviewed the activities and plans of the commission and the plans, reports, studies and agreements relating to the new sports facility provided for in section 17, subdivision 3 and has found them to be consistent with the purposes of this act;*

(2) *The council has held a public hearing, after appropriate public notice at least 15 days prior to the hearing, on the commission's design specifications and site plan for the new sports facility;*

(3) *The council has determined that:*

(a) *Studies of the following matters as they relate to the new sports facility have been prepared by or for the commission; (i) traffic circulation, transit, access and parking needs, including necessary capital cost, operating cost, methods of funding, and probable construction completion date; (ii) the value and possibilities for sale of the land at the metropolitan sports area identified in section 24; (iii) the salvage value of the existing multipurpose stadium situated within the metropolitan sports area, and the cost of demolition of such stadium; (iv) probable revenues and capital and operating costs of the new sports facility; (v) alternative bonding programs to finance the construction of the new sports facility;*

(b) *The commission's design specifications and site plans for the new sports facility are consistent with all chapters of the metropolitan development guide adopted by the council pursuant to Minnesota Statutes, Section 473.145;*

(c) *The entire site on which the stadium and parking and ancillary facilities are to be situated lies within three quarters of a mile of the intersection of twelfth avenue and second street in the city of Minneapolis;*

(d) *The environmental impact statement required in section 21 has been accepted by the environmental quality council and all necessary permits have been issued by the pollution control agency and other governmental agencies;*

(e) *Adequate provisions have been made for traffic circulation at the stadium site;*

(f) *Any facilities of the commission in the area to the east of trunk highway 394 will be consistent with the plan of the city of Minneapolis for the cedar riverside urban renewal area;*

(g) *Professional baseball and football organizations and the board of regents of the university of Minnesota have entered into agreements with the commission to use the new sports facility for a period of not less than the term of the longest term bonds that in the council's judgment it may find it necessary to issue to finance the completion of the sports facility;*

(h) *Professional baseball and football organizations have entered into agreements with the commission which provide the maximum possible guarantees by the organizations for payment of any deficits, calculated in accordance with clause (m), including as a minimum but not limited to a provision which requires that, in any year in which the sum of the expenditures of the council for the payment of principal and interest on all bonds issued under section 17, subdivision 1, clause (a), plus the expenditures of the commission for the operation and maintenance of the commission's property and for carrying on its business in accordance with law, are greater than the sum of the revenues received from the operation of the sports facility, including but not limited to revenues from the sources described in section 19, subdivisions 1 and 3, and agreements with the professional sports organizations and the university, plus revenues from investment of the construction fund, plus revenues from the sale of land no longer needed at the metropolitan sports area, the professional sports organizations shall pay together, in proportion to the total annual rentals, fees, and charges to be paid by each for the use of the stadium, one-half of the deficit thus incurred;*

(i) *The commission has entered into agreements with the appropriate labor organizations and construction contractor or-*



ganizations which provide that no labor strikes or management lockouts will halt, delay or impede construction of the new sports facility;

(j) The commission has received a grant of funds, or has entered into an agreement or agreements sufficient in the judgment of the council to assure the receipt of funds, at the time and in the amount required to make any payment upon which its acquisition of title to and possession of the site is conditioned, and to pay all costs of clearing the site of all buildings, railroad trackage and other structures, including without limitation all necessary relocation costs, all necessary utility relocation costs, and all legal costs;

(k) The commission has acquired title to the site, including all easements and other appurtenances needed for the construction and operation of the new sports facility, or an order has been entered by a court of competent jurisdiction determining that its taking of the site and appurtenances is necessary and authorized by law and appointing commissioners to assess and award the damages pursuant to section 117.075;

(l) The proceeds of the bonds will be sufficient to pay the entire cost of the stadium and ancillary facilities;

(m) The revenues that may reasonably be expected to be received from the operation of the sports facility, including but not limited to revenues from the sources described in section 19, subdivisions 1 and 3, and agreements with the professional sports organizations and the university, from investment of the construction fund, and from the sale of any part of the existing metropolitan sports area which is no longer needed, will be sufficient to pay all current expenses of operation, administration and maintenance of the commission's sports facilities, to pay the principal of and interest on all bonds issued pursuant to section 17, when due or called for prior redemption, and to accumulate and maintain an adequate bond reserve;

(4) The council has reported to the legislature, in the manner provided in Minnesota Statutes, Section 3.195, its review comments, findings and determinations regarding the matters specified in this section.

Sec. 19. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.861] [FINANCES.] Subdivision 1. [ADMISSIONS TAX.] The council shall by resolution impose a three percent admissions tax upon sales and distribution by any private or public person, association, or corporation other than the commission, of tickets for admission to activities conducted on premises owned, operated, or controlled by the commission. The council

shall impose an additional seven percent admissions tax upon sales and distribution by any private or public person, association, or corporation other than the commission, of tickets for admission to activities conducted on or in sports facilities owned, operated, or controlled by the commission. No other tax, except the taxes imposed by chapter 297A, may be levied by any unit of government upon any such sale or distribution. The tax shall be stated and charged separately from the sales price so far as practicable and shall be collected by the seller or distributor from the holder of the ticket and shall be a debt from the holder to the seller or distributor, and the tax required to be collected shall constitute a debt owned by the seller or distributor to the commission, which debts shall be recoverable at law in the same manner as other debts. Every person, association, or corporation selling or distributing tickets for such admissions may be required, as provided in resolutions of the commission, to secure a permit, to file returns, to deposit security for the payment of the tax, and to pay such penalties for nonpayment and interest on late payments, as shall be deemed necessary or expedient to assure the prompt and uniform collection of the tax. Commencing with the operation of a new sports facility constructed by the commission pursuant to this act, the council may impose a 15 percent admissions tax pursuant to this subdivision upon activities conducted at the new sports facility. The tax imposed by this subdivision shall be paid into the debt service fund under section 17, subdivision 4.

Subd. 2. The council is authorized to impose a tax, supplemental to the general sales tax imposed in Minnesota Statutes, Chapter 297A, in the amount of one percent on all sales of intoxicating liquor and fermented malt beverages when sold at licensed on-sale liquor establishments located in the metropolitan area. The tax shall be reported and paid to the commissioner of revenue with and as part of the state sales and use taxes, and shall be subject to the same penalties, interest, and enforcement provisions. The collections of this tax, less refunds and a proportionate share of the cost of collection, shall be remitted at least quarterly to the council and shall be paid by the council into the debt service fund established in section 17, subdivision 4. The tax shall be imposed only when the council deems it necessary to provide revenues, with revenues from other sources, to maintain reserves in the debt service fund sufficient to meet the obligations of the council under section 17.

Subd. 3. [RENTALS, FEES, CHARGES, AND CONTRACTS.] The commission is authorized to fix, alter, charge, and collect rentals, fees, and charges to all private and public persons, associations, and corporations, for the use, occupation, and availability of all premises owned, operated, or controlled by it and all facilities situated thereon, and to enter into contracts respecting such rentals, fees, and charges. The amounts thereof shall be those estimated to be necessary and feasible to produce so far as possible, with revenues from other sources, the

amounts needed for current operation, maintenance, and debt service. All such rentals, fees, charges, and contracts shall be submitted to the council in accordance with section 473.163. Any contract may provide that the other contracting party shall have exclusive or nonexclusive use of such areas at such times, and shall be responsible for such performance and the payment of such costs of operation and maintenance thereof, as may be agreed.

Subd. 4. [GENERAL.] The commission shall receive and account for all tax and other revenues referred to in this section and from such revenues shall provide, contract, and pay for proper operation and maintenance of all of its property and facilities, and for the payment of all obligations assumed by it under the provisions of section 13, and shall maintain a reasonable reserve for working capital, and shall remit to the council for deposit in its debt service fund, at times required by resolutions of the council, the net revenues in excess of these requirements; provided that the council may by such resolutions authorize the retention also of a reserve for major repairs, replacements, and improvements.

Sec. 20. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.862] [REPORTS TO LEGISLATURE.] Subdivision 1. The commission shall report to the legislature: (a) 30 days before a contract is entered into for development of design specifications and plans for a sports facility; (b) 30 days before a contract is entered into for construction of a sports facility; and (c) 30 days before a use agreement is entered into with a major tenant. The commission shall report at least quarterly to the legislature during the period in which a sports facility is being planned, designed, and constructed. Each report under this subdivision shall be made in the manner provided in section 3.195 and shall fully and completely inform the legislature of all provisions of the contract or lease about to be concluded; the commission's financial affairs; any studies, reports, or recommendations made by the commission; the progress of any projects undertaken by the commission; and other significant activities of the commission.

Subd. 2. Commencing with the operation of a sports facility constructed pursuant to the provisions of sections 9 to 24, the commission shall report to the legislature, in the manner provided in section 3.195, and to the governor, on or before January 15 of each year. The report shall describe the activities of the commission during the preceding year and shall include at least the following matters:

(a) a summary of the use of sports facilities and other properties owned, operated, or controlled by the commission;

(b) a complete report of the commission's financial affairs, including a statement of receipts and expenditures;

(c) summaries of any reports, studies, and recommendations of the commission;

(d) a summary of commission activities, including any improvements or construction, planned for the following year; and

(e) a detailed report on the progress of any project undertaken by the commission.

Sec. 21. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.863] [ENVIRONMENTAL IMPACT STATEMENT.]  
Subdivision 1. An environmental impact statement fulfilling the requirements of section 116D.04, shall be completed within ten months of the effective date of this act and prior to the commencement of construction of, or issuance of the bonds in excess of \$1,500,000 for any new sports facility by the commission or the council. The environmental impact statement shall be prepared by the state planning agency. The commission shall reimburse the planning agency for the cost of preparing the statement. The draft environmental impact statement shall be submitted to the environmental quality council within 120 days of the effective date of this act. The provisions of this section shall apply to the construction of a new sports facility by the commission, notwithstanding any contrary provisions of section 116D.04 or any regulations issued pursuant thereto.

Subd. 2. The pollution control agency shall take final action to approve or deny any permits necessary for the construction of the new sports facility within ten months following the effective date of this act.

Sec. 22. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.864] [LIQUOR LICENSE.] A single on-sale license may be issued by the commission for the sale of intoxicating liquors in each sports facility owned or controlled by the commission. A license issued under this section shall be for a single sports facility building, and shall not be included in the number of licenses within the city in which the sports facilities are located for the purposes of any law or charter provision limiting the number of on-sale licenses within the city. In addition, notwithstanding any provision of law or city charter to the contrary, on-sale licenses for the sale of intoxicating liquor may be issued to establishments on land now known as the metropolitan sports area owned by the commission and which is used primarily for sports and recreational purposes, upon payment of the regular on-sale license fee therefor to the municipality where-

*in the licensed premises are located, and such license shall authorize the sale of intoxicating liquor to club members and guests only.*

Sec. 23. [BLOOMINGTON; TAX LEVY.] *Subdivision 1. The city of Bloomington may add to the levy base determined for the purposes of Minnesota Statutes, Section 275.50 to 275.56, an amount equal to the revenue derived by the city in calendar year 1975 from the city tax imposed on tickets sold for admission to activities conducted at the metropolitan sports area.*

*Subd. 2. For the year 1977 only, the city of Bloomington may add to the levy base an amount equal to twice the amount determined in subdivision 1.*

Sec. 24. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.865] [SALE OF METROPOLITAN SPORTS AREA LAND.] *Following the completion of the new sports facility under section 9 to 24, the commission may sell up to 100 acres of the land at the metropolitan sports area, in a single parcel, or in smaller parcels, over a period of years. The cities of Bloomington and Richfield, acting jointly or individually, may purchase and are hereby granted a right of first refusal for the metropolitan sports area land. The cities of Bloomington and Richfield, individually or jointly, are hereby granted authority to issue bonds or other obligations exclusive of the net debt limits of section 475.53, subdivision 1, for the purpose of purchasing said property, which bonds or obligations may be issued without an election.*

*When, pursuant to the provisions of this section, the commission decides to sell any or all of the metropolitan sports area land, it shall notify the cities of Bloomington and Richfield of its intent to sell and give them 90 days in which to make an acceptable offer. If no such offer is made within 90 days of notice of intent to sell, the commission may sell the land on the open market, without public bids.*

*In the event that the commission receives and accepts a bona fide offer on part or all of the metropolitan sports area land, the cities of Bloomington and Richfield shall be offered an opportunity match such offer within 60 days of when notified of the offer, and if they do, jointly or individually, the commission shall sell them the land at the price of the bona fide offer. In the event that the approximately 47 acres of land retained by the commission at the metropolitan sports area is no longer used for a public purpose, the commission shall transfer all right, title, and interest to the real property to the cities of Bloomington and Richfield, in proportion to their population at the most recent federal decennial census, and shall cause all conveyances and other instruments to be executed, delivered, and recorded on*

*their behalf which the commission, upon advice from counsel, deems necessary or desirable to transfer and convey to the city all of the commission's right, title, and interest in the real property.*

Sec. 25. [APPROPRIATION.] Subdivision 1. *There is appropriated to the state arts board from the general fund in the state treasury the sum of \$2,800,000.*

Subd. 2. *Of the sum appropriated in subdivision 1, \$1,300,000 shall be administered by the board for grants for the purpose and in accordance with the provisions of the local arts development program established by section 5 of this act, except that no more than \$300,000 shall be available for grants within the metropolitan area defined in Minnesota Statutes, Section 473.121, and a sum not to exceed \$10,000 may be expended by each of the regional arts task forces for the purpose of assessing the needs and existing resources of the region and developing guidelines and criteria for funding projects, programs and organizations within the region.*

Subd. 3. *Of the remainder of the sum appropriated in subdivision 1, not less than \$1,000,000 nor more than \$1,300,000 shall be distributed by the board to major arts organizations for general operating support in accordance with the provisions of Minnesota Statutes, Section 139.10, and section 6 of this act.*

Subd. 4. *Not more than \$75,000 of the sum appropriated shall be available to the board for administration, provided however that none of these funds shall be used for salary expenditures of any arts task force or regional development commission*

Subd. 5. *The appropriation in this section shall be effective July 1, 1976 and be available until expended.*

Sec. 26. *Minnesota Statutes 1974, Section 340.11, Subdivision 11a, is repealed.*

Sec. 27. *This act shall be effective on the day following final enactment."*

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

*"A bill for an act relating to cultural and recreational activities; prescribing powers and duties of the state board of arts; establishing a local arts development program and a program of general operating support for major arts institutions; requiring a certificate of need for construction of certain new public regional sports and auditorium facilities; creating the metropolitan sports facilities commission and prescribing its powers and duties; authorizing the metropolitan council to issue bonds*

and levy taxes; providing for the construction and operation of a sports facility; authorizing a tax on certain sales of intoxicating liquor and fermented malt beverages in the metropolitan area; providing for admissions tax at certain facilities; requiring the completion of an environmental impact statement prior to construction of a sports facility; appropriating money; amending Minnesota Statutes 1974, Chapters 139 and 473, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 139.08, Subdivision 5; 139.10, Subdivisions 1 and 2 and by adding a subdivision; repealing Minnesota Statutes 1974, Section 340.11, Subdivision 11a."

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1635, 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.

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:

S. F. No. 1740, A bill for an act relating to counties; authorizing county boards to establish personnel departments; providing for county personnel administration on an integrated, merit basis.

Reported the same back with the following amendments:

Page 4, delete lines 9 to 12.

Reletter following clause in sequence.

Page 6, line 2, before the period insert "; provided that no positions subject to merit systems established pursuant to Minnesota Statutes, Section 12.22, Subdivision 3; 144.071; and 393.07, Subdivision 5, shall be removed from existing merit system coverage and placed under a personnel department established pursuant to this act, until that personnel department is certified by the United States Civil Service Commission as meeting the operating standards of a merit system".

Page 6, line 13, before "For" insert "Subdivision 1."

Page 6, line 26, after "employer" insert "for all employees of the county, including employees under the jurisdiction of an appointing authority other than the county board."

Subd. 2. Any employee holding a position covered by this act shall, upon the effective date of the establishment of a county personnel administration system, retain his position without further examination and suffer no loss in wages, seniority or benefits as the result of the implementation of this act.

Subd. 3. Notwithstanding any provisions of this act:

(a) any labor contract in effect pursuant to Minnesota Statutes, Sections 179.61 to 179.77, shall remain in effect until its expiration date; and

(b) the provisions of this act do not supersede the employee rights provided under Minnesota Statutes, Section 179.76.

Subd. 4. Where provisions of labor contracts negotiated pursuant to Minnesota Statutes, Sections 179.61 to 179.77, are in conflict with rules and regulations adopted under this act, the provisions of those contracts shall supersede such rules and regulations".

Page 8, after line 17 insert:

"Subd. 4. The personnel board of appeals shall have no authority to act on any matter negotiated pursuant to Minnesota Statutes, Sections 179.61 to 179.77."

Page 9, after line 15, insert:

"Sec. 15. Notwithstanding any law to the contrary, any county may receive financial assistance from agencies of the United States, and plan for, and carry out comprehensive manpower services as provided for in the Emergency Employment Act of 1971, as amended, and the Comprehensive Employment and Training Act of 1973, as amended."

Page 9, line 18, after "act" insert "or prohibit recourse to any remedies provided in the Minnesota human rights act".

Renumber subsequent sections accordingly.

Further amend the title as follows:

Line 5, after "basis" insert "; authorizing counties to conduct manpower programs and services".



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:

S. F. No. 1866; A bill for an act relating to Blue Earth county; welfare board; authorizing the welfare board to maintain certain contingency funds.

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:

S. F. No. 1868, A bill for an act relating to certain counties; requiring the filing of certain surveys with the county surveyor; amending Minnesota Statutes, 1975 Supplement, Section 389.08.

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:

S. F. No. 2051, A bill for an act relating to local improvements; council procedure; authorizing percentage payment in advance of completion of improvement on engineer's estimate; amending Minnesota Statutes 1974, Section 429.041, 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.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 2356, A bill for an act relating to Red River watershed; authorizing watershed districts which are members of the lower Red River watershed management board to levy a tax; authorizing the management board to institute certain projects; allowing the board to enter certain intergovernmental agreements.

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:

S. F. No. 161, A bill for an act relating to highway traffic regulations; required equipment on certain vehicles; amending Minnesota Statutes 1974, Section 169.733.

Reported the same back with the following amendments:

Page 1, line 9, after "semi-trailer" restore the stricken comma.

Page 1, line 9, restore the stricken "pole" and insert "trailer,".

Page 1, line 10, restore the stricken "and rear-end dump" and insert "truck".

Page 1, line 10, delete the new language.

Page 1, line 11, delete the new language.

Page 1, line 17, after "shall" insert "*be at least as wide as the tires they are protecting and shall*".

Page 1, line 20, strike "and shall be at least as wide".

Page 1, line 21, strike "as the tires they are protecting".

Page 1, lines 21 and 22, delete all of the new language.

Page 2, delete lines 1 to 9 and insert a sentence to read: "*Provided that in the case of a dump truck or truck with a rigid box fastened to its frame and having a conveyor belt or chain in the bottom of the vehicle which moves the cargo to the rear end of the vehicle, the flaps shall be mounted as far to the rear of the vehicle as practicable and shall have a ground clearance of not more than 18 inches when the vehicles is loaded.*".

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1130, 1997, 2201, 1548, 1342, 1444, 2503, 2535, 2608 and 2356 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 2108, 2344, 429, 916, 1120, 345, 687, 1296, 1636, 1763, 1848, 1865, 1552, 1635, 1740, 1866, 1868, 2051 and 161 were read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Johnson, D., introduced:

H. F. No. 2658, A bill for an act relating to state government; appropriating money to the Grand Portage Reservation Business Council.

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

St. Onge; Wieser; Beauchamp; Patton and Evans introduced:

H. F. No. 2659, A bill for an act relating to education; state universities; handicapped students; waiving tuition for legally blind students; amending Minnesota Statutes 1974, Section 136.11, Subdivision 1.

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

Brinkman, Jopp, Graba, Erickson and Setzepfandt introduced:

H. F. No. 2660, A bill for an act relating to taxation; distribution of proceeds of taxation of electric transmission and certain distribution lines; amending Minnesota Statutes, 1975 Supplement, Section 124.212, Subdivision 2; and Minnesota Statutes 1974, Section 273.42.

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

Brinkman, George and Pehler introduced:

H. F. No. 2661, A bill for an act relating to financial institutions; requiring insurance for accounts in credit unions and savings associations; requiring a certificate of approval; amending Minnesota Statutes 1974, Section 51A.23 by adding subdivisions; and Chapter 52 by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

## HOUSE ADVISORY BILLS

Pursuant to Rule 5.3, the following House Advisory Bill was introduced:

Johnson, D., introduced:

H. A. B. No. 68, Study to repeal the DNR 1000.

The bill was referred to the committee on Environment and Natural Resources.

## PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Philbrook reported on the progress of H. F. No. 404, now in Conference Committee.

Pursuant to Joint Rule 13, Volk reported on the progress of S. F. No. 1206, now in Conference Committee.

REPORT FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

Pursuant to Rule 1.9, Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as a Special Order for Monday, March 15, 1976, to be acted upon immediately following the Special Orders for today:

H. F. Nos. 2165, 2491, 2019, 1581, 518, 1955, 1994, 1865, 1372, 2489, and 2204.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 1932, A bill for an act relating to state administrative procedures; amending Minnesota Statutes 1974, Section 15.0418; and Minnesota Statutes, 1975 Supplement, Section 15.0411, Subdivisions 3 and 4.

H. F. No. 2298, A bill for an act relating to eminent domain; time of title and possession; providing that certain payments deposited with the court shall draw interest; amending Minnesota Statutes, 1975 Supplement, Section 117.042.

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. 1959, A bill for an act authorizing the commissioner of administration to convey a portion of a water system at the Red Wing state training school to the city of Red Wing.

H. F. No. 1960, A bill for an act relating to the firemen's relief association of the city of Goodview; providing that years of service with the Goodview volunteer fire department shall be treated as years of service with the Goodview firemen's relief association; repealing Laws 1974, Chapter 188.

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. 1961, A bill for an act relating to the city of Chanhassen; firemen's service pensions.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution herewith transmitted:

Senate Concurrent Resolution No. 11

A Concurrent Resolution relating to joint rules; clarifying use of underscoring in omnibus appropriation bills; amending Joint Rule 17.

PATRICK E. FLAHAVEN, Secretary of the Senate

Senate Concurrent Resolution No. 11 was referred to the Committee on Rules and Legislative Administration.

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 1751, A bill for an act relating to game and fish; firearms permissible for taking wild animals; amending Minnesota Statutes 1974, Section 100.29, Subdivision 9.

The Senate has appointed as such committee Messrs. Bernhagen, Larson and Schrom.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 5 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 1530, A bill for an act relating to metropolitan land use and planning; providing certain requirements and procedures for local governmental units and school districts in the metropolitan area; providing interim zoning; amending Minnesota Statutes 1974, Section 462.365, by adding a subdivision; Minnesota Statutes, 1975 Supplement, Section 473.175.

The Senate has appointed as such committee Messrs. Chenoweth, Humphrey, Doty, Nelson and Keefe, J.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 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.

The Senate has appointed as such committee Messrs. Borden; Hansen, Baldy and Bang.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 574, A bill for an act relating to pollution control; amending Minnesota Statutes 1974, Sections 115.03, Subdivision 2; 115.05, by adding a subdivision; 115.071, Subdivision 2; 116.07, by adding a subdivision; 116.16, by adding a subdivision; 648.39, Subdivision 1; repealing Minnesota Statutes 1974, Section 115.05, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, and 10.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Luther moved that the House concur in the Senate amendments to H. F. No. 574 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 574, A bill for an act relating to pollution control; relating to the power to issue subpoenas; authorizing the agency to disseminate information and receive copies of Minnesota Statutes; repealing certain appeal procedures; authorizing the agency to assess certain costs in administering said grant; authorizing reimbursement to Indians for costs pertaining to the inventory, collection, storage and transportation of abandoned motor vehicles and scrap metal; amending Minnesota Statutes 1974, Sections 115.03, Subdivision 2; 115.05, by adding a subdivision; 115.071, Subdivision 2; 116.07, by adding a subdivision; 116.16, by adding a subdivision; 168B.10, by adding a subdivision; 648.39, Subdivision 1; repealing Minnesota Statutes 1974, Section 115.05, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, and 10.

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 120, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Berglin	Casserly	Eken	Friedrich
Adams, L.	Biersdorf	Clark	Enebo	Fudro
Adams, S.	Birnstihl	Clawson	Erickson	George
Albrecht	Braun	Corbid	Esau	Hanson
Anderson, G.	Brinkman	Dahl	Evans	Haugerud
Anderson, I.	Byrne	Dean	Ewald	Heinitz
Arlandson	Carlson, A.	Dieterich	Faricy	Hokanson
Beauchamp	Carlson, L.	Doty	Fjoslien	Jacobs
Begich	Carlson, R.	Eckstein	Forsythe	Jaros

Jensen	Kvam	Neisen	Samuelson	Smogard
Johnson, C.	Laidig	Nelsen	Sarna	Stanton
Johnson, D.	Langseth	Nelson	Savelkoul	Suss
Jopp	Lemke	Niehaus	Schreiber	Swanson
Jude	Lindstrom	Novak	Schulz	Ulland
Kaley	Luther	Osthoff	Schumacher	Vanasek
Kalis	Mangan	Parish	Searle	Vento
Kelly, R.	Mann	Patton	Setzepfandt	Volk
Kempe, A.	McCarron	Pehler	Sherwood	Voss
Kempe, R.	McCauley	Peterson	Sieben, H.	Wenstrom
Ketola	McCollar	Philbrook	Sieben, M.	Wenzel
Knickerbocker	McEachern	Pleasant	Sieloff	White
Knoll	Menning	Prahl	Simoneau	Wieser
Kostohryz	Metzen	Reding	Skoglund	Williamson
Kroening	Munger	St. Onge	Smith	Speaker Sabo

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1753, 1776, 1821, 1858, 2011, 2037, 2147 and 2151.

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. 612, 1624, 1927, 1932, 2056, 2152, 2232 and 2251.

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. 100, 175, 1050, 1051, 1570 and 1587.

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. 556.

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. 1499, 1619, 1884 and 2180.

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. 975, 1786, 1874, 1920 and 2379.

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. 1097, 1957, 2078, 2175 and 2469.

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. 1191, 2252 and 2355.

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. 1792, 1872, 1944 and 1998.

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. 2195, 2208, 2365 and 2373.

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. 1456, 1615, 1780, 2100, 2174, 2328, 2330 and 2370.

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. 1788, 2327 and 2381.

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. 1576 and 1822.

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. 1956.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 1753, A bill for an act relating to financial institutions; requiring insurance for accounts in credit unions and savings associations; requiring a certificate of approval; amending Minnesota Statutes 1974, Section 51A.23 by adding subdivisions; and Chapter 52 by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 1776, bill for an act relating to workmen's compensation; providing that compensation for injury to internal organs

will be based on that injury's contribution to the individual's general physical disability; amending Minnesota Statutes, 1975 Supplement, Section 176.101, Subdivision 3.

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

S. F. No. 1821, A bill for an act relating to civil service; providing for the status of persons holding positions changed to the unclassified service; amending Minnesota Statutes, 1975 Supplement, Section 43.09, Subdivision 2a.

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

S. F. No. 1858, A bill for an act relating to the city of Roseville; membership of housing and redevelopment authority.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 2011, A bill for an act relating to game and fish; removing lynx from the definition of unprotected animals; authorizing the commissioner of natural resources to establish a season for taking lynx; amending Minnesota Statutes 1974, Section 100.27, Subdivision 7; Minnesota Statutes, 1975 Supplement, Sections 100.26, Subdivision 1; and 100.27, Subdivision 3.

The bill was read for the first time.

Skoglund moved that S. F. No. 2011 and H. F. No. 2148, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2037, A bill for an act relating to medicine and osteopathy; authorizing continuing education requirements for licensed practitioners; amending Minnesota Statutes 1974, Chapter 147, by adding a section.

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

S. F. No. 2147, bill for an act relating to intoxicating liquor; permits to sell upon military bases or installations.

The bill was read for the first time.

Jaros moved that S. F. No. 2147 and H. F. No. 2219, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2151, A bill for an act relating to motor vehicles; registration and taxation; exempting certain vehicles from license fees; amending Minnesota Statutes, 1975 Supplement, Section 168.012, Subdivision 2b.

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

S. F. No. 612, A bill for an act relating to retirement; withdrawal of share values by members of the unclassified employees retirement program; amending Minnesota Statutes, 1975 Supplement, Section 352D.05, Subdivision 3.

The bill was read for the first time.

Philbrook moved that S. F. No. 612 and H. F. No. 518, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1624, A bill for an act relating to housing and redevelopment; permitting coinciding terms of office for city council members of a municipality who are appointed commissioners of a municipal housing and redevelopment authority; redefining powers of local housing and redevelopment authorities in carrying out legislation; amending Minnesota Statutes 1974, Sections 462.425, Subdivision 6; and 462.475, Subdivision 1; repealing Minnesota Statutes 1974, Section 462.501, Subdivision 1.

The bill was read for the first time.

Kroening moved that S. F. No. 1624 and H. F. No. 1656, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1927, A bill for an act relating to no fault automobile insurance; clarifying the definition of motor vehicle; providing penalties against motorcycle owners who violate the no fault insurance act; amending Minnesota Statutes 1974, Section 65B.67, 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. 1932, A bill for an act relating to banking; providing for mailed notice of automatic renewal of time deposits and possible penalties or loss of interest or reduction of interest; amending Minnesota Statutes 1974, Chapter 47, by adding a section.

The bill was read for the first time.

Luther moved that S. F. No. 1932 and H. F. No. 2224, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2056, A bill for an act relating to the city of Duluth; authorizing residential property rehabilitation loans and grants.

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

S. F. No. 2152, A bill for an act relating to anatomical gifts; eye enucleation; authorizing eye enucleation upon pronouncement of death by a physician; amending Minnesota Statutes, 1975 Supplement, Section 525.924, Subdivision 6.

The bill was read for the first time.

White moved that S. F. No. 2152 and H. F. No. 2305, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2232, A bill for an act relating to optometric services; providing for inclusion of optometric services in benefits for expenses incurred for medical treatment or services; amending Minnesota Statutes 1974, Section 62A.15, Subdivision 1, and by adding a subdivision.

The bill was read for the first time.

St. Onge moved that S. F. No. 2232 and H. F. No. 2295, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2251, A bill for an act relating to crime victims reparations; authorizing a claim to be filed within one year of the time when it could have been reasonably made; amending Minnesota Statutes 1974, Section 299B.03, Subdivision 2.

The bill was read for the first time.

Byrne moved that S. F. No. 2251 and H. F. No. 2350, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 100, A bill for an act relating to cities and towns; providing for negotiation of contracts between cities, towns, and state departments and agencies for provision of fire and police protection services for state institutions, land and other property; and appropriating money.

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

S. F. No. 175, A bill for an act relating to corrections; increasing the scope of the jurisdiction and power of the ombudsman; preserving the rights of complainants; providing a penalty for persons hindering the ombudsman; removing an expiration date; appropriating money; amending Minnesota Statutes 1974, Sections 241.42, Subdivision 2; 241.44, Subdivisions 1 and 3, and by adding a subdivision; and Chapter 241, by adding a section; repealing Minnesota Statutes 1974, Section 241.42, Subdivision 4; and Laws 1973, Chapter 553, Section 7.

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

S. F. No. 1050, A bill for an act relating to attorneys; change of attorney and statutory lien for attorneys' fees; amending Minnesota Statutes 1974, Sections 481.11; 481.13; and 481.14.

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

S. F. No. 1051, A bill for an act relating to attorneys; providing for investigation of accusations against attorneys; amending Minnesota Statutes 1974, Section 481.15, by adding a subdivision.

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

S. F. No. 1570, A bill for an act relating to insurance; providing that the same priorities of security for payment of basic economic loss benefits apply to school buses as to non-commercial motor vehicles under the Minnesota no fault insurance act; amending Minnesota Statutes 1974, Section 65B.47, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 1587, A bill for an act relating to appropriations; appropriating money to fund a program of graduate training in family practice for physicians.

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

S. F. No. 556, A bill for an act relating to financial institutions and mortgagees; modifying the maximum interest rate that may be charged on certain loans; requiring interest to be paid on certain escrow accounts; providing penalties; amending Minnesota Statutes 1974, Sections 47.20; and 47.21.

The bill was read for the first time.

George moved that S. F. No. 556 and H. F. No. 1377, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1499, A bill for an act relating to the conduct of public officials and campaigns for public office; defining "lobbying"; redefining "lobbyist" and certain other terms; providing for the filing of certain reports and statements; providing penalties; amending Minnesota Statutes 1974, Sections 10A.01, Subdivisions 2, 5, 7, 10 and 11, and by adding a subdivision; 10A.02, Subdivisions 1, 5, 8 and 11; 10A.04, Subdivision 4; 10A.07, Subdivision 1; 10A.09, Subdivision 5; 10A.11, Subdivision 6; 10A.14, Subdivision 2; 10A.19, Subdivision 1; 10A.20, Subdivisions 1, 2, and 3, and by adding a subdivision; 10A.21, Subdivision 1; 10A.22, Subdivision 5; 10A.23; 10A.25, Subdivisions 3, 6 and 7; 10A.27, Subdivision 3; repealing Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; 10A.20, Subdivision 4; 10A.22, Subdivisions 2 and 8.

The bill was read for the first time.

Vento moved that S. F. No. 1499 and H. F. No. 1548, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1619, A bill for an act relating to intoxicating liquors; repealing certain obsolete provisions; increasing the penalty for selling or giving away poisonous liquor; amending Minnesota Statutes 1974, Sections 340.71 and 340.942; repealing Minnesota Statutes 1974, Sections 340.38, 340.70; 340.76; 340.77; 340.79; 340.80; 340.83; 340.87; 340.88; 340.89; 340.90; 340.91; 340.92; and 340.93.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

S. F. No. 1884, A bill for an act relating to health care; providing conversion privileges for spouses whose marriage was dissolved under certain accident and health insurance policies, health service plan subscriber contracts and health maintenance contracts; amending Minnesota Statutes 1974, Chapters 62A, by adding a section; 62C, by adding a section; and 62D, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 2180, A bill for an act relating to housing and redevelopment authorities; allowing employees and commissioners to purchase a principal residence in a housing and redevelopment authority project; amending Minnesota Statutes 1974, Section 462.431.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 975, A bill for an act relating to counties; written notice of public hearings relating to planning and zoning activities; amending Minnesota Statutes 1974, Section 394.26, Subdivision 2.

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

S. F. No. 1786, A bill for an act relating to elections; providing for the maintenance of permanent registration systems in all counties; amending Minnesota Statutes, 1975 Supplement, Section 201.021.

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

S. F. No. 1874, A bill for an act relating to mortgages; legalizing certain foreclosure sales heretofore made and the records of the mortgage foreclosure proceedings.

The bill was read for the first time.

Parish moved that S. F. No. 1874 and H. F. No. 1970, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1920, A bill for an act relating to juvenile courts; requiring written findings of fact for all dispositions of delinquent, dependent, and neglected children; amending Minnesota Statutes 1974, Sections 260.185, Subdivision 1; and 260.191, Subdivision 1.

The bill was read for the first time.

Nelson moved that S. F. No. 1920 and H. F. No. 2257, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2379, A bill for an act relating to public transit; authorizing public transit authorities to establish public transit aid programs designed to assist nonprofit organizations providing transit services to the elderly and handicapped.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1097, A bill for an act relating to health; providing for pilot programs for dental care for senior citizens; establish-



ing means of administration; subsidizing premiums to cover cost of services; appropriating money.

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

S. F. No. 1957, A bill for an act relating to medical assistance for the needy; prohibiting false claims for reimbursement making certain vendors ineligible for reimbursement; providing access to certain medical records for verification of claims; providing for a penalty; amending Minnesota Statutes 1974, Sections 256B.064; 256B.27; Chapters 256B and 609, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 256B.12 and 609.52, Subdivision 2.

The bill was read for the first time.

Swanson moved that S. F. No. 1957 and H. F. No. 2037, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2078, A bill for an act relating to metropolitan revenue distribution; changing the method of computing the taxable valuation of certain governmental units; amending Minnesota Statutes 1974, Section 473F.08, Subdivision 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 2175, A bill for an act relating to medical assistance for the needy; allowing the cost of certain home care services provided by public health nurses to be paid by medical assistance; authorizing an experimental program for the cost of home care of the physically disabled or elderly; amending Minnesota Statutes 1974, Chapter 256B, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 256B.02, Subdivision 7.

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

S. F. No. 2469, A bill for an act relating to the city of Rochester; increasing the membership of the housing and redevelopment authority; providing terms.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1191, A bill for an act relating to the counties of Aitkin, Carlton, Itasca, and Koochiching; authorizing those counties to establish human services boards.

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

S. F. No. 2252, A bill for an act relating to the towns of Moose Lake in Carlton county and Windemere in Pine County; authorizing the Moose Lake and Windemere area sanitary sewer district to exercise certain powers of sanitary districts; providing for the appointment of members of the sanitary sewer board; amending Laws 1974, Chapter 400, Sections 3, Subdivisions 5 and 12; 4, Subdivision 2; 8 by adding a subdivision; and 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. 2355, A bill for an act relating to state employees; limiting severance allowances for certain employees; amending Minnesota Statutes, 1975 Supplement, Section 43.224.

The bill was read for the first time.

Metzen moved that S. F. No. 2355 and H. F. No. 2503, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1792, A bill for an act relating to the registration of title to real estate; fees of the registrar; providing that certain fees be credited to the assurance fund; eliminating the fees for filing the certified copy of the application for registration; amending Minnesota Statutes 1974, Sections 508.75 and 508.82.

The bill was read for the first time.

Parish moved that S. F. No. 1792 and H. F. No. 2063, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1872, A bill for an act relating to health; providing that persons eligible for medical assistance have free selection of a medical care vendor; amending Minnesota Statutes, 1975 Supplement, Sections 256D.03, Subdivision 3; 261.21, Subdivision 2; and 261.22, Subdivision 2.

The bill was read for the first time.

Berglin moved that S. F. No. 1872 and H. F. No. 2093, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1944, A bill for an act relating to health; providing for a waiver of the certificate of need requirements by the state board of health; amending Minnesota Statutes, 1975 Supplement, Section 145.811; and Minnesota Statutes 1974, Chapter 145, by adding a section.

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

S. F. No. 1998, A bill for an act relating to elections; requiring the county auditor to make available certain voter registration lists; amending Minnesota Statutes 1974, Section 201.091, Subdivisions 2 and 3, and by adding a subdivision.

The bill was read for the first time.

Tomlinson moved that S. F. No. 1998 and H. F. No. 2086, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2195, A bill for an act relating to cities; authorizing cities engaged in electric power distribution to secure electric power by individual or joint action; authorizing the creation of municipal power agencies; defining their powers and responsibilities; authorizing the issuance of bonds.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 2208, A bill for an act relating to courts; changing the status of the Hennepin county juvenile court judge; providing for continuous district court terms in all counties; providing that retired district court judges be reimbursed for expenses incurred while acting as district judges; authorizing additional power to judges of county court; requiring certain distributions of Minnesota Statutes and Session Laws; amending Minnesota Statutes 1974, Sections 260.021, Subdivision 2; 484.08; 484.09, as amended; 484.11; 484.13; 484.14; 484.15; 484.16; 484.17; 484.18; 484.62; 648.39, Subdivision 1; and Chapter 487, by adding a section; repealing Minnesota Statutes 1974, Sections 260.021, Subdivision 3; and 490.025, Subdivision 8.

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

S. F. No. 2365, A bill for an act relating to retirement; actuarial valuations and experience studies of various public retirement funds; amortization of unfunded accrued liabilities; amending Minnesota Statutes 1974, Sections 356.22, Subdivision 2; 422A.08, Subdivision 2; and Minnesota Statutes, 1975 Supplement, Section 356.215, Subdivision 4.

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

S. F. No. 2373, A bill for an act relating to estates; clarifies aspects of the law concerning administration of estates; harmonizes relevant registered land law with probate code; modifies document verification requirements; changes notice requirements; eliminates de novo appeals from probate court; authorizes the probate court to waive inheritance tax liens in

supervised administrations; eliminates notice to attorney general for certain charitable devises; amending Minnesota Statutes 1974, Sections 524.1-310; 524.3-505; 524.3-908; 524.3-1003; 524.3-1007; 524.3-1201; 525.72; amending Minnesota Statutes, 1975 Supplement, Sections 501.79, Subdivision 2; 508.68; 524.1-401; 524.3-301; 524.3-306; 524.3-310; 524.3-403; 524.3-603; 524.3-801; 524.3-803; 524.3-806; 524.3-910; 524.3-1204; 524.4-204; and 525.31.

The bill was read for the first time.

Lindstrom moved that S. F. No. 2373 and H. F. No. 2443, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1456, A bill for an act relating to soil and water conservation; providing for the operation of the soil and water conservation commission; amending Minnesota Statutes, 1975 Supplement, Section 40.03, Subdivision 1; Minnesota Statutes 1974, Sections 40.03, Subdivisions 2 and 4; and 40.06, Subdivision 2.

The bill was read for the first time.

Wenstrom moved that S. F. No. 1456 and H. F. No. 1342, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1615, A bill for an act relating to natural resources; prohibiting, except in national emergencies, certain activities in the boundary waters canoe area; prohibiting certain activities outside the boundary waters canoe area which cause degradation of a natural resource within the boundary waters canoe area.

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

S. F. No. 1780, A bill for an act relating to credit unions; allowing credit unions to permit draft withdrawals by their members; amending Minnesota Statutes 1974, Section 52.04.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 2100, A bill for an act relating to insurance; defining persons entitled to participate in the assigned claims plan for motor vehicle injuries; amending Minnesota Statutes 1974, Section 65B.64, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 2174, A bill for an act relating to intoxicating liquor; importation of limited quantities without payment of tax; amending Minnesota Statutes 1974, Section 340.601.

The bill was read for the first time.

Anderson, I., moved that S. F. No. 2174 and H. F. No. 1946, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2328, A bill for an act relating to insurance; eliminating certain abstracting and publishing requirements for financial statements of fraternal beneficiary associations and reciprocal or interinsurance exchanges; amending Minnesota Statutes 1974, Sections 60A.13, Subdivision 7; and 60A.14, Subdivision 1; repealing Minnesota Statutes 1974, Section 60A.13, Subdivisions 3 and 4.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 2330, A bill for an act relating to municipalities; procedures required for the letting of certain contracts; amending Minnesota Statutes 1974, Section 471.345, Subdivisions 3, 4 and 5.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 2370, A bill for an act relating to loan guaranties; requiring notice to guarantor of extent of liability.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 1788, A bill for an act relating to banks and banking; authorizing consumer banking facilities and credit union facilities; providing penalties; amending Minnesota Statutes 1974, Chapter 52, by adding a section.

The bill was read for the first time.

Hanson moved that S. F. No. 1788 and H. F. No. 2084, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2327, A bill for an act relating to courts; clarifying fee exclusions for the Hennepin county municipal court; amending Minnesota Statutes 1974, Section 488A.03, Subdivision 11a.

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

S. F. No. 2381, A bill for an act relating to the city of Fairmont; authorizing a solid waste disposal and resource recovery facility; granting the city the powers of a county under Minnesota Statutes 1974, Chapter 400.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1576, A bill for an act relating to retirement; police pensions in cities of Crookston and Thief River Falls.

The bill was read for the first time.

Corbid moved that S. F. No. 1576 and H. F. No. 1592, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1822, A bill for an act relating to governmental operations; creating an interstate commission to develop a plan to merge the port authorities at Duluth, Minnesota, and Superior, Wisconsin; appropriating money.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1956, A bill for an act relating to nursing homes; providing for the licensing and inspection of nursing homes; providing for the licensing of nursing home administrators; reorganizing various laws relating to nursing homes and nursing home administrators; clarifying language and making necessary revisions; prescribing civil and criminal penalties; amending Minnesota Statutes 1974, Sections 144.053, Subdivision 3; 144.49, Subdivisions 6 and 7; 144.50; 144.51; 144.55; 144.572; 144.63, Subdivision 2; 144.652; 144.653, Subdivision 1; 144.654; 144.655; 144.656; 144.657; 144.68, Subdivisions 2 and 3; 145.61, Subdivision 4; 145.75; 145.862, Subdivision 4; 245.691, Subdivision 3; 256B.02, Subdivision 2; 256B.30; 256D.18, Subdivision 2; 299F.39, Subdivision 1; 609.231; 626.555, Subdivisions 1, 2 and 7; and Minnesota Statutes, 1975 Supplement, Sections 144.53; 144.571; 145.72, Subdivision 2; 145.74; and 214.01, Subdivision 2; repealing Minnesota Statutes 1974, Sections 144.584; 144.951; 144.953; 144.954; 144.955; 144.9555; 144.956; 144.957; 144.958; 144.959; 144.96; 144.961; 144.962; 144.963; 144.964; and 144.965; and Minnesota Statutes, 1975 Supplement, Section 144.952.

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

### CONSENT CALENDAR

H. F. No. 2396, A bill for an act relating to the operation of state government; authorizing the director of the energy agency

to appoint a personal secretary; amending Minnesota Statutes 1974, Section 116H.03, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 105, and nays 23, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kalis	Metzen	Sieben, H.
Adams, L.	Doty	Kelly, R.	Moe	Sieben, M.
Anderson, I.	Eckstein	Kelly, W.	Munger	Sieloff
Arlandson	Enebo	Kempe, A.	Neisen	Simoneau
Beauchamp	Evans	Kempe, R.	Norton	Skoglund
Begich	Faricy	Ketola	Novak	Smith
Berg	Forsythe	Knoll	Parish	Smogard
Biersdorf	Friedrich	Kostohryz	Patton	Spanish
Birnstihl	Fudro	Kroening	Pehler	Stanton
Braun	George	Laidig	Philbrook	Suss
Brinkman	Hanson	Langseth	Pleasant	Swanson
Byrne	Hokanson	Lemke	Prahl	Vanasek
Carlson, A.	Jacobs	Lindstrom	Reding	Vento
Carlson, L.	Jaros	Luther	Rice	Volk
Carlson, R.	Jensen	Mangan	St. Onge	Wenstrom
Casserly	Johnson, C.	Mann	Samuelson	Wenzel
Clark	Johnson, D.	McCarron	Sarna	White
Clawson	Jopp	McCauley	Schulz	Wieser
Corbid	Jude	McCollar	Schumacher	Williamson
Dahl	Kahn	McEachern	Setzepfandt	Zubay
Dean	Kaley	Menning	Sherwood	Speaker Sabo

Those who voted in the negative were:

Albrecht	Erickson	Heinitz	Niehaus	Searle
Anderson, G.	Esau	Knickerbocker	Osthoff	Ulland
Berglin	Ewald	Kvam	Peterson	Voss
DeGroat	Fjoslien	Nelsen	Savelkoul	
Eken	Haugerud	Nelson	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 2472, A bill for an act relating to Independent School District No. 624 and Independent School District No. 12; providing for the exchange of territory between the districts.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Albrecht	Anderson, I.	Beauchamp	Berg
Adams, L.	Anderson, G.	Arlandson	Begich	Berglin

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

The bill was passed and its title agreed to.

H. F. No. 2263, A bill for an act relating to game and fish; clothing required during certain seasons; amending Minnesota Statutes 1974, Section 100.29, Subdivision 8; repealing Minnesota Statutes 1974, Section 98.52, Subdivision 5.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 4, as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Jensen	Mann	Pleasant
Adams, L.	Dean	Johnson, C.	McCarron	Prahl
Adams, S.	DeGroat	Jude	McCauley	Reding
Albrecht	Dieterich	Kahn	McCollar	Rice
Anderson, G.	Doty	Kaley	McEachern	St. Onge
Arlandson	Eckstein	Kalis	Menning	Sarna
Beauchamp	Enebo	Kelly, R.	Metzen	Savelkoul
Begich	Erickson	Kelly, W.	Moe	Schreiber
Berg	Esau	Kempe, A.	Munger	Schulz
Berglin	Evans	Kempe, R.	Neisen	Schumacher
Biersdorf	Ewald	Ketola	Nelsen	Searle
Birnstihl	Faricy	Knickerbocker	Nelson	Setzepfandt
Braun	Fjoslien	Knoll	Niehaus	Sherwood
Brinkman	Forsythe	Kostohryz	Norton	Sieben, H.
Byrne	Fudro	Kroening	Novak	Sieben, M.
Carlson, A.	George	Kvam	Osthoff	Sieloff
Carlson, L.	Hanson	Laidig	Parish	Simoneau
Carlson, R.	Haugerud	Langseth	Patton	Skoglund
Casserly	Heinitz	Lemke	Pehler	Smith
Clark	Hokanson	Lindstrom	Peterson	Smogard
Clawson	Jacobs	Luther	Petrafeso	Spanish
Corbid	Jaros	Mangan	Philbrook	Stanton



Suss  
Swanson  
Ulland

Vanasek  
Vento  
Voik

Voss  
Wenstrom  
Wenzel

White  
Wieser  
Williamson

Zubay  
Speaker Sabo

Those who voted in the negative were:

Anderson, I. Eken

Johnson, D. Samuelson

The bill was passed and its title agreed to.

H. F. No. 2233 was reported to the House.

Wenstrom moved to amend H. F. No. 2233 as follows:

Page 1, line 21, after "may" insert "*by resolution of its board of county commissioners*,".

Page 2, line 2, strike "county".

Page 2, line 2, after "board" insert "*of county commissioners*".

Underscore all new material in bill.

The motion prevailed and the amendment was adopted.

H. F. No. 2233, A bill for an act relating to human services; permitting Otter Tail county to designate a human services board; amending Minnesota Statutes 1974, Section 402.01, Subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 1, as follows:

Those who voted in the affirmative were:

Abeln  
Adams, L.  
Adams, S.  
Albrecht  
Anderson, G.  
Anderson, I.  
Arlandson  
Beauchamp  
Begich  
Berg  
Berglin  
Biersdorf  
Birnstihl  
Braun  
Brinkman  
Byrne  
Carlson, A.  
Carlson, L.  
Carlson, R.  
Casserly

Clark  
Corbid  
Dahl  
Dean  
DeGroat  
Dieterich  
Doty  
Eckstein  
Eken  
Enebo  
Erickson  
Esau  
Evans  
Ewald  
Faricy  
Fjoslien  
Friedrich  
Fudro  
George  
Hanson

Haugerud  
Heinitz  
Hokanson  
Jacobs  
Jaros  
Jensen  
Johnson, C.  
Johnson, D.  
Jopp  
Jude  
Kahn  
Kaley  
Kalis  
Kelly, R.  
Kelly, W.  
Kempe, A.  
Kempe, R.  
Ketola  
Knickerbocker  
Knoll

Kostohryz  
Kroening  
Kvam  
Laidig  
Langseth  
Lemke  
Lindstrom  
Luther  
Mangan  
Mann  
McCarron  
McCauley  
McCollar  
McEachern  
Menning  
Metzen  
Moe  
Munger  
Neisen  
Nelsen

Nelson  
Niehaus  
Norton  
Novak  
Osthoff  
Parish  
Patton  
Pehler  
Peterson  
Petrafeso  
Philbrook  
Pleasant  
Prah  
Reding  
Rice  
St. Onge  
Samuelson  
Sarna  
Savelkoul  
Schreiber

Schulz	Sieben, M.	Spanish	Vento	Williamson
Schumacher	Sieloff	Stanton	Voss	Zubay
Searle	Simoneau	Suss	Wenstrom	Speaker Sabo
Setzepfandt	Skoglund	Swanson	Wenzel	
Sherwood	Smith	Ulland	White	
Sieben, H.	Smogard	Vanasek	Wieser	

Those who voted in the negative were:

Volk

The bill was passed, as amended, and its title agreed to.

H. F. No. 2370, A bill for an act relating to daytime activity centers; renaming them developmental achievement centers; making the necessary revisions in Minnesota Statutes; amending Minnesota Statutes 1974, Sections 252.21; 252.22; 252.23; 252.24, as amended; 252.25; 257.081, Subdivision 10; and Minnesota Statutes, 1975 Supplement, Sections 123.39, Subdivision 13; and 252.26.

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 125, and nays 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Faricy                  Friedrich                  Speaker Sabo

The bill was passed and its title agreed to.

S. F. No. 1967, A bill for an act relating to trusts; administration of express trusts by cities; amending Minnesota Statutes 1974, Section 501.11.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2440, A bill for an act relating to the administration of justice; authorizing judicially imposed fees for county law libraries; amending Minnesota Statutes 1974, Sections 140.26; 140.30; 140.31; and Chapter 140, 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 124, and nays 3, as follows:

Those who voted in the affirmative were:

Abeln	Anderson, G.	Begich	Birnstihl	Carlson, L.
Adams, L.	Anderson, I.	Berg	Braun	Carlson, R.
Adams, S.	Arlandson	Berglin	Byrne	Cassery
Albrecht	Beauchamp	Biersdorf	Carlson, A.	Clark

Clawson	Jacobs	Lemke	Pehler	Simoneau
Corbid	Jaros	Lindstrom	Peterson	Skoglund
Dahl	Jensen	Luther	Petrafeso	Smith
Dean	Johnson, D.	Mangan	Philbrook	Smogard
DeGroat	Jopp	Mann	Pleasant	Spanish
Dieterich	Jude	McCarron	Prahl	Stanton
Doty	Kahn	McCauley	Reding	Suss
Eckstein	Kaley	McCollar	Rice	Swanson
Eken	Kalis	McEachern	St. Onge	Ulland
Enebo	Kelly, R.	Menning	Samuelson	Vanasek
Erickson	Kelly, W.	Metzen	Sarna	Vento
Esau	Kempe, A.	Moe	Savelkoul	Volk
Evans	Kempe, R.	Munger	Schreiber	Voss
Ewald	Ketola	Neisen	Schulz	Wenstrom
Fjoslien	Knickerbocker	Nelsen	Schumacher	Wenzel
Friedrich	Knoll	Niehaus	Searle	White
Fudro	Kostohryz	Norton	Setzepfandt	Wieser
George	Kroening	Novak	Sherwood	Williamson
Hanson	Kvam	Osthoff	Sieben, H.	Zubay
Heinitz	Laidig	Parish	Sieben, M.	Speaker Sabo
Hokanson	Langseth	Patton	Sieloff	

Those who voted in the negative were:

Faricy            Haugerud            Johnson, C.

The bill was passed and its title agreed to.

H. F. No. 1944 was reported to the House.

Knickerbocker moved to amend H. F. No. 1944, as follows:

Page 2, after line 15, insert a new section to read:

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

The motion prevailed and the amendment was adopted.

H. F. No. 1944, A bill for an act relating to the St. Cloud metropolitan transit commission; changing the fiscal year of the commission; increasing the per diem pay of commissioners; amending Laws 1969, Chapter 1134, Section 3, Subdivision 3 and Subdivision 4, as amended.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 2, 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	Kvam	Parish	Skoglund
Carlson, A.	George	Laidig	Patton	Smith
Carlson, L.	Hanson	Langseth	Pehler	Smogard
Carlson, R.	Haugerud	Lemke	Peterson	Spanish
Casserly	Heinitz	Lindstrom	Petrafeso	Stanton
Clark	Hokanson	Luther	Philbrook	Suss
Clawson	Jacobs	Mangan	Pleasant	Swanson
Corbid	Jaros	Mann	Prahl	Ulland
Dahl	Jensen	McCarron	Reding	Vanasek
Dean	Johnson, C.	McCauley	Rice	Vento
DeGroat	Johnson, D.	McCollar	St. Onge	Volk
Dieterich	Jopp	McEachern	Samuelson	Voss
Doty	Jude	Menning	Sarna	Wenstrom
Eckstein	Kahn	Metzen	Savelkoul	Wenzel
Eken	Kaley	Moe	Schreiber	White
Enebo	Kalis	Munger	Schulz	Wieser
Erickson	Kelly, R.	Neisen	Schumacher	Williamson
Esau	Kelly, W.	Nelsen	Setzepfandt	Zubay
Evans	Ketola	Nelson	Sherwood	Speaker Sabo
Ewald	Knickerbocker	Niehaus	Sieben, H.	
Faricy	Knoll	Norton	Sieben, M.	
Fjoslien	Kostohryz	Novak	Sieloff	
Friedrich	Kroening	Osthoff	Simoneau	

Those who voted in the negative were:

Kempe, A.      Kempe, R.

The bill was passed, as amended, and its title agreed to.

H. F. No. 2315, A bill for an act relating to the city of Maple Grove; authorizing the city of Maple Grove to refund certain temporary improvement bonds.

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	Casserly	Fudro	Kempe, R.	Metzen
Adams, L.	Clark	George	Ketola	Moe
Adams, S.	Clawson	Hanson	Knickerbocker	Munger
Albrecht	Corbid	Haugerud	Knoll	Neisen
Anderson, G.	Dahl	Heinitz	Kostohryz	Nelsen
Anderson, I.	Dean	Hokanson	Kroening	Nelson
Arlandson	DeGroat	Jacobs	Kvam	Niehaus
Beauchamp	Dieterich	Jaros	Laidig	Norton
Begich	Doty	Jensen	Langseth	Novak
Berg	Eckstein	Johnson, C.	Lemke	Osthoff
Berglin	Eken	Johnson, D.	Lindstrom	Parish
Biersdorf	Enebo	Jopp	Luther	Patton
Birnstihl	Erickson	Jude	Mangan	Pehler
Braun	Esau	Kahn	Mann	Peterson
Brinkman	Evans	Kaley	McCarron	Petrafeso
Byrne	Ewald	Kalis	McCauley	Philbrook
Carlson, A.	Faricy	Kelly, R.	McCollar	Pleasant
Carlson, L.	Fjoslien	Kelly, W.	McEachern	Prahl
Carlson, R.	Forsythe	Kempe, A.	Menning	Reding

Rice	Schumacher	Simoneau	Swanson	Wenzel
St. Onge	Searle	Skoglund	Ulland	White
Samuelson	Setzepfandt	Smith	Vanasek	Wieser
Sarna	Sherwood	Smogard	Vento	Williamson
Savelkoul	Sieben, H.	Spanish	Volk	Zubay
Schreiber	Sieben, M.	Stanton	Voss	Speaker Sabo
Schulz	Sieloff	Suss	Wenstrom	

The bill was passed and its title agreed to.

H. F. No. 2485 was reported to the House.

There being no objection, H. F. No. 2485 was continued on the Consent Calendar for one day.

H. F. No. 2214 was reported to the House.

Reding moved to amend H. F. No. 2214, as follows:

Page 2, after line 7, add a new section to read:

"Sec. 2. *This act is effective the day following final enactment.*"

The motion prevailed and the amendment was adopted.

H. F. No. 2214, A bill for an act relating to motor vehicle registration; providing for waiver of penalty for vehicles in storage; providing an exemption for automobiles; amending Minnesota Statutes 1974, Section 168.31, Subdivision 3.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Ewald	Jude	Lindstrom
Adams, L.	Carlson, R.	Faricy	Kahn	Luther
Adams, S.	Cassery	Fjoslien	Kaley	Mangan
Albrecht	Clark	Forsythe	Kalis	Mann
Anderson, G.	Clawson	Friedrich	Kelly, R.	McCarron
Anderson, I.	Corbid	Fudro	Kelly, W.	McCauley
Arlandson	Dahl	George	Kempe, A.	McCollar
Beauchamp	Dean	Hanson	Kempe, R.	McEachern
Begich	DeGroat	Haugerud	Ketola	Menning
Berg	Dieterich	Heinitz	Knickerbocker	Metzen
Berglin	Doty	Hokanson	Knoll	Moe
Biersdorf	Eckstein	Jacobs	Kostohryz	Munger
Birnstihl	Eken	Jaros	Kroening	Neisen
Braun	Enebo	Jensen	Kvam	Nelsen
Brinkman	Erickson	Johnson, C.	Laidig	Nelson
Byrne	Esau	Johnson, D.	Langseth	Niehaus
Carlson, A.	Evans	Jopp	Lemke	Norton

Novak	Prahl	Schumacher	Smith	Volk
Osthoff	Reding	Searle	Smogard	Voss
Parish	Rice	Setzepfandt	Spanish	Wenstrom
Patton	St. Onge	Sherwood	Stanton	Wenzel
Pehler	Samuelson	Sieben, H.	Suss	White
Peterson	Sarna	Sieben, M.	Swanson	Wieser
Petrafeso	Savelkoul	Sieloff	Ulland	Williamson
Philbrook	Schreiber	Simoneau	Vanasek	Zubay
Pleasant	Schulz	Skoglund	Vento	Speaker Sabo

The bill was passed, as amended, and its title agreed to.

H. F. No. 2413, A bill for an act relating to railroads; allowing reduced rates for transportation of solid waste material for re-processing; amending Minnesota Statutes 1974, Section 218.021, 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	Dieterich	Kahn	Moe	Searle
Adams, L.	Doty	Kaley	Munger	Setzepfandt
Adams, S.	Eckstein	Kalis	Neisen	Sherwood
Albrecht	Eken	Kelly, R.	Neisen	Sieben, H.
Anderson, G.	Enebo	Kelly, W.	Nelson	Sieben, M.
Anderson, I.	Erickson	Kempe, A.	Niehaus	Sieloff
Arlandson	Esau	Kempe, R.	Norton	Simoneau
Beauchamp	Evans	Ketola	Novak	Skoglund
Begich	Ewald	Knickerbocker	Osthoff	Smith
Berg	Faricy	Knoll	Parish	Smogard
Berglin	Fjoslien	Kostohryz	Patton	Spanish
Biersdorf	Forsythe	Kroening	Pehler	Stanton
Birnstihl	Friedrich	Kvam	Peterson	Suss
Braun	Fudro	Laidig	Petrafeso	Swanson
Brinkman	George	Langseth	Philbrook	Ulland
Byrne	Hanson	Lemke	Pleasant	Vanasek
Carlson, A.	Haugerud	Lindstrom	Prahl	Vento
Carlson, L.	Heinitz	Luther	Reding	Volk
Carlson, R.	Hokanson	Mangan	Rice	Voss
Casserly	Jacobs	Mann	St. Onge	Wenstrom
Clark	Jaros	McCarron	Samuelson	Wenzel
Clawson	Jensen	McCauley	Sarna	White
Corbid	Johnson, C.	McCollar	Savelkoul	Wieser
Dahl	Johnson, D.	McEachern	Schreiber	Williamson
Dean	Jopp	Menning	Schulz	Zubay
DeGroat	Jude	Metzen	Schumacher	Speaker Sabo

The bill was passed and its title agreed to.

S. F. No. 1862, A bill for an act relating to motor vehicles; registration and taxation; removing certain requirements for notarization; amending Minnesota Statutes, 1975 Supplement, Section 168.10, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Faricy          Hanson          Prahl

The bill was passed and its title agreed to.

H. F. No. 2012, A bill for an act relating to retirement; volunteer firemen's lump sum and monthly benefits; amending Minnesota Statutes 1974, Section 69.06.

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	Anderson, I.	Berglin	Byrne	Clawson
Adams, L.	Arlandson	Biersdorf	Carlson, A.	Corbid
Adams, S.	Beauchamp	Birnstihl	Carlson, L.	Dahl
Albrecht	Begich	Braun	Carlson, R.	Dean
Anderson, G.	Berg	Brinkman	Clark	DeGroat



Dieterich	Jensen	Lindstrom	Pehler	Simoneau
Doty	Johnson, C.	Luther	Peterson	Skoglund
Eckstein	Johnson, D.	Mangan	Petrafeso	Smith
Eken	Jopp	Mann	Philbrook	Smogard
Enebo	Jude	McCarron	Pleasant	Spanish
Erickson	Kahn	McCauley	Prahl	Stanton
Esau	Kaley	McCollar	Reding	Suss
Evans	Kalis	McEachern	Rice	Swanson
Ewald	Kelly, R.	Menning	St. Onge	Tomlinson
Faricy	Kelly, W.	Metzen	Samuelson	Ulland
Fjoslien	Kempe, A.	Moe	Sarna	Vanasek
Forsythe	Kempe, R.	Munger	Savelkoul	Vento
Friedrich	Ketola	Neisen	Schreiber	Volk
Fudro	Knickerbocker	Nelsen	Schulz	Voss
George	Knoll	Nelson	Schumacher	Wenstrom
Hanson	Kostohryz	Niehaus	Searle	Wenzel
Haugerud	Kroening	Norton	Setzepfandt	White
Heinitz	Kvam	Novak	Sherwood	Wieser
Hokanson	Laidig	Osthoff	Sieben, H.	Williamson
Jacobs	Langseth	Parish	Sieben, M.	Zubay
Jaros	Lemke	Patton	Steloff	Speaker Sabo

The bill was passed and its title agreed to.

Birnstihl was excused for the remainder of today's session.

H. F. No. 2115, A bill for an act relating to retirement; service credit for teachers on parental or maternity leave; authorizing the employment of retired teachers as substitutes; elections to receive a combined service annuity; amending Minnesota Statutes 1974, Chapter 354, by adding a section; and Minnesota Statutes, 1975 Supplement, Sections 354.44, Subdivision 1a; and 354A.21.

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	Clark	Fudro	Kempe, A.	Menning
Adams, L.	Clawson	George	Kempe, R.	Metzen
Albrecht	Corbid	Hanson	Ketola	Moe
Anderson, G.	Dahl	Haugerud	Knickerbocker	Munger
Anderson, I.	Dean	Heinitz	Knoll	Neisen
Arlandson	DeGroat	Hokanson	Kostohryz	Nelsen
Beauchamp	Dieterich	Jacobs	Kroening	Nelson
Begich	Doty	Jaros	Kvam	Niehaus
Berg	Eckstein	Jensen	Laidig	Norton
Berglin	Eken	Johnson, C.	Lemke	Novak
Biersdorf	Enebo	Johnson, D.	Lindstrom	Osthoff
Braun	Erickson	Jopp	Luther	Parish
Brinkman	Esau	Jude	Mangan	Patton
Byrne	Evans	Kahn	Mann	Pehler
Carlson, A.	Ewald	Kaley	McCarron	Peterson
Carlson, L.	Faricy	Kalis	McCauley	Petrafeso
Carlson, R.	Fjoslien	Kelly, R.	McCollar	Philbrook
Casserly	Forsythe	Kelly, W.	McEachern	Pleasant

Prahl	Schumacher	Skoglund	Ulland	Wieser
Reding	Searle	Smith	Vanasek	Williamson
St. Onge	Setzepfandt	Smogard	Vento	Zubay
Samuelson	Sherwood	Spanish	Volk	Speaker Sabo
Sarna	Sieben, H.	Stanton	Voss	
Savelkoul	Sieben, M.	Suss	Wenstrom	
Schreiber	Sieloff	Swanson	Wenzel	
Schulz	Simoneau	Tomlinson	White	

The bill was passed and its title agreed to.

Kalis was excused for the remainder of today's session.

H. F. No. 2157, A bill for an act relating to public welfare; providing for administrative and judicial review of certain actions and decisions of local welfare agencies; repealing Minnesota Statutes 1974, Sections 256.77; 256B.10; 256B.11; 256D.12; and 256D.40.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 10, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adams, S.	Evans	Hokanson	Kvam	Schreiber
Albrecht	Friedrich	Knickerbocker	Niehaus	Sieloff

The bill was passed and its title agreed to.

H. F. No. 2230, A bill for an act relating to retirement; approval of benefits and contributions of teachers' retirement associations in cities of the first class; benefits and contributions in the city of Minneapolis; extending social security coverage to and establishing a coordinated retirement program for teachers covered by the Minneapolis teachers retirement fund association; amending Minnesota Statutes 1974, Chapter 355, by adding sections; and Minnesota Statutes, 1975 Supplement, Section 354A.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 125, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

### SPECIAL ORDERS

Abeln was excused at 3:35 p.m. Haugerud was excused at 4:40 p.m.

H. F. No. 1909 was reported to the House.

Erickson moved to amend H. F. No. 1909 as follows:

Page 1, line 9, strike all of the language and insert in lieu thereof "in excess of 0.1 parts per million of".

Page 1, line 10, before the period insert "(TCDD)".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 66, and nays 57, as follows:

Those who voted in the affirmative were:

Adams, S.	Eken	Kroening	Novak	Stanton
Albrecht	Erickson	Kvam	Peterson	Suss
Anderson, G.	Esau	Laidig	Pleasant	Swanson
Anderson, I.	Evans	Langseth	Prahl	Ulland
Beauchamp	Ewald	Lemke	St. Onge	Volk
Biersdorf	Fjoslien	Lindstrom	Samuelson	Wenstrom
Braun	Forsythe	Mann	Savelkoul	Wenzel
Brinkman	Friedrich	McCauley	Schreiber	White
Carlson, R.	Heinitz	McEachern	Schulz	Wieser
Corbid	Johnson, C.	Menning	Schumacher	Zubay
Dean	Johnson, D.	Metzen	Searle	
DeGroat	Kaley	Neisen	Setzepfandt	
Doty	Kelly, W.	Nelsen	Smith	
Eckstein	Ketola	Niehaus	Smogard	

Those who voted in the negative were:

Adams, L.	Faricy	Kempe, R.	Osthoff	Simoneau
Arlandson	Fudro	Knickerbocker	Parish	Skoglund
Berg	George	Knoll	Patton	Spanish
Berglin	Hanson	Kostohryz	Pehler	Tomlinson
Byrne	Hokanson	Luther	Petrafeso	Vanasek
Carlson, A.	Jacobs	Mangan	Philbrook	Vento
Carlson, L.	Jaros	McCarron	Reding	Voss
Casserly	Jensen	McCollar	Sarna	Williamson
Clark	Jude	Moe	Sherwood	Speaker Sabo
Dahl	Kahn	Munger	Sieben, H.	
Dieterich	Kelly, R.	Nelson	Sieben, M.	
Enebo	Kempe, A.	Norton	Sieleff	

The motion prevailed and the amendment was adopted.

Lemke was excused for the remainder of today's session.

H. F. No. 1909, A bill for an act relating to health; prohibiting sale and use of certain chemicals; providing penalties.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 97, and nays 22, as follows:

Those who voted in the affirmative were:

Adams, L.	Begich	Byrne	Clark	Doty
Adams, S.	Berg	Carlson, A.	Dahl	Eckstein
Anderson, I.	Berglin	Carlson, L.	Dean	Enebo
Arlandson	Biersdorf	Carlson, R.	DeGroat	Erickson
Beauchamp	Braun	Casserly	Dieterich	Ewald

Faricy	Kelly, R.	McCollar	Philbrook	Stanton
Fjoslien	Kempe, A.	McEachern	Pleasant	Suss
Fudro	Kempe, R.	Metzen	Prahl	Swanson
George	Ketola	Moe	Reding	Tomlinson
Hanson	Knickerbocker	Munger	Sarna	Ulland
Heinitz	Knoll	Neisen	Savelkoul	Vanasek
Hokanson	Kostohryz	Nelsen	Schreiber	Vento
Jacobs	Kroening	Nelson	Setzepfandt	Voss
Jaros	Laidig	Norton	Sherwood	Wenstrom
Jensen	Langseth	Novak	Sieben, H.	Wenzel
Johnson, C.	Lindstrom	Osthoff	Sieben, M.	Williamson
Johnson, D.	Luther	Parish	Sieloff	Speaker Sabo
Jude	Mangan	Patton	Simoneau	
Kahn	McCarron	Pehler	Skoglund	
Kaley	McCauley	Petrafeso	Spanish	

Those who voted in the negative were:

Albrecht	Esau	Mann	Schulz	Wieser
Anderson, G.	Evans	Menning	Schumacher	Zubay
Brinkman	Friedrich	Niehaus	Smith	
Corbid	Kelly, W.	Peterson	Smogard	
Eken	Kvam	St. Onge	White	

The bill was passed, as amended, and its title agreed to.

H. F. No. 2165, A bill for an act relating to education; encouraging post-secondary institutions to grant comparable credit for comparable work at another institution; directing the higher education coordinating board to perform certain duties.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 118, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, L.	DeGroat	Johnson, D.	McCarron	Pleasant
Adams, S.	Dieterich	Jopp	McCauley	Prahl
Albrecht	Doty	Jude	McCollar	Reding
Anderson, G.	Eckstein	Kahn	McEachern	St. Onge
Anderson, I.	Eken	Kaley	Menning	Samuelson
Arlandson	Enebo	Kelly, R.	Metzen	Sarna
Beauchamp	Erickson	Kelly, W.	Moe	Savelkoul
Begich	Esau	Kempe, A.	Munger	Schreiber
Berg	Ewald	Kempe, R.	Neisen	Schulz
Berglin	Faricy	Ketola	Nelsen	Schumacher
Braun	Fjoslien	Knickerbocker	Nelson	Sherwood
Brinkman	Friedrich	Knoll	Niehaus	Sieben, H.
Byrne	Fudro	Kostohryz	Norton	Sieben, M.
Carlson, A.	George	Kroening	Novak	Sieloff
Carlson, L.	Hanson	Kvam	Osthoff	Simoneau
Carlson, R.	Heinitz	Laidig	Parish	Skoglund
Cassery	Hokanson	Langseth	Patton	Smogard
Clark	Jacobs	Lindstrom	Pehler	Spanish
Corbid	Jaros	Luther	Peterson	Stanton
Dahl	Jensen	Mangan	Petrafeso	Suss
Dean	Johnson, C.	Mann	Philbrook	Swanson

Tomlinson	Vento	Wenstrom	Wieser	Speaker Sabo
Ulland	Volk	Wenzel	Williamson	
Vanasek	Voss	White	Zubay	

The bill was passed and its title agreed to.

H. F. No. 2491, A bill for an act relating to insurance; establishing a temporary joint underwriting association for medical malpractice insurance; requiring membership; setting standards; providing for appeals, recovery of contributions and reporting of financial conditions; establishing an expiration date.

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 121, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2019 was reported to the House.

There being no objection, H. F. No. 2019 was continued on Special Orders for one day.

H. F. No. 1581 was reported to the House.

There being no objection, H. F. No. 1581 was returned to General Orders.

H. F. No. 1955, A bill for an act relating to crimes; exempting prison guards from pistol permit requirements when on duty; amending Minnesota Statutes, 1975 Supplement, Section 624.714 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 121, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1994 was reported to the House.

There being no objection, H. F. No. 1994 was continued on Special Orders for one day.

H. F. No. 1865 was reported to the House.

Kempe, A. moved to amend H. F. No. 1865 as follows:

Page 2, line 32, strike "two" and insert "five".

The motion prevailed and the amendment was adopted.

H. F. No. 1865, A bill for an act relating to crimes; providing increased sentences for persons convicted of certain second or subsequent violations of theft; prescribing penalties; amending Minnesota Statutes 1974, Section 609.52, Subdivision 3.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 102, and nays 14, as follows:

Those who voted in the affirmative were:

Adams, L.	Evans	Kempe, R.	Osthoff	Simoneau
Adams, S.	Ewald	Ketola	Parish	Smith
Albrecht	Faricy	Knickerbocker	Patton	Smogard
Anderson, G.	Fjoslien	Kostohryz	Pehler	Spanish
Anderson, I.	Friedrich	Kroening	Peterson	Stanton
Beauchamp	Fudro	Kvam	Petrafeso	Suss
Begich	George	Laidig	Philbrook	Swanson
Biersdorf	Hanson	Langseth	Pleasant	Tomlinson
Braun	Heinitz	Lindstrom	Prahl	Ulland
Brinkman	Hokanson	Luther	Reding	Vanasek
Carlson, A.	Jacobs	Mangan	St. Onge	Vento
Carlson, L.	Jaros	Mann	Sarna	Voss
Carlson, R.	Jensen	McCarron	Savelkoul	Wenstrom
Dahl	Johnson, C.	McCauley	Schreiber	Wenzel
Dean	Johnson, D.	McCollar	Schulz	White
DeGroat	Jopp	McEachern	Schumacher	Wieser
Doty	Jude	Menning	Setzepfandt	Williamson
Eckstein	Kaley	Neisen	Sherwood	Zubay
Eken	Kelly, R.	Nelsen	Sieben, H.	
Enebo	Kelly, W.	Niehaus	Sieben, M.	
Esau	Kempe, A.	Novak	Sieloff	

Those who voted in the negative were:

Arlandson	Casserly	Kahn	Nelson	Volk
Berg	Clark	Knoll	Norton	Speaker Sabo
Byrne	Dieterich	Moe	Skoglund	

The bill was passed, as amended, and its title agreed to.

Setzepfandt was excused for the remainder of today's session.

H. F. No. 1372, A bill for an act relating to waters and drainage; drainage systems; authorizing reconsideration of engineers' and viewers'; reports in certain instances; allowing consideration of changed circumstances due to inflation; amending Minnesota Statutes 1974, Section 106.241.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 119, and nays 0, as follows:



Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2489 was reported to the House.

Schreiber moved to amend H. F. No. 2489 as follows:

Page 3, after line 14, insert new sections 3 and 4 as follows:

"Sec. 3. [REPEALER.] *Minnesota Statutes 1974, Section 169.831, is repealed.*

Sec. 4. *This act is effective the day following final enactment.*"

Further amend the title:

Page 1, line 9, after "5" insert "; repealing Minnesota Statutes 1974, Section 169.831".

The motion prevailed and the amendment was adopted.

H. F. No. 2489, A bill for an act relating to highway traffic regulations; special permits for oversize and overweight vehicles; authorizing an annual permit for refuse compactor vehicles and prescribing maximum loads thereon; providing a fee therefor; redefining farm trucks; amending Minnesota Statutes 1971, Section 168.011, Subdivision 17, as amended; and Minnesota Statutes 1974, Section 169.86, Subdivision 5; repealing Minnesota Statutes 1974, Section 169.831.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 116, and nays 2, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albrecht.      Sarna

The bill was passed, as amended, and its title agreed to.

H. F. No. 2204, A bill for an act relating to collection and dissemination of data; providing definitions; requiring a public document on data collection; authorizing audits of data collection practices and policies; providing for emergency classification in certain situations; amending Minnesota Statutes 1974, Section 15.17, Subdivision 4; and Minnesota Statutes, 1975 Supplement, Sections 15.162, Subdivisions 2a, 4, 5a and 8; 15.163, Subdivisions 1 and 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 119, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, L.	Berglin	Clark	Enebo	George
Adams, S.	Biersdorf	Corbid	Erickson	Hanson
Albrecht	Braun	Dahl	Esau	Heinitz
Anderson, G.	Brinkman	Dean	Evans	Hokanson
Anderson, I.	Byrne	DeGroat	Ewald	Jacobs
Arlandson	Carlson, A.	Dieterich	Faricy	Jaros
Beauchamp	Carlson, L.	Doty	Fjoslien	Jensen
Begich	Carlson, R.	Eckstein	Friedrich	Johnson, C.
Berg	Casserly	Eken	Fudro	Johnson, D.

Jopp	Langseth	Norton	Savelkoul	Swanson
Jude	Lindstrom	Novak	Schreiber	Tomlinson
Kahn	Luther	Osthoff	Schulz	Ulland
Kaley	Mann	Parish	Schumacher	Vanasek
Kelly, R.	McCarron	Patton	Sherwood	Vento
Kelly, W.	McCauley	Pehler	Sieben, H.	Volk
Kempe, A.	McCollar	Peterson	Sieben, M.	Voss
Kempe, R.	McEachern	Petrafses	Sieloff	Wenstrom
Ketola	Menning	Philbrook	Simoneau	Wenzel
Knickerbocker	Metzen	Pleasant	Skoglund	White
Knoll	Moe	Prahl	Smith	Wieser
Kostohryz	Neisen	Reding	Smogard	Williamson
Kroening	Nelsen	St. Onge	Spanish	Zubay
Kvam	Nelson	Samuelson	Stanton	Speaker Sabo
Laidig	Niehaus	Sarna	Suss	

The bill was passed and its title agreed to.

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders for Tuesday, March 16, 1976, immediately following the Consent Calendar. The motion prevailed.

#### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

Amend the permanent Rules of the House as they appear in the Journal of the House for the fifth day, Thursday, January 16, 1975, as follows:

Page 66, Rule 3.4, strike the last paragraph and insert in lieu thereof, the following:

"The notice of intention to move reconsideration shall not be in order after March 18, 1976."

The report was adopted and the permanent Rules of the House for the Sixty-ninth session were amended.

#### GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued until Tuesday, March 16, 1976.

#### MOTIONS AND RESOLUTIONS

Ketola moved that the name of Carlson, R., be added as an author on H. F. No. 1542. The motion prevailed.

Anderson, I., moved that the following bills be unofficially engrossed and printed for the House:

S. F. No. 429, to include committee amendments.

S. F. No. 916, to include committee amendments.

S. F. No. 1120, to include committee amendments.

S. F. No. 1296, to include committee amendments.

S. F. No. 1636, to include committee amendments.

S. F. No. 1865, to include committee amendments.

S. F. No. 1552, to include committee amendments.

S. F. No. 1740, to include committee amendments.

S. F. No. 161, to include committee amendments.

The motion prevailed.

#### ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Tuesday, March 16, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives