

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## ONE HUNDRED-SEVENTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, APRIL 6, 1976

The House convened at 10:00 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

Volk was excused. DeGroat was excused until 5:00 p.m. Carlson, R., was excused until 1:00 p.m. Jopp was excused until 2:30 p.m. Mann and Wigley were excused until 6:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Enebo the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of S. F. Nos. 2455 and 2453 have been placed in the members' files.

## PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
ST. PAUL 55155

April 3, 1976

The Honorable Martin Sabo  
Speaker of the House

Sir:

I have the honor to inform you that I received, approved, signed and deposited in the office of the Secretary of State the following House Files:

H. F. No. 429, An act relating to labor; increasing the minimum wage.

H. F. No. 525, An act relating to state government; creating a department of transportation; prescribing its powers, duties and functions.

H. F. No. 1026, An act relating to land use planning; establishing a land use planning assistance program of grants for local government units to be administered by the state planning agency.

H. F. No. 1057, An act relating to education; school districts; powers and duties; requiring a public hearing before closing a schoolhouse.

H. F. No. 1075, An act relating to public health; reducing to 17 the age at which a person is eligible to be a blood donor.

H. F. No. 1615, An act relating to public health; providing for care, medical treatment, and legal rights of live births resulting from abortions.

H. F. No. 2518, An act relating to local government in Dakota county; removing certain restrictions on the use of certain lands conveyed by the state to the city of Hastings.

H. F. No. 2683, An act relating to claims against the state; appropriating moneys for the payment thereof.

Sincerely,

WENDELL R. ANDERSON  
Governor

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

April 5, 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:

| S.F.<br>No. | H.F.<br>No. | Session Laws<br>Chapter No. | Date Approved<br>1976 | Date Filed<br>1976 |
|-------------|-------------|-----------------------------|-----------------------|--------------------|
| 357         |             | 120                         | April 2               | April 2            |
|             | 290         | 121                         | April 2               | April 2            |
|             | 435         | 122                         | April 2               | April 2            |
|             | 718         | 123                         | April 2               | April 2            |
|             | 910         | 124                         | April 2               | April 2            |
|             | 1199        | 125                         | April 2               | April 2            |
|             | 1372        | 126                         | April 2               | April 2            |
|             | 1530        | 127                         | April 2               | April 2            |
|             | 1751        | 128                         | April 2               | April 2            |
|             | 1870        | 129                         | April 2               | April 2            |
|             | 2155        | 130                         | April 2               | April 2            |

| <i>S.F.<br/>No.</i> | <i>H.F.<br/>No.</i> | <i>Session Laws<br/>Chapter No.</i> | <i>Date Approved<br/>1976</i> | <i>Date Filed<br/>1976</i> |
|---------------------|---------------------|-------------------------------------|-------------------------------|----------------------------|
|                     | 2157                | 131                                 | April 2                       | April 2                    |
|                     | 2201                | 132                                 | April 2                       | April 2                    |
|                     | 2263                | 133                                 | April 2                       | April 2                    |
| 1047                |                     | 134                                 | April 3                       | April 3                    |
| 10                  |                     | 135                                 | April 3                       | April 3                    |
| 161                 |                     | 136                                 | April 3                       | April 3                    |
| 454                 |                     | 137                                 | April 3                       | April 3                    |
| 674                 |                     | 138                                 | April 3                       | April 3                    |
| 1039                |                     | 139                                 | April 3                       | April 3                    |
| 1156                |                     | 140                                 | April 3                       | April 3                    |
| 1262                |                     | 141                                 | April 3                       | April 3                    |
| 1296                |                     | 142                                 | April 3                       | April 3                    |
| 1530                |                     | 143                                 | April 2                       | April 3                    |
| 1575                |                     | 144                                 | April 3                       | April 3                    |

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

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

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|---------------------|---------------------|-------------------------------------|-------------------------------|----------------------------|
| 1792                |                     | 145                                 | April 3                       | April 3                    |
| 1813                |                     | 146                                 | April 3                       | April 3                    |
| 1873                |                     | 147                                 | April 3                       | April 3                    |
| 1874                |                     | 148                                 | April 3                       | April 3                    |
| 1876                |                     | 149                                 | April 3                       | April 3                    |
| 1920                |                     | 150                                 | April 3                       | April 3                    |
| 1928                |                     | 151                                 | April 3                       | April 3                    |
| 1944                |                     | 152                                 | April 3                       | April 3                    |
| 1973                |                     | 153                                 | April 3                       | April 3                    |
| 1976                |                     | 154                                 | April 3                       | April 3                    |
| 2033                |                     | 155                                 | April 3                       | April 3                    |
| 2051                |                     | 156                                 | April 3                       | April 3                    |
| 2077                |                     | 157                                 | April 3                       | April 3                    |
| 2108                |                     | 158                                 | April 3                       | April 3                    |
| 2130                |                     | 159                                 | April 3                       | April 3                    |
| 2147                |                     | 160                                 | April 3                       | April 3                    |
| 2373                |                     | 161                                 | April 3                       | April 3                    |
| 2210                |                     | 162                                 | April 3                       | April 3                    |
| 2277                |                     | 163                                 | April 3                       | April 3                    |
| 2318                |                     | 164                                 | April 3                       | April 3                    |
|                     | 429                 | 165                                 | April 3                       | April 3                    |

| <i>S.F.<br/>No.</i> | <i>H.F.<br/>No.</i> | <i>Session Laws<br/>Chapter No.</i> | <i>Date Approved<br/>1976</i> | <i>Date Filed<br/>1976</i> |
|---------------------|---------------------|-------------------------------------|-------------------------------|----------------------------|
|                     | 525                 | 166                                 | April 2                       | April 3                    |
|                     | 1026                | 167                                 | April 3                       | April 3                    |
|                     | 1057                | 168                                 | April 3                       | April 3                    |

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

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|---------------------|---------------------|-------------------------------------|-------------------------------|----------------------------|
|                     | 1075                | 169                                 | April 2                       | April 3                    |
|                     | 1615                | 170                                 | April 3                       | April 3                    |
|                     | 2518                | 171                                 | April 3                       | April 3                    |
|                     | 2683                | 172                                 | April 3                       | April 3                    |

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

#### REPORTS OF STANDING COMMITTEES

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 1675, A bill for an act relating to public indebtedness; revising and clarifying provisions as to manner of sale and execution of obligations; designation of paying agents; cremation of obligations; payment of grant anticipation certificates; use of investment income from proceeds; administration of debt service funds; refunding; method of payment and interest rate on special assessments and obligations payable from special assessments; amending Minnesota Statutes 1974, Sections 48.15, by adding a subdivision; 124.05, Subdivisions 3 and 4; 138.17, Subdivision 1; 429.061, Subdivision 2; 429.091, Subdivisions 1, 3, and 4; 471.56, Subdivisions 1 and 3; 475.51, Subdivision 6, and adding a subdivision; 475.52, Subdivision 1; 475.55; 475.553, Subdivisions 1, 2, 3, and 5; 475.60, Subdivisions 2 and 3; 475.61, Subdivision 5; 475.65; 475.66; and 475.67, Subdivisions 7 and 12; and repealing Minnesota Statutes 1974, Section 475.553, Subdivision 4, and Minnesota Statutes, 1975 Supplement, Section 471.561.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Section 475.51, Subdivision 6, is amended to read:

Subd. 6. ("SINKING FUND") "*Debt service fund*" means any (FUND OR) money (HELD) and investments in the treasury of a municipality appropriated (OR SET ASIDE) to pay the principal (AND), interest, or (EITHER OF THEM, OR) premiums for the redemption of any of its obligations. "*Sinking fund*" means debt service fund. A separate balance sheet need not be maintained for any debt service fund, and the fund need not be segregated from other funds of the municipality in a separate bank deposit account or in a separate investment fund or account, unless so provided in a resolution or other instrument securing obligations payable from the debt service fund; but a separate bookkeeping account or accounts shall be maintained in the official financial records of the municipality reflecting all receipts and disbursements of money and investments of principal and income appropriated for the purposes of each debt service fund.

Sec. 2. Minnesota Statutes 1974, Section 475.51, is amended by adding a subdivision to read:

Subd. 11. "*Reporting dealer to the federal reserve bank of New York*" means a securities broker-dealer licensed pursuant to chapter 80A, or an affiliate thereof, which makes primary markets in United States government securities and reports daily to the federal reserve bank of New York its position with respect to such securities held by it and amounts borrowed thereon.

Sec. 3. Minnesota Statutes 1974, Section 475.52, Subdivision 1, is amended to read:

475.52 [BOND ISSUES; PURPOSES.] Subdivision 1. [STATUTORY CITIES.] (ANY CITY NOT GOVERNED BY A HOME RULE CHARTER, OR) Any statutory city may issue bonds or other obligations for the acquisition or betterment of public buildings, means of garbage disposal, hospitals, nursing homes, homes for the aged, schools, libraries, museums, art galleries, parks, playgrounds, stadia, sewers, sewage disposal plants, subways, streets, sidewalks; for any utility or other public convenience from which a revenue is or may be derived; for a permanent improvement revolving fund; for changing, controlling or bridging streams and other waterways; for the acquisition and betterment of bridges and roads within two miles of the corporate limits; and for acquisition of equipment for snow removal, street construction and maintenance, or fire fighting. Without limitation by the foregoing (ANY SUCH) *the* city may issue bonds to provide money for any authorized corporate purpose except current expenses.

Sec. 4. Minnesota Statutes 1974, Section 475.55, is amended to read:

475.55 [EXECUTION; NEGOTIABILITY; INTEREST RATES.] Subdivision 1. All obligations shall be signed by (THE) officers (AS) authorized by resolution of the governing body *or by persons authorized to sign on behalf of a bank designated by the resolution as authenticating agent*, and shall express the amount and the terms of payment. Interest thereon shall not exceed the rate of seven percent per annum, payable half yearly. All obligations shall be negotiable (INSTRUMENTS NOTWITHSTANDING ANY LIMITATION IN THE SOURCE OF THE FUNDS FOR PAYMENT) *investment securities as provided in the uniform commercial code, chapter 336, article 8*. The validity of (EVERY) *an* obligation (SO EXECUTED) shall (REMAIN UNIMPAIRED) *not be impaired* by the fact that one or more (OF SUCH) *officers authorized to execute it* shall have ceased to be in office before delivery to the purchaser or shall not have been in office on the formal *issue* date of the (BONDS) *obligation*. (SUCH RESOLUTION MAY PROVIDE THAT ONE OF THE OFFICERS SHALL SIGN SUCH BONDS MANUALLY AND THAT THE) *Every obligation shall be signed manually by one officer or authenticating agent*. Other signatures and the seal of the issuer may be printed, lithographed, stamped or engraved thereon *and on any interest coupons to be attached thereto*. (WHERE) The (MUNICIPALITY HAS A SEAL SUCH) seal (MAY) *need not be* (IMPRESSED ON EACH BOND OR A FACSIMILE THEREOF MAY BE PRINTED, LITHOGRAPHED OR ENGRAVED ON EACH BOND AS DETERMINED BY THE RESOLUTION OF THE GOVERNING BODY) *used*.

Subd. 2. The (INTEREST LIMITATION STATED IN THIS SECTION) *provisions of subdivision 1* shall supersede all (LOWER LIMITATIONS CONTAINED IN) *provisions of any law or charter (APPLICABLE) fixing a lower maximum interest rate with respect to obligations of the state or any municipality or governmental or public subdivision, district, corporation, commission, board, council, or authority of whatsoever kind, including warrants or orders issued in evidence of allowed claims for property or services furnished to the issuer, but shall not restrict the power of the issuer to fix the interest on any obligation in accordance with the law authorizing its issuance.*

Sec. 5. Minnesota Statutes 1974, Section 475.553, Subdivision 1, is amended to read:

475.553 [PAYING AGENT; DESTRUCTION OF OBLIGATIONS AND COUPONS.] Subdivision 1. The governing body may appoint as paying agent for an issue of obligations one or more national banks, or banks incorporated under the laws of any state, *provided that no bank shall be appointed as paying agent for obligations of any issuer except one within whose corporate limits the principal office of the bank is situated, unless it is authorized to execute corporate trust powers pursuant to the laws under which it is organized; and the governing body may direct the treasurer to remit funds for payment of both principal and interest to such paying agent although such paying agent has not complied with statutes relating to public depositories. It may also direct the county treasurer to remit any proceeds from assessments or taxes levied for payment of obligations directly to such paying agent. In such case, the county treasurer shall furnish a duplicate statement of each remittance to the treasurer of the municipality who shall enter the amount on his books.*

Sec. 6. Minnesota Statutes 1974, Section 475.553, Subdivision 2, is amended to read:

Subd. 2. The governing body may by resolution direct that all bonds, obligations, coupons appertaining thereto, or any specified obligations or coupons, when paid, shall be cancelled (AND CREMATED) by the paying agent *and destroyed as herein provided.* Before such authority is granted, the municipality shall enter into an agreement with (THE PAYING AGENT) *a bank or banking association incorporated under the laws of the United States or of any state and authorized by such laws to exercise corporate trust powers, specifying (a) the obligations and coupons to be (CREMATED) destroyed, (b) the (PROCEDURE THEREFOR) method of destruction, (c) the information to be recorded in a (CREMATION) certificate of destruction to be delivered (BY THE PAYING AGENT) to the municipality and the paying agent, (d) the indemnification of the municipality (BY THE PAYING AGENT) in the event of duplicate payment, wrongful and improper payment to unauthorized persons*

and nonpayment to authorized persons (BY THE AGENT) occurring as a result of any (CREMATION) *destruction* of bonds, obligations, or coupons, and (e) such other terms and conditions as may be determined by the governing body of such municipality. *Obligations and coupons may be destroyed by cremation, shredding, or any other effective means.*

Sec. 7. Minnesota Statutes 1974, Section 475.553, Subdivision 3, is amended to read:

Subd. 3. (CREMATION) Certificates provided under subdivision 2 shall be retained in the official records of the municipality and the paying agent. Such (CREMATION) certificates may subsequently be destroyed at the times and upon the conditions otherwise permitted by law, but no earlier than the time of final payment and redemption of all obligations of the respective issues to which they pertain.

Sec. 8. Minnesota Statutes 1974, Section 475.553, Subdivision 5, is amended to read:

Subd. 5. Any obligation as defined in section 475.51, issued or to be issued by the state or any agency, instrumentality, or subdivision thereof, by written order and agreement executed by the officer or officers authorized by law to issue such obligations, may be (CREMATED) *destroyed* as provided herein, and for this purpose such officers shall have all the powers granted herein to governing bodies of municipalities. The state auditor, pursuant to the administrative procedures act, may formulate and prescribe requirements for resolutions, orders, agreements, and certificates relating to the (CREMATION) *destruction* of public obligations and coupons. The provisions of any other law relating to the destruction of public records shall not apply to the (CREMATION) *destruction* of obligations and coupons.

Sec. 9. Minnesota Statutes 1974, Section 475.60, Subdivision 2, is amended to read:

Subd. 2. [REQUIREMENTS WAIVED.] The requirements as to public sale shall not apply to:

(1) Obligations issued under the provisions of a home rule charter or of a law specifically authorizing a different method of sale, *or authorizing them to be issued in such manner or on such terms and conditions as the governing body may determine;*

(2) Obligations (PAYABLE WHOLLY OR PARTLY FROM THE PROCEEDS OF SPECIAL ASSESSMENTS WHEN SUCH OBLIGATIONS DO NOT EXCEED) *sold by an issuer in an amount not exceeding the total sum of \$100,000 in any three month period;*

(3) Obligations (PAYABLE WHOLLY FROM THE INCOME OF REVENUE PRODUCING CONVENIENCES WHEN SUCH OBLIGATIONS DO NOT EXCEED THE TOTAL SUM OF \$50,000) *issued in anticipation of the collection of taxes or other revenues appropriated for expenditure in a single year, if sold in accordance with the most favorable of two or more proposals solicited privately; and*

(4) Obligations sold to any board, department, or agency of the United States of America or of the state of Minnesota, in accordance with rules or regulations promulgated by such board, department, or agency.

Sec. 10. Minnesota Statutes 1974, Section 475.60, Subdivision 3, is amended to read:

Subd. 3. Published notice, where required, shall specify the principal amount (AND PURPOSE) of the obligations, the time and place of receipt and consideration of bids and such other details as to the obligations and terms of sale (WHICH) *as the governing body deems suitable. The governing body may employ an agent to receive and open the bids at any place within or outside the corporate limits of the municipality, in the presence of an officer of the municipality, but the obligations shall not be sold except by action of the governing body or authorized officers of the municipality after communication of the bids to them.* Additional notice may be given for such time and in such manner as the governing body deems suitable. At the time and place so fixed, the bids shall be opened and the offer complying with the terms of sale and deemed most favorable shall be accepted, but the governing body may reject any and all such offers (AND), *in which event, or if no offers have been received, it may award the (BONDS) obligations to (A LOWER BIDDER) any person who within 30 days thereafter presents an offer complying with the terms of sale and deemed more favorable than any received previously, or upon like notice (IT) the governing body may invite other bids upon the same or different terms and conditions.*

Sec. 11. Minnesota Statutes 1974, Section 475.61, Subdivision 5, is amended to read:

Subd. 5. When all conditions exist precedent to the (ISSUANCE) *offering for sale of obligations of any municipality in any amount for any purpose authorized by law, and the municipality has applied for a grant or loan of state or federal funds to aid in payment of cost incurred for the authorized purpose, its governing body may by resolution issue and sell temporary obligations not exceeding the total amount authorized, maturing within not more than three years from the date such obligations are issued. In this event so much of the proceeds of the grant or loan when received shall be (IRREVOCABLY APPROPRIATED) credited to the (SINKING) debt service fund for the*

temporary obligations *as may be needed for the payment thereof, with interest, when due*, and the (ESTIMATED AMOUNT THEREOF MAY BE DEDUCTED FROM THE) tax which would otherwise be required by subdivision 1 (TO) *need not* be levied. Any amount of the temporary obligations which cannot be paid at maturity, from the proceeds of the grant or loan or from any other funds appropriated by the governing body for the purpose, shall be paid from the proceeds of definitive obligations to be issued and sold before the maturity date; or if sufficient funds are not available for payment in full of the temporary obligations at maturity, the holders thereof shall have the right to require the issuance in exchange therefor of definitive obligations secured in the manner provided in subdivision 1 and bearing interest at the maximum rate permitted by law.

Sec. 12. Minnesota Statutes 1974, Section 475.65, is amended to read:

475.65 [DELIVERY OF BONDS; USE OF PROCEEDS.] Upon payment to the treasurer of the purchase price by the successful bidder, the obligations shall be delivered, and the treasurer shall (HOLD) *account for the receipt and disbursement of the proceeds thereof (AS A SEPARATE FUND) for the use named in the resolution or other instrument or instruments authorizing such obligations, in a separate fund or account in the official financial records of the municipality. Pending such use the proceeds may be invested and reinvested in accordance with law, and the income and gain therefrom shall be held as part of the proceeds and applied to such use or to the payment of the obligations and interest thereon or otherwise as provided in any city charter or any other law.* The purchaser shall not be obligated to see to the application of the purchase price. When the use authorized is the acquisition or betterment of any land, easements, buildings, structures, machinery, or equipment, the proceeds may be used to pay all expenses, incurred and to be incurred, which are reasonably necessary and incidental to such acquisition or betterment, including, but without limitation, the cost of necessary professional planning studies to determine desirable locations, architectural, engineering, legal, *financial advisory*, and other professional services, printing and publication, and interest to accrue on the obligations prior to the anticipated date of commencement of the collection of taxes or special assessments to be levied or other (REVENUES) *funds* pledged for the payment of the obligations and interest thereon. When the obligations are payable wholly from the income from a utility or other (PUBLIC CONVENIENCE) *project*, for the acquisition or betterment of which the obligations are issued, the proceeds may be used in part to establish a reserve (IN AN AMOUNT NOT EXCEEDING THE MAXIMUM AMOUNT OF PRINCIPAL AND INTEREST TO BECOME DUE ON THE OBLIGATIONS IN ANY SUBSEQUENT YEAR,) *as further security for the payment of (ALL) such principal and interest when due.* If the contemplated use be afterward abandoned, or if any bal-

ance of the proceeds of the obligations remains after the use is accomplished, such fund may be devoted to any other public use authorized by law, and approved by resolution adopted or vote taken in the manner required to authorize bonds for such new use and purpose. Any balance remaining after the improvement has been completed and paid for, unless devoted to a new use as herein authorized, shall become a part of the (SINKING) *debt service fund* of the municipality.

Sec. 13. Minnesota Statutes 1974, Section 475.66, is amended to read:

**475.66 [DEBT SERVICE FUND.]** *Subdivision 1.* All (SINKING) *debt service funds* shall be deposited and secured as provided in chapter 118, except for amounts invested as authorized in this section, and may be deposited in interest bearing accounts, and such deposits may be evidenced by certificates of deposit with fixed maturities. **(THERE SHALL ALWAYS BE RETAINED IN ANY SINKING FUND) Sufficient cash (TO PROVIDE) for (THE ANNUAL PAYMENTS) payment of principal (AND), interest (ON), and redemption premiums when due with respect to the obligations for which (THE) any debt service fund (WAS) is created shall be provided by crediting to the fund the collections of tax, special assessment, or other revenues appropriated for that purpose, and depositing all such receipts in a depository bank or banks duly qualified according to law or investing and reinvesting such receipts in securities authorized in this section. Time deposits shall be withdrawable and certificates of deposit and investments shall mature and shall bear interest payable at times and in amounts which, in the judgment of the governing body or its treasurer or other officer or committee to which it has delegated investment decisions, will provide cash at the times and in the amounts required for the purposes of the debt service fund; except that the governing body may authorize the purchase of longer term investments subject to an agreement, with a bank or dealer referred to in subdivision 2, to repurchase such investments at times and prices sufficient to yield the amounts estimated to be so required.**

*Subd. 2.* Investments may be held in safekeeping with any federal reserve bank or any bank authorized under the laws of the United States or any state to exercise corporate trust powers, including but not limited to the bank from which the investment is purchased, provided that the municipality's ownership of all securities in which the fund is invested is evidenced by written acknowledgments signed by authorized officers or employees of the custodian banks and identifying the securities by the names of the issuers, maturity dates, interest rates, and serial numbers or other distinguishing marks. Repurchase agreements may be entered into with a bank qualified as depository of money held in the debt service fund, or with any national or state bank in the United States which is a member of the federal reserve system and whose combined capital and surplus equals or exceeds

\$10,000,000 or a reporting dealer to the federal reserve bank of New York.

*Subd. 3.* Subject to the provisions of any resolutions (OF THE GOVERNING BODY RELATING TO THE MAINTENANCE OF RESERVES OF CASH OR INVESTMENTS FOR THE SECURITY OF HOLDERS OF SUCH) or other instruments securing obligations payable from a debt service fund, any (SURPLUS) balance in (ANY SINKING) the fund (ABOVE SUCH AMOUNT) may be invested (UNDER THE DIRECTION OF THE GOVERNING BODY) in any (GENERAL) security which is a direct obligation of or is guaranteed as to payment of principal and interest by the United States(,) or any agency or instrumentality of the United States, or in shares of an investment company registered under the federal investment company act of 1940, whose shares are registered under the federal securities act of 1933, and whose only investments are in securities described in the preceding clause, or in any security which is a general obligation of the state of Minnesota or any of its municipalities (, AND IN SECURITIES ISSUED BY THE FOLLOWING AGENCIES OF THE UNITED STATES: FEDERAL HOME LOAN BANKS, FEDERAL INTERMEDIATE CREDIT BANKS, FEDERAL LAND BANKS, BANKS FOR COOPERATIVES, AND THE FEDERAL NATIONAL MORTGAGE ASSOCIATION AND IN SHARES OF AN INVESTMENT COMPANY REGISTERED UNDER THE INVESTMENT COMPANY ACT OF 1940, WHOSE SHARES ARE REGISTERED UNDER THE SECURITIES ACT OF 1933, PROVIDED THAT THE ONLY INVESTMENTS OF THAT COMPANY ARE IN OBLIGATIONS OF THE UNITED STATES GOVERNMENT, IN OBLIGATIONS FULLY GUARANTEED BY THE UNITED STATES GOVERNMENT OR IN OBLIGATIONS OF INSTRUMENTALITIES OF THE UNITED STATES GOVERNMENT SUCH AS THOSE LISTED ABOVE. IN ADDITION SUCH SURPLUS MAY BE DEPOSITED IN TIME DEPOSITS OF ANY STATE OR NATIONAL BANKS SUBJECT TO THE LIMITATIONS AND REQUIREMENTS OF CHAPTER 118). (SUCH SURPLUS) *The fund* may also be used to purchase any obligation, whether general or special, of (THE) an issue (FOR) which is payable from the fund (IS CREATED), at such price, which may include a premium, as shall be agreed to by the holder, or may be used to redeem any obligation of (SAID) such an issue prior to maturity in accordance with its terms. The (OBLIGATIONS) securities representing any such investment may be sold or hypothecated by the (GOVERNING BODY) municipality at any time, but the money so received remains a part of (SUCH) the fund until used for the purpose for which the fund was created.

*Subd. 4.* Any obligation held in the (SINKING) debt service fund from which it is payable may be cancelled at any time (WHEN MONEYS IN SUCH FUND ARE SUFFICIENT TO PAY ALL OTHER OBLIGATIONS ISSUED PRIOR TO JULY

1, 1961, PAYABLE THEREFROM WITH INTEREST TO MATURITY OR TO THEIR EARLIEST REDEMPTION DATES. ANY OBLIGATION ISSUED AFTER JULY 1, 1961, HELD IN THE SINKING FUND FROM WHICH IT IS PAYABLE MAY BE CANCELLED AT ANY TIME) unless otherwise provided (IN THE OTHER OBLIGATIONS PAYABLE FROM SUCH FUND OR) in a resolution or (ORDINANCE AUTHORIZING THEIR ISSUANCE) *other instrument securing obligations payable from the fund.*

Sec. 14. Minnesota Statutes 1974, Section 475.67, Subdivision 7, is amended to read:

Subd. 7. Notice of the call of (ALL PREPAYABLE) *any refunded obligations (OF EACH ISSUE REFUNDED) to be redeemed before maturity* shall be given in accordance with their terms, and in accordance with section 475.54, subdivision 4. (EACH PREPAYABLE OBLIGATION OF THE ISSUE REFUNDED SHALL BE CALLED FOR REDEMPTION ON THE EARLIEST DATE ON WHICH, ACCORDING TO ITS TERMS, IT MAY BE PREPAID FROM THE PROCEEDS OF REFUNDING OBLIGATIONS OR FROM SUCH OTHER FUNDS, IF ANY, AS ARE APPROPRIATED FOR SUCH PREPAYMENT, AND) *No such obligation shall (NOT) subsequently be called for redemption on any date earlier than that designated in the notice, unless such call is required by the terms of the refunded bonds to be made from (SURPLUS) funds subsequently becoming available from a designated source.*

Sec. 15. Minnesota Statutes 1974, Section 475.67, Subdivision 12, is amended to read:

Subd. 12. In the refunding of general obligations, for which the full faith and credit of the issuing municipality has been pledged, the following additional conditions shall be observed: No refunding obligations shall be issued and sold more than ten years before the date on which all general obligations of the issue to be refunded will have matured or (ARE) *been redeemed, and each such obligation shall be called for redemption on the earliest date on which it may be redeemed* in accordance with (THEIR) *its* terms. No refunding obligations shall be issued and sold more than six months before said date, unless the average annual net interest rate of the refunding obligations, computed to their stated maturity dates, is lower by at least one fourth of one percent per annum than the average annual net interest rate of the general obligations refunded, computed to their stated maturity dates; provided that in computing the average annual net interest rate of the refunding obligations, the expenses of the refunding shall be added to the dollar amount of interest on the refunding obligations. Expenses of the refunding include the amount, if any, in excess of the proceeds of the refunding obligations, which is required to be deposited in escrow to provide cash and purchase securities sufficient to retire the refunded obligations in accordance with subdivision 5;

charges of the escrow agent and of the paying agent for the refunding obligations; and expenses of printing and publications and of fiscal, legal, or other professional service necessarily incurred in the issuance of the refunding obligations.

Sec. 16. Minnesota Statutes 1974, Section 471.56, Subdivision 1, is amended to read:

471.56 [MUNICIPAL FUNDS.] Subdivision 1. Any municipal funds, not presently needed for other purposes, may be *deposited or* invested in (ANY OBLIGATIONS IN WHICH SINKING FUNDS ARE NOW AUTHORIZED TO BE INVESTED PURSUANT TO) *the manner and subject to the conditions provided in section 475.66 (, INCLUDING APPRECIATION BONDS ISSUED BY THE UNITED STATES OF AMERICA ON A DISCOUNT BASIS) for the deposit and investment of debt service funds.* (MUNICIPAL FUNDS MAY ALSO BE DEPOSITED IN TIME DEPOSITS OF ANY STATE OR NATIONAL BANK SUBJECT TO THE LIMITATIONS AND REQUIREMENTS OF CHAPTER 118.) The term "municipal funds" as used herein shall include all general, special, permanent, trust, and other funds, regardless of source or purpose, held or administered by any county or city, or by any officer or agency thereof, in the state of Minnesota.

Sec. 17. Minnesota Statutes 1974, Section 471.56, Subdivision 3, is amended to read:

Subd. 3. Such county, city, or official or agency thereof, may at any time sell (SUCH) obligations purchased pursuant to this section, and the money received from such sale, and the interest and profits or loss on such investment shall be credited or charged, as the case may be, to the fund from which the investment was made. Neither such official nor agency, nor any other official responsible for the custody of such funds shall be personally liable for any loss (SO) *sustained from the deposit or investment of funds in accordance with the provisions of section 475.66.* (ANY SUCH OBLIGATION MAY BE DEPOSITED FOR SAFEKEEPING WITH ANY BANK OR TRUST COMPANY.)

Sec. 18. Minnesota Statutes 1974, Section 429.061, Subdivision 2, is amended to read:

Subd. 2. [ADOPTION; INTEREST.] At such meeting or at any adjournment thereof the council shall hear and pass upon all objections to the proposed assessment, whether presented orally or in writing. The council may amend the proposed assessment as to any parcel and by resolution adopt the same as the special assessment against the lands named in the assessment roll. Notice of any adjournment of the hearing shall be adequate if the minutes of the meeting so adjourned show the time and place when and where the hearing is to be continued, or if three days notice thereof be published in the newspaper. The assessment, with accruing interest, shall be a lien upon all private and public property included therein, from the date of the resolution adopting the assessment, concurrent with general taxes; but the

lien shall not be enforceable against public property as long as it is publicly owned, and during such period the assessment shall be recoverable from the owner of such property only in the manner and to the extent provided in section 435.19. *Except as provided below*, all assessments shall be payable in equal annual installments extending over such period, not exceeding 30 years, as the resolution determines (. THE FIRST INSTALLMENT SHALL BE), payable on the first Monday in January (NEXT FOLLOWING THE ADOPTION OF THE ASSESSMENT UNLESS THE ASSESSMENT IS ADOPTED TOO LATE TO PERMIT ITS COLLECTION DURING THE FOLLOWING) *in each year, but the number of installments need not be uniform for all assessments included in a single assessment roll if a uniform criterion for determining the number of installments is provided by the resolution. The first installment of each assessment shall be included in the first tax rolls completed after its adoption and shall be payable in the same year as the taxes contained therein; except that the payment of the first installment of any assessment levied upon unimproved property may be deferred until a designated future year, or until the platting of the property or the construction of improvements thereon, upon such terms and conditions and based upon such standards and criteria as may be provided by resolution of the council. In any event, every assessment the payment of which is so deferred, when it becomes payable, shall be divided into a number of installments such that the last installment thereof will be payable not more than 30 years after the levy of the assessment. All assessments shall bear interest at such rate as the resolution determines, not exceeding eight percent per annum, except that the rate may in any event equal the average annual interest rate on bonds issued to finance the improvement for which the assessments are levied. To the first installment of each assessment shall be added interest on the entire assessment from (THE) a date (OF) specified in the resolution levying the assessment, not earlier than the date of the resolution, until December 31 of the year in which the first installment is payable (.), and to each subsequent installment shall be added interest for one year on all unpaid installments (.); or alternatively, (SPECIAL ASSESSMENTS) any assessment may be made payable in equal annual installments including principal and interest, each in the amount annually required to pay the principal over such period with interest at such rate as the resolution determines, not exceeding the maximum period and rate specified above. In (THIS) the latter event no prepayment shall be accepted under subdivision 3 without payment of all installments due to and including December 31 of the year of prepayment, (AND) together with the original principal amount reduced only by the amounts of principal included in such installments, computed on an annual amortization basis. When payment of an assessment is deferred, as authorized in this subdivision, interest thereon for the period of deferment may be made payable annually at the same times as the principal installments of the assessment would have been payable if not deferred; or interest for this period may be added to the principal amount of the assessment when it becomes payable; or, if so pro-*

vided in the resolution levying the assessment, interest thereon to December 31 of the year before the first installment is payable may be forgiven.

Sec. 19. Minnesota Statutes 1974, Section 429.091, Subdivision 1, is amended to read:

429.091 [FINANCING.] Subdivision 1. [AUTHORITY.] At any time after (A CONTRACT FOR THE CONSTRUCTION OF ALL OR PART OF AN IMPROVEMENT HAS BEEN ENTERED INTO OR THE WORK HAS BEEN ORDERED DONE WITHOUT A CONTRACT AS AUTHORIZED IN SECTION 429.041) *one or more improvements are ordered as contemplated in section 429.031*, the council may issue obligations in such amount as it deems necessary to defray in whole or in part the expense incurred and estimated to be incurred in making (AN) *the improvement or improvements*, including every item of cost (FROM INCEPTION TO COMPLETION AND ALL FEES AND EXPENSES INCURRED IN CONNECTION WITH THE IMPROVEMENT OR THE FINANCING THEREOF. MORE THAN ONE IMPROVEMENT MAY BE FINANCED BY A SINGLE ISSUE OF OBLIGATIONS WITHOUT OTHER CONSOLIDATION OF THE PROCEEDINGS) *of the kinds authorized in section 475.65. In the event of any omission, error, or mistake in any of the proceedings required precedent to the ordering of any improvement, the validity of the obligations shall not be affected thereby. The council shall cause all further actions and proceedings to be taken with due diligence that are required for the construction of each improvement financed wholly or partly from the proceeds of obligations issued hereunder, and for the final and valid levy of special assessments and the appropriation of any other funds needed to pay the obligations and interest thereon when due.*

Sec. 20. Minnesota Statutes 1974, Section 429.091, Subdivision 3, is amended to read:

Subd. 3. [METHOD OF ISSUANCE.] All obligations shall be issued in accordance with the provisions of chapter 475, except that an election shall be required for bonds if less than 20 percent of the cost of the improvement to the municipality is to be assessed against benefited property. The maturities shall be such as in the opinion of the council are warranted by the anticipated collections of assessments and ad valorem levies for the municipality's share of the cost; except that the council may in its discretion issue and sell temporary improvement bonds at any time prior to completion of the work to be financed, maturing within not more than three years from their date of issue, in which event the municipality shall be obligated to pay such bonds and the interest thereon out of the proceeds of definitive improvement bonds which the council shall issue and sell at or prior to the maturity of the temporary bonds, to the extent that the same cannot be paid out of the assessments and taxes theretofore collected, or out of any other municipal funds which are properly available and are appropriated by the council for such purpose. The holders of such temporary bonds, and the taxpayers of the

municipality, shall have and may enforce, by mandamus or other appropriate proceedings, all rights respecting the levy and collection of sufficient assessments and taxes to pay the cost of the improvements financed thereby which are granted by law to holders of other improvement bonds, except the right to require such levies to be collected prior to the maturity of the temporary bonds, and shall have the additional right to require the offering of said definitive improvement bonds (FOR) *at public sale or*, if such bonds have not been sold and delivered prior to the maturity of the temporary bonds, to require the issuance (OF BONDS) in exchange therefor, on a par for par basis, *of either new temporary bonds or definitive bonds*, bearing interest at the *maximum rate (OF SIX PERCENT PER ANNUM) permitted by law.* (THE BONDS SO ISSUED IN EXCHANGE FOR ANY ISSUE OF TEMPORARY IMPROVEMENT BONDS SHALL BE NUMBERED AND SHALL MATURE SERIALLY AT SUCH TIMES AND IN SUCH AMOUNTS THAT THE PRINCIPAL AND INTEREST CAN BE PAID WHEN DUE BY THE COLLECTION OF TAXES AND ASSESSMENTS LEVIED FOR THE IMPROVEMENTS FINANCED BY THE TEMPORARY BOND ISSUE, AND SHALL BE SUBJECT TO REDEMPTION AND PREPAYMENT ON ANY INTEREST PAYMENT DATE, UPON 30 DAYS' NOTICE MAILED TO EACH HOLDER THEREOF WHO HAS REGISTERED HIS NAME AND ADDRESS WITH THE MUNICIPAL TREASURER; AND SUCH BONDS SHALL BE DELIVERED IN ORDER OF THEIR SERIAL NUMBERS, LOWEST NUMBERS FIRST, TO THE HOLDERS OF THE TEMPORARY BONDS IN ORDER OF THE SERIAL NUMBERS HELD BY THEM.) Any funds of the issuing municipality may be invested in temporary improvement bonds in accordance with the provisions of sections 471.56 and 475.66, except that such temporary bonds may be purchased upon their initial issue, and they shall be purchased only out of funds which the council determines will not be required for other purposes prior to their maturity, and shall be resold prior to maturity only in case of unforeseen emergency. When such purchase is made out of moneys held in a (SINKING) *debt service* fund for other bonds of the municipality, the holders of such other bonds shall have the right to enforce the municipality's obligation to sell definitive bonds at or before the maturity of the temporary bonds, or to exchange the same, in the same manner as holders of such temporary bonds. All obligations shall state upon their face the purpose of the issue and the fund from which they are payable. The amount of any obligations issued hereunder shall not be included in determining the net indebtedness of any municipality under the provisions of any law limiting such indebtedness.

Sec. 21. Minnesota Statutes 1974, Section 429.091, Subdivision 4, is amended to read:

Subd. 4. [FUNDS.] (A SEPARATE FUND SHALL BE PROVIDED FOR EACH IMPROVEMENT.) The proceeds from the sale of (ANY) *each issue of obligations (ISSUED)* and from

collections of special assessments (AND TAXES) levied and other moneys appropriated for (THE) each improvement to be financed wholly or partly from such proceeds (AND ANY OTHER MONEYS APPROPRIATED THERETO BY THE MUNICIPALITY) shall be (PAID TO SUCH) credited to a separate construction fund (, AND IT) which shall be used solely to defray expenses of (THE IMPROVEMENT) such improvements and payment of principal and interest due upon the obligations (UNTIL) prior to completion and payment of all costs of the (IMPROVEMENT) improvements so financed. (THEREUPON THE FUND MAY BE DISCONTINUED, AND) Any balance of the proceeds of bonds remaining therein may be (TRANSFERRED BY THE COUNCIL TO THE FUND) used to pay the cost, in whole or in part, of any other improvement instituted pursuant to this chapter. (ALL MONEYS NOT SO TRANSFERRED AND) A separate account shall be maintained in the construction fund to record expenditures for each improvement, and when the total cost thereof has been paid all subsequent collections of special assessments (AND TAXES) levied for the improvement shall be credited and paid into (A SEPARATE SINKING FUND CREATED) the debt service fund for the obligations issued to finance the improvement, as provided in (MINNESOTA STATUTES,) section 475.61 (, OR TO THE GENERAL FUND IF NO SUCH OBLIGATIONS HAVE BEEN ISSUED). Any taxes levied for improvements financed by an issue of obligations shall be credited directly to the debt service fund.

Sec. 22. Minnesota Statutes 1974, Section 138.17, Subdivision 1, is amended to read:

138.17. [PUBLIC RECORDS; ADMINISTRATION.] Subdivision 1. [DESTRUCTION, PRESERVATION, REPRODUCTION OF RECORDS; PRIMA FACIE EVIDENCE.] The attorney general, legislative auditor and director of the Minnesota state historical society, hereinafter director, collectively referred to as the records disposition panel, if all consent, shall have power to direct the destruction, the sale for salvage or the disposition by gift or otherwise of public records as they may determine to be no longer of any value, and for the preservation of which no reason exists. The records disposition panel may by unanimous consent order any of such records to be reproduced by photographic or other means, and may make an order that such photographic or other reproductions be substituted for the originals thereof, and may direct the destruction or sale for salvage or other disposition of the originals from which the same were made. Any such photographic or other reproductions so made shall for all purposes be deemed the originals of such records so reproduced when so ordered by the records disposition panel, and shall be admissible as evidence in all courts and in proceedings of every kind. A facsimile, exemplified or certified copy of any such photographic or other reproduction, or any enlargement or reduction thereof, shall have the same effect and weight as evidence as would a certified or exemplified copy of the

original. The records disposition panel, by unanimous consent, shall have power to direct the storage of any public records of the state, except as herein provided, and to direct the storage of such photographic or other reproductions. For the purposes of this chapter: (1) The term public "records" means state records, local records, all cards, correspondence, discs, maps, memoranda, microfilms, papers, photographs, recordings, reports, tapes, writings and other data, information or documentary material, regardless of physical form or characteristics, storage media or conditions of use, made or received by any officer or agency of the state and any officer or agency of a county, city, town, school district, municipal subdivision or corporation or other public authority or political entity within the state in pursuance of state law or in connection with the transaction of public business by such officer or agency; (2) The term "state record" means a record of a state agency; that is, a department, office, officer, commission, board or any other agency, however styled or designated, of the executive branch of state government; a record of the state legislature; a record of any court, whether of statewide or local jurisdiction; and any other record designated or treated as a state record under state law; (3) The term "local record" means a record of an agency of local government; that is, a county, city, town, school district, municipal subdivision or corporation or other public authority or political entity; (4) Not included within the definition of the term "records" as used in (LAWS 1973, CHAPTER 32) *this chapter* are data and information that does not become part of an official transaction, library and museum material made or acquired and kept solely for reference or exhibit purposes, extra copies of documents kept only for convenience of reference and stock of publications and processed documents, *and bonds, coupons, or other obligations or evidences of indebtedness, the destruction or other disposition of which is governed by other laws*; (5) Those records preserved or appropriate for preservation as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of government or because of the value of the information contained therein, when determined to have sufficient historical or other value to warrant continued preservation by the state of Minnesota and accepted for deposit in the collections of the Minnesota Historical Society, shall be known as the state archives.

Sec. 23. Minnesota Statutes 1974, Section 124.05, Subdivision 3, is amended to read:

Subd. 3. When the board (, BY UNANIMOUS RESOLUTION,) deems it advisable, it may (INVEST) *authorize the investment or deposit of* such amount of funds as will not in the opinion of the board be currently needed by the district in (ANY OF THE BONDS OF ANY COUNTY, CITY, TOWN, SCHOOL DISTRICT, DRAINAGE OR OTHER DISTRICT CREATED PURSUANT TO LAW FOR PUBLIC PURPOSES IN MINNESOTA, IOWA, WISCONSIN, AND NORTH AND SOUTH DAKOTA, OR IN U.S. TREASURY BONDS WITH MATURITY

DATE NOT TO EXCEED FIVE YEARS FROM THE TIME OF PURCHASE, OR IN SECURITIES ISSUED BY THE FOLLOWING AGENCIES OF THE UNITED STATES, MATURING NOT TO EXCEED FIVE YEARS FROM THE TIME OF PURCHASE: FEDERAL HOME LOAN BANKS, FEDERAL INTERMEDIATE CREDIT BANKS, FEDERAL LAND BANKS, AND THE FEDERAL NATIONAL MORTGAGE ASSOCIATION, OR IN U.S. TREASURY BILLS, U.S. CERTIFICATES OF INDEBTEDNESS, OR U.S. TREASURY NOTES. THE BOARD MAY ALSO INVEST SUCH AMOUNT OF FUNDS AS IN ITS OPINION MAY NOT BE CURRENTLY NEEDED IN CERTIFICATES OF DEPOSIT OF ANY STATE OR NATIONAL BANK, PROVIDED THE BANK SHALL DEPOSIT A BOND TO THE DISTRICT, EXECUTED BY A CORPORATE SURETY COMPANY EQUAL TO THE AMOUNT OF THE CERTIFICATE OF DEPOSIT OR, IN LIEU OF SUCH BOND, SHALL ASSIGN TO THE SCHOOL DISTRICT COLLATERAL SECURITIES FOR DEPOSITS IN ACCORDANCE WITH MINNESOTA STATUTES 1961, SECTION 118.01 TO THE EXTENT SUCH CERTIFICATES OF DEPOSIT MAY NOT BE INSURED UNDER THE PROVISIONS OF MINNESOTA STATUTES 1961, SECTION 118.10, AND ANY ACTS AMENDATORY THEREOF) *the manner and subject to the conditions provided in section 475.66 for the deposit and investment of debt service funds.*

Sec. 24. Minnesota Statutes 1974, Section 124.05, Subdivision 4, is amended to read:

Subd. 4. Any board investing funds in (SUCH) authorized securities shall deposit such securities for safekeeping with the county treasurer of the county wherein (SUCH) *the* district is located or with any bank (MAINTAINING A SAFEKEEPING DEPARTMENT. SUCH COUNTY TREASURER OR BANK SHALL GIVE A RECEIPT FOR EACH AND ALL OF SUCH SECURITIES TO THE BOARD, AND SUCH COUNTY TREASURER OR BANK SHALL KEEP SUCH SECURITIES FOR SAFEKEEPING UNTIL SUCH TIME AS THE BOARD SHALL ADOPT A RESOLUTION REQUESTING THE COUNTY TREASURER OR BANK TO TURN SUCH SECURITIES OR ANY OF THEM OVER TO THE TREASURER OF SUCH DISTRICT) *or dealer qualified as provided in section 475.66.*

Sec. 25. Minnesota Statutes 1974, Section 48.15, is amended by adding a subdivision to read:

Subd. 3. *No such bank shall act as paying agent of any municipality of other public issuer of obligations, other than an issuer within whose corporate limits the principal office of the bank is situated, unless the bank is authorized to execute the powers conferred in section 48.38.*

Sec. 26. [INSTRUCTION TO REVISOR.] *In the next edition of Minnesota Statutes the revisor of statutes is directed to*

*delete the words "sinking fund" wherever they appear in chapter 475 and in sections referring to that chapter and to substitute in lieu thereof the words "debt service fund".*

Sec. 27. *Minnesota Statutes 1974, Section 475.553, Subdivision 4, and Minnesota Statutes, 1975 Supplement, Section 471.561, are repealed.*

Sec. 28. *This act is effective the day following final enactment."*

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

The report was adopted.

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 2313, A bill for an act relating to commitment and discharge of inebriate persons; limiting length of commitment for inebriates; amending Minnesota Statutes 1974, Section 253A.07, Subdivision 25; Minnesota Statutes, 1975 Supplement, Sections 253A.07, Subdivision 17; and 253A.15, Subdivision 1.

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

The report was adopted.

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

Senate Concurrent Resolution No. 13, A Senate concurrent resolution designating June 26, 1976 as Freedom Fest '76, a celebration of freedom from alcohol and drug dependency.

Reported the same back with the following amendments:

Page 2, strike lines 3 to 7.

With the recommendation that when so amended the resolution be adopted.

The report was adopted.

## SECOND READING OF SENATE BILLS

S. F. No. 1675 was read for the second time.

## SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Neisen moved that the rule therein be suspended and an urgency be declared so that S. F. No. 1675 be given its third reading and be placed upon its final passage. The motion prevailed.

Neisen moved that the rules of the House be so far suspended that S. F. No. 1675 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 1675, A bill for an act relating to public indebtedness; revising and clarifying provisions as to manner of sale and execution of obligations; designation of paying agents; cremation of obligations; payment of grant anticipation certificates; use of investment income from proceeds; administration of debt service funds; refunding; method of payment and interest rate on special assessments and obligations payable from special assessments; amending Minnesota Statutes 1974, Sections 48.15, by adding a subdivision; 124.05, Subdivisions 3 and 4; 138.17, Subdivision 1; 429.061, Subdivision 2; 429.091, Subdivisions 1, 3, and 4; 471.56, Subdivisions 1 and 3; 475.51, Subdivision 6, and adding a subdivision; 475.52, Subdivision 1; 475.55; 475.553, Subdivisions 1, 2, 3, and 5; 475.60, Subdivisions 2 and 3; 475.61, Subdivision 5; 475.65; 475.66; and 475.67, Subdivisions 7 and 12; and repealing Minnesota Statutes 1974, Section 475.553, Subdivision 4; and Minnesota Statutes, 1975 Supplement, Section 471.561.

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 108, and nays 16, as follows:

Those who voted in the affirmative were:

|              |          |               |           |             |
|--------------|----------|---------------|-----------|-------------|
| Abeln        | Corbid   | Jacobs        | Luther    | Philbrook   |
| Adams, L.    | Dahl     | Jaros         | Mangan    | Pleasant    |
| Adams, S.    | Dean     | Jensen        | Mann      | Prahl       |
| Anderson, G. | Doty     | Johnson, C.   | McCarron  | Reding      |
| Anderson, I. | Eckstein | Johnson, D.   | McCauley  | Rice        |
| Arlandson    | Eken     | Jude          | McCollar  | St. Onge    |
| Beauchamp    | Enebo    | Kahn          | McEachern | Samuelson   |
| Begich       | Evans    | Kalis         | Metzen    | Sarna       |
| Berglin      | Ewald    | Kempe, A.     | Moe       | Schreiber   |
| Biersdorf    | Faricy   | Kempe, R.     | Munger    | Schulz      |
| Birnsthil    | Fjoslien | Ketola        | Neisen    | Schumacher  |
| Braun        | Forsythe | Knickerbocker | Nelson    | Setzepfandt |
| Brinkman     | Fudro    | Knoll         | Norton    | Sherwood    |
| Byrne        | Fugina   | Kostohryz     | Novak     | Sieben, H.  |
| Carlson, A.  | George   | Kroening      | Osthoff   | Sieben, M.  |
| Carlson, L.  | Graba    | Laidig        | Parish    | Simoneau    |
| Casserly     | Hanson   | Langseth      | Patton    | Skoglund    |
| Clark        | Heinitz  | Lemke         | Pehler    | Smith       |
| Clawson      | Hokanson | Lindstrom     | Petraseso | Smogard     |

|         |         |          |        |              |
|---------|---------|----------|--------|--------------|
| Spanish | Swanson | Vento    | Wenzel | Speaker Sabo |
| Stanton | Ulland  | Voss     | White  |              |
| Suss    | Vanasek | Wenstrom | Wieser |              |

Those who voted in the negative were:

|           |           |          |           |         |
|-----------|-----------|----------|-----------|---------|
| Albrecht  | Friedrich | Menning  | Savelkoul | Sieloff |
| Dieterich | Kaley     | Nelsen   | Searle    | Zubay   |
| Erickson  | Kelly, R. | Niehaus  |           |         |
| Esau      | Kvam      | Peterson |           |         |

The bill was passed and its title agreed to.

#### SUSPENSION OF RULES

Suss moved that rule 4.11 be suspended for the remainder of today's session. The motion prevailed.

#### SECOND READING OF SENATE BILLS, Continued

S. F. No. 2313 was read for the second time.

#### SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Dieterich moved that the rule therein be suspended and an urgency be declared so that S. F. No. 2313 be given its third reading and be placed upon its final passage. The motion prevailed.

Dieterich moved that the rules of the House be so far suspended that S. F. No. 2313 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 2313, A bill for an act relating to commitment and discharge of inebriate persons; limiting length of commitment for inebriates; amending Minnesota Statutes 1974, Section 253A.07, Subdivision 25; Minnesota Statutes, 1975 Supplement, Sections 253A.07, Subdivision 17; and 253A.15, 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 122, and nays 3, as follows:

Those who voted in the affirmative were:

|              |              |           |             |           |
|--------------|--------------|-----------|-------------|-----------|
| Abeln        | Anderson, I. | Biersdorf | Carlson, A. | Dahl      |
| Adams, L.    | Arlandson    | Birnstihl | Carlson, L. | Dean      |
| Adams, S.    | Beauchamp    | Braun     | Casserly    | Dieterich |
| Albrecht     | Begich       | Brinkman  | Clark       | Doty      |
| Anderson, G. | Berg         | Byrne     | Clawson     | Eckstein  |

|           |               |           |             |              |
|-----------|---------------|-----------|-------------|--------------|
| Eken      | Jensen        | Mangan    | Peterson    | Skoglund     |
| Enebo     | Johnson, C.   | Mann      | Petrafeso   | Smith        |
| Erickson  | Johnson, D.   | McCarron  | Philbrook   | Smogard      |
| Esau      | Jude          | McCauley  | Pleasant    | Spanish      |
| Evans     | Kahn          | McCollar  | Prahl       | Stanton      |
| Ewald     | Kaley         | McEachern | Reding      | Suss         |
| Faricy    | Kalis         | Menning   | St. Onge    | Swanson      |
| Fjoslien  | Kelly, R.     | Metzen    | Samuelson   | Ulland       |
| Forsythe  | Kempe, A.     | Moe       | Sarna       | Vanasek      |
| Friedrich | Kempe, R.     | Munger    | Savelkoul   | Vento        |
| Fudro     | Knickerbocker | Neisen    | Schreiber   | Voss         |
| Fugina    | Knoll         | Nelsen    | Schulz      | Wenstrom     |
| George    | Kostohryz     | Nelson    | Schumacher  | Wenzel       |
| Graba     | Kroening      | Niehaus   | Searle      | White        |
| Hanson    | Kvam          | Norton    | Setzepfandt | Wieser       |
| Haugerud  | Laidig        | Novak     | Sherwood    | Zubay        |
| Heinitz   | Langseth      | Osthoff   | Sieben, H.  | Speaker Sabo |
| Hokanson  | Lemke         | Parish    | Sieben, M.  |              |
| Jacobs    | Lindstrom     | Patton    | Sieloff     |              |
| Jaros     | Luther        | Pehler    | Simoneau    |              |

Those who voted in the negative were:

Berglin          Corbid          Rice

The bill was passed and its title agreed to.

#### 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 Special Orders for Tuesday, April 6, 1976.

S. F. Nos. 633 and 2082.

#### INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Sieloff introduced:

H. F. No. 2703, A bill for an act relating to retirement; optional exclusion from the state retirement system; amending Minnesota Statutes 1974, Chapter 352, by adding a section.

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

#### HOUSE ADVISORY BILLS

Pursuant to Rule 5.3, the following House Advisory Bills were introduced:

Fugina introduced:

H. A. B. No. 84, Off-sale liquor licensing study in rural areas.

The bill was referred to the Committee on Commerce and Economic Development.

Mann, Munger, Kalis and Vento introduced:

H. A. B. No. 85, Snow and ice control on roads and streets.

The bill was referred to the Committee on Transportation.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1909, A bill for an act relating to health; prohibiting sale and use of certain chemicals; providing penalties.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1940, A bill for an act relating to the legislature; establishing a council on the economic status of women; appropriating money; repealing Minnesota Statutes 1974, Section 363.04, Subdivisions 7 and 8.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2188, A bill for an act relating to motor vehicles; defining powers of the registrar of motor vehicles; providing for the appointment of private deputy registrars; providing for the appointment of a county license bureau director as deputy registrar; amending Minnesota Statutes 1974, Sections 168.33, Subdivision 7; and 373.35, Subdivision 1; and Minnesota Statutes, 1975 Supplement, Section 168.33, Subdivision 2; repealing Minnesota Statutes 1974, Section 373.36.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1397, A bill for an act relating to the creation of a legislative advisory task force; appropriating money.

The Senate has appointed as such committee Messrs. Coleman, Anderson and Ogdahl.

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. 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 Senate has appointed as such committee Messrs. Chmielewski, Frederick and Anderson.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate refuses to adopt the Conference Committee report on House File No. 2043 and has moved that it be returned to the present Conference Committee for further consideration.

H. F. No. 2043, A bill for an act relating to elections; providing for uniform reporting dates for campaign disclosure forms; providing for disclosure of campaign contributions and expenditures of political committees and candidates for local office; amending Minnesota Statutes 1974, Chapters 123, 373, and 471, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 210A.01, Subdivisions 1, 5, 6, 8, 9, and by adding subdivisions; 210A.05, Subdivision 1; 210A.16; 210A.23; 210A.24; 210A.25; 210A.26; 210A.27, Subdivision 1; 210A.29; 210A.32; 210A.33; Chapter 210A, by adding sections; repealing Minnesota Statutes, 1975 Supplement, Sections 123.015; 210A.01, Subdivisions 4 and 7; 210A.22; 210A.28; and 210A.31.

House File No. 2043 is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Vento moved that the House reconsider the vote whereby the House repassed H. F. No. 2043 as amended by Conference Committee on April 5, 1976. The motion prevailed.

Vento moved that the House reconsider the action whereby H. F. No. 2043 was read for the third time as amended by Conference Committee on April 5, 1976. The motion prevailed.

Vento moved that the House reconsider the action whereby the House adopted the report of the Conference Committee on H. F. No. 2043 on April 5, 1976. The motion prevailed.

Vento moved that the House accede to the request of the Senate for the return of H. F. No. 2043 to the Conference Committee. The motion prevailed.

The following conference committee reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2374

A bill for an act relating to highway traffic regulation; requiring courts to report to the commissioner of public safety a stay of imposition of sentence granted under provisions of law relating to driving while under the influence of drugs or alcoholic

beverages; amending Minnesota Statutes 1974, Sections 169.121, Subdivision 6; and 609.135, Subdivision 3.

April 5, 1976

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

We, the undersigned conferees for H. F. No. 2374 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and H. F. No. 2374 be amended as follows:

Page 1, delete lines 12 to 21 and insert "is amended by adding a subdivision to read:

*Subd. 7. Any person whose license has been revoked pursuant to section 2 of this act shall not be subject to the mandatory revocation provision of subdivision 3 of this section.*

Sec. 2. Minnesota Statutes 1974, Chapter 169, is amended by adding a section to read:

[169.124] [REPORTING OF CHEMICAL TESTS; NOTICE OF REVOCATION; HEARING.] *Subdivision 1. [CHEMICAL TEST REPORTS.] When a peace officer, as defined in section 169.123, subdivision 1, has administered a chemical test of a person's breath, other than a preliminary screening test, pursuant to section 169.123, he shall report the results of that test to the commissioner of public safety if the test result indicates a blood alcohol content of .10 percent or more by weight of alcohol. When such peace officer requests and directs the administration and interpretation of a blood or urine test pursuant to section 169.123, the person interpreting such a test at the request of the peace officer shall be fully trained in the interpretation of such tests pursuant to standards of the commissioner of public safety and shall report the results of the test to the commissioner of public safety if the test result indicates a blood alcohol content level of .10 percent or more by weight of alcohol.*

*Subd. 2. [NOTICE OF REVOCATION; REQUEST FOR HEARING.] The commissioner of public safety shall revoke for a period of 90 days the driver's license, permit or nonresident operating privileges of any person whose blood contains .10 percent or more by weight of alcohol upon the receipt of a record of the blood, breath or urine test administered by or at the direction of a peace officer pursuant to section 169.123. No revocation*

shall be made until the commissioner of public safety notifies the person by certified or registered mail of the intention to revoke and allows the person a 20 day period after the date of receiving the notice to request of the commissioner of public safety in writing, a hearing as herein provided. If a request for hearing is filed, no revocation hereunder shall be made until final judicial determination.

Subd. 3. [HEARING.] The hearing shall be before a municipal or county judge, learned in the law, in the county where the alleged offense occurred, unless there is agreement that the hearing may be held in some other county. The hearing shall be heard as early as practicable but not to exceed 30 days from the receipt of request for hearing unless the court grants a continuance of the hearing. The hearing shall be without the right of trial by jury. The scope of the hearing shall include whether the peace officer had reasonable and probable grounds to believe the person was driving or operating a motor vehicle while under the influence of an alcoholic beverage; whether the person was lawfully placed under arrest, if applicable; whether the person took the test; whether he was advised of his right to have additional tests made by a person of his own choosing; and the validity and reliability of the testing method used and the accuracy of the evaluation of the test results. The municipal or county court shall order that the revocation be sustained or rescinded and refer such order to the commissioner of public safety for his further action.

Subd. 4. [REVIEW BY DISTRICT COURT.] Any person whose license or permit to drive, or nonresident operating privilege has been revoked may within 30 days of receipt of the revocation notice from the commissioner file a petition for hearing of the matter in district court in the county where the hearing pursuant to subdivision 3 was held unless there is agreement that the hearing may be held in some other county. The matter shall be heard by the court pursuant to the provisions of Minnesota Statutes, Section 171.19. Notice to other states shall be provided in section 169.123, subdivision 8.

Subd. 5. [LIMITED LICENSE.] In any case where a license has been revoked under this section, the commissioner may issue a limited license to the driver. The commissioner in issuing a limited license may impose the conditions and limitations which in his judgment are necessary to the interests of the public safety and welfare including re-examination of the driver's qualifications, attendance at a driver improvement clinic, or attendance at counseling sessions. The license may be limited to the operation of particular vehicles and to particular classes and times of operation. The limited license issued by the commissioner shall clearly indicate the limitations imposed and the driver operating under a limited license shall have the license in his possession at all times when operating as a driver. In determining whether to issue a limited license, the commissioner shall consider the

*number and the seriousness of prior convictions and the entire driving record of the driver.*

*Subd. 6. [REINSTATED LICENSE.] If the commissioner receives notice of the driver's attendance at a driver improvement clinic, attendance at counseling sessions, or participation in treatment for an alcohol problem the commissioner may, after 60 days of the revocation period have elapsed, reinstate the driver's license for the remainder of the revocation period. The commissioner shall not reinstate a license under this subdivision to a driver who has had a license revoked under sections 169.121, 169.123 or this act on a prior occasion during the preceding three year period for another incident."*

Page 2, delete lines 4 and 5.

Renumber sections in order.

Page 2, after line 5, insert:

*"Sec. 4. [APPROPRIATION.] There is appropriated from the general fund to the department of public safety the sum of \$159,300 for the purpose of this act."*

Further, amend the title as follows:

Page 1, line 4, delete "granted" and insert "for motor vehicle offenses; providing for the revocation of a driver's license or permit by the commissioner of public safety upon receipt of chemical test that person's blood contains .10 percent or more by weight of alcohol; providing procedural safeguards; providing for issuance of a limited license; providing for reinstatement of a revoked license; prescribing penalties; and appropriating money".

Page 1, delete lines 5 and 6.

Page 1, line 7, delete "beverages".

Page 1, line 8, delete "Subdivision 6" and insert "by adding a subdivision".

Page 1, line 8, delete "and".

Page 1, line 9, after "3" insert "; and Chapter 169, by adding a section".

We request adoption of this report and repassage of the bill.

House Conferees: BILL LUTHER, NEIL B. DIETERICH and RICHARD J. PARISH.

Senate Conferees: ALEC G. OLSON and DAVID D. SCHAAF.

Luther moved that the report of the Conference Committee on H. F. No. 2374 be adopted and that the bill be repassed as amended by the Conference Committee.

George moved that the House refuse to adopt the Conference Committee report on H. F. No. 2374, and that the bill be returned to the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 55, and nays 60, as follows:

Those who voted in the affirmative were:

|             |             |               |           |            |
|-------------|-------------|---------------|-----------|------------|
| Albrecht    | Corbid      | Knickerbocker | Novak     | Sieben, H. |
| Arlandson   | Eckstein    | Knoll         | Osthoff   | Sieben, M. |
| Begich      | Fjoslien    | Kostohryz     | Philbrook | Sieloff    |
| Berglin     | Friedrich   | Lemke         | Pleasant  | Simoneau   |
| Birnstihl   | Fudro       | McCarron      | Reding    | Skoglund   |
| Braun       | Fugina      | McEachern     | Rice      | Spanish    |
| Brinkman    | George      | Metzen        | St. Onge  | Suss       |
| Carlson, A. | Jacobs      | Moe           | Samuelson | Tomlinson  |
| Casserly    | Johnson, D. | Neisen        | Sarna     | Voss       |
| Clark       | Kempe, R.   | Nelson        | Schreiber | Wenzel     |
| Clawson     | Ketola      | Norton        | Searle    | Williamson |

Those who voted in the negative were:

|              |          |             |            |               |
|--------------|----------|-------------|------------|---------------|
| Abeln        | Eken     | Johnson, C. | McCollar   | Setzepfandt   |
| Adams, L.    | Enebo    | Jude        | Menning    | Sherwood      |
| Adams, S.    | Erickson | Kahn        | Nelsen     | Smith         |
| Anderson, G. | Esau     | Kaley       | Niehaus    | Smogard       |
| Beauchamp    | Evans    | Kalis       | Parish     | Stanton       |
| Biersdorf    | Ewald    | Kroening    | Patton     | Swanson       |
| Byrne        | Forsythe | Kvam        | Pehler     | Vento         |
| Carlson, L.  | Graba    | Laidig      | Peterson   | Wenstrom      |
| Dahl         | Hanson   | Lindstrom   | Prahl      | White         |
| Dean         | Haugerud | Luther      | Savelkoul  | <b>Wieser</b> |
| Dieterich    | Heinitz  | Mangan      | Schulz     | Zubay         |
| Doty         | Jensen   | McCauley    | Schumacher | Speaker Sabo  |

The motion did not prevail.

The question recurred on the Luther motion to adopt the Conference Committee report. The motion prevailed.

H. F. No. 2374, A bill for an act relating to highway traffic regulation; requiring courts to report to the commissioner of public safety a stay of imposition of sentence granted under provisions of law relating to driving while under the influence of drugs or alcoholic beverages; amending Minnesota Statutes 1974, Sections 169.121, Subdivision 6; and 609.135, Subdivision 3.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 92, and nays 27, as follows:

Those who voted in the affirmative were:

|              |             |               |             |              |
|--------------|-------------|---------------|-------------|--------------|
| Abeln        | Esau        | Kelly, R.     | Nelson      | Sherwood     |
| Adams, L.    | Evans       | Kempe, A.     | Niehaus     | Skoglund     |
| Adams, S.    | Ewald       | Kempe, R.     | Novak       | Smith        |
| Anderson, G. | Faricy      | Knickerbocker | Parish      | Smogard      |
| Beauchamp    | Fjoslien    | Kostohryz     | Patton      | Stanton      |
| Berg         | Forsythe    | Kroening      | Pehler      | Suss         |
| Berglin      | Friedrich   | Kvam          | Peterson    | Swanson      |
| Biersdorf    | Fudro       | Laidig        | Philbrook   | Tomlinson    |
| Brinkman     | Graba       | Langseth      | Pleasant    | Ulland       |
| Byrne        | Hanson      | Lemke         | Prahl       | Vento        |
| Carlson, A.  | Haugerud    | Lindstrom     | Reding      | Wenstrom     |
| Carlson, L.  | Heinitz     | Luther        | St. Onge    | White        |
| Dahl         | Hokanson    | Mangan        | Sarna       | Wieser       |
| Dean         | Jensen      | McCauley      | Savelkoul   | Williamson   |
| Dieterich    | Johnson, C. | McCollar      | Schreiber   | Zubay        |
| Doty         | Jude        | Menning       | Schulz      | Speaker Sabo |
| Eken         | Kahn        | Munger        | Schumacher  |              |
| Enebo        | Kaley       | Neisen        | Searle      |              |
| Erickson     | Kalis       | Nelsen        | Setzepfandt |              |

Those who voted in the negative were:

|           |          |           |            |         |
|-----------|----------|-----------|------------|---------|
| Albrecht  | Clark    | Knoll     | Rice       | Spanish |
| Arlandson | Clawson  | McCarron  | Samuelson  | Voss    |
| Begich    | Eckstein | McEachern | Sieben, H. | Wenzel  |
| Birstihl  | George   | Metzen    | Sieben, M. |         |
| Braun     | Jaros    | Moe       | Sieloff    |         |
| Casserly  | Ketola   | Norton    | Simoneau   |         |

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

#### CONFERENCE COMMITTEE REPORT ON H. F. NO. 746

A bill for an act relating to commerce; requiring prices on certain retail food packages.

April 5, 1976

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

We, the undersigned conferees for H. F. No. 746 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 746 be further amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [PRICE MARKING.] In any store using an electronic scanner to read the price of items presented for check-out, every canned, bottled, boxed or bagged item of food sold or offered for sale at retail shall have the selling price in arabic numerals clearly affixed to each item by a stamp, tag, label or other conspicuous marking device when presented for check-out. If the product is canned, bottled, boxed or bagged, but sold only in quantities of more than one in the containers in which the product came from the manufacturer or distributor, the price may be marked on the outer container rather than on each individual item.

Sec. 2. [EXCEPTIONS.] Section 1 shall not apply to food items intended to be consumed on or about the retail premises, nor to confectionery items which have a total retail price of 25 cents or less; nor to items actually sold through vending machines nor to items offered at a sale price that is below the normal price at which the item is usually sold in that store if the item is offered at the sale price for a period of four days or less. In any store the provisions of this section shall not apply to any item which was not generally item-priced in that store on April 1, 1976. In any store that was not in existence on April 1, 1976, the provisions of this section shall not apply to any item which was not generally item-priced in similar grocery stores without electronic scanners in that market area on April 1, 1976."

We request adoption of this report and repassage of the bill.

House Conferees: JOEL JACOBS, SHIRLEY A. HOKANSON and LEO ADAMS.

Senate Conferees: SAM G. SOLON and ROGER LAUFENBURGER.

Jacobs moved that the report of the Conference Committee on H. F. No. 746 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 125, and nays 2, as follows:

Those who voted in the affirmative were:

|           |              |           |           |          |
|-----------|--------------|-----------|-----------|----------|
| Abeln     | Albrecht     | Beauchamp | Berglin   | Braun    |
| Adams, L. | Anderson, G. | Begich    | Biersdorf | Brinkman |
| Adams, S. | Arlandson    | Berg      | Birnstihl | Byrne    |

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

Those who voted in the negative were:

Dean

Kaley

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

#### CONFERENCE COMMITTEE REPORT ON H. F. NO. 2678

A bill for an act relating to public improvement; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; authorizing issuance of state building bonds; appropriating money; amending Minnesota Statutes 1974, Sections 16.16, Subdivision 2; 16A.28; 137.02, Subdivision 3; repealing Laws 1973, Chapter 778, Section 20.

April 5, 1976

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

We, the undersigned conferees for H. F. No. 2678 report that we have agreed upon the items in dispute and recommend as follows:

Strike everything after the enacting clause and insert:

"Section 1. [PUBLIC LAND AND BUILDINGS; BUILDING FUND APPROPRIATIONS.] There is appropriated from the state building fund in the state treasury to the state agencies

indicated the sums set forth in the column designated "APPROPRIATIONS", to be expended for the acquisition and betterment of public land and buildings and other public improvements of a capital nature, as more specifically described in the following sections of this act.

## APPROPRIATIONS

\$

Sec. 2. [CAPITOL COMPLEX.] Subdivision 1.  
To the commissioner of administration for the purposes specified in this section.

Subd. 2. Rehabilitation and remodeling of 1246 University avenue building for the bureau of criminal apprehension ..... 1,165,000

To include planning complete rehabilitation and modernization of the exterior, basement, laboratories, and other analytical investigatory, classroom, and office spaces.

The appropriation in this clause is available only upon guaranteed federal participation of 50 percent of the total cost of planning, rehabilitation, and remodeling of the building for the bureau of criminal apprehension.

The entire federal share need not be made immediately available, but shall be totally available upon completion of the project.

Subd. 3. Improvements to 117 University avenue building ..... 809,000

(a) Rehabilitation and remodeling of interior, climate control system, roof, windows and exterior face ..... 800,000

(b) Modification of oil storage tank ..... 9,000

Sec. 3. To the commissioner of administration for the veterans home.

Subdivision 1. Construct and equip a nursing care facility of approximately 250 beds plus dining facilities for the total home. Cost to include planning and demolition of buildings 1, 2, and laundry building.

State share ..... 1,925,000

\$

Subd. 2. Fire protection, air conditioning, and bathroom modernization, nursing care unit.

State share ..... 66,150

Subd. 3. Fire protection, building 16, and centralized call system for home.

State share ..... 40,000

Sec. 4. [STATE UNIVERSITIES.] Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Construction of building Center for the arts—Moorhead ..... 2,414,000

Subd. 3. Remodeling of facilities ..... 1,502,470

(a) Hickory Hall—Bemidji ..... 1,077,470

(b) Stewart Hall—St. Cloud ..... 275,000

(c) Somsen Hall—Winona ..... 150,000

Subd. 4. Preliminary plans, remodeling of Deputy and Sanford Hall—Bemidji ..... 120,000

Subd. 5. Mankato Campus Consolidation ..... 3,500,000

(a) Notwithstanding any law to the contrary, all money appropriated by this act and all previous acts from the Minnesota state building fund to the commissioner of administration for construction and equipment of state university buildings, not to exceed \$1,800,000, is available for the purposes of this subdivision and is in addition to the appropriation contained in this subdivision.

(1) Remodeling valley physical education building to house Wilson lab school.

(2) Demolition of old main annex.

(3) Construct and equip a general purpose building.

(4) Maintenance service building.

\$

(5) Remodel Wilson lab school for art and physical education.

(6) Remodel Trafton Hall.

(7) Physical education addition.

(b) It is the intent of the legislature that the Mankato independent school district no. 77 enter into a long term commitment through a lease agreement with the Mankato state university to reimburse the state for remodeling of valley campus physical education building not to exceed \$756,000 to be used for housing the Wilson laboratory school.

In the event that a commitment is not forthcoming from independent school district no. 77 and an agreement is not completed by June 1, 1976, the above appropriation of \$756,000 shall not be expended and the state university board is instructed to proceed with the consolidation of all programs on the upper campus.

(c) Not more than \$300,000 of the appropriations made in this subdivision may be used to develop a consolidation plan including architectural and working drawings for the Highland Campus and the plans for a maintenance services building. The balance of the appropriation shall be available at such time as:

(1) The commissioner has developed a plan for utilization or disposal of not less than 60 percent of the lower campus, and;

(2) The consolidation plan and utilization plan have been submitted to the house appropriations committee and the senate finance committee and the committees have made their recommendations thereon. The recommendations shall be submitted to the commissioner within 60 days of receipt of the consolidation and utilization plans and shall be advisory only. Failure or refusal to make a recommendation within 60 days shall be deemed a negative recommendation.

(d) The commissioner of administration may expend this appropriation to remodel or demolish buildings on the lower campus of the Mankato State University

250,000

These funds are available for remodeling buildings that are to be leased. Leases for the buildings shall

\$

include charges adequate to amortize the remodeling costs in a reasonable period of time.

(e) Notwithstanding any other law to the contrary, the commissioner of administration may, without any other approval, lease buildings on the lower campus of Mankato State University to any public or private person or group for periods not to exceed 10 years.

(f) Notwithstanding any other law to the contrary, the commissioner of administration may sell any portion of the lower campus of Mankato State University. The commissioner may undertake sale to other governmental units by negotiation. Sales to any other purchasers shall be through competitive bidding under such terms and conditions as the commissioner deems appropriate. Any proposed sale shall be submitted to the house appropriations committee and the senate finance committee and the sale shall not be final until the committees have made their recommendations thereon. The recommendations shall be submitted to the commissioner within 60 days of receipt of the proposed sale and shall be advisory only. Failure or refusal to make a recommendation within 60 days shall be deemed a negative recommendation.

|                                                                                                      |         |
|------------------------------------------------------------------------------------------------------|---------|
| Subd. 6. To the chancellor of the state university system for construction of maintenance facilities | 800,000 |
|------------------------------------------------------------------------------------------------------|---------|

Notwithstanding provisions of any law to the contrary, the chancellor of the state university system may select nonconventional construction techniques in order to remain within budgetary constraints.

|                                                                                                                                                                |           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Sec. 5. [COMMUNITY COLLEGES.] Subdivision 1. To the commissioner of administration to plan, construct and equip facilities at the following community colleges | 3,345,570 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|

|                                                          |           |
|----------------------------------------------------------|-----------|
| (a) Preliminary plans for metropolitan community college | 50,000    |
| (b) Inver Hills                                          | 368,000   |
| (c) Lakewood                                             | 2,497,870 |
| (d) Rainy River                                          | 253,000   |
| (e) North Hennepin                                       | 153,700   |

\$

(f) Hibbing 23,000

Subd. 2. To the chancellor of the community college system for construction of storage facilities 400,000

Notwithstanding provisions of any law to the contrary, the chancellor of the community college system may select nonconventional construction techniques in order to remain within budgetary constraints.

Subd. 3. The commissioner of administration is hereby authorized to convey by quitclaim deed to special school district no. 1, city of Minneapolis the following described state real property, to wit: All of lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of Block 1 of the Washington Yale addition to the city of Minneapolis, all according to the respective recorded plats or maps thereof, Hennepin county, Minnesota.

In consideration of said transfer, special school district no. 1, Minneapolis, Minnesota shall reimburse the state of Minnesota an amount equal to the purchase price of the real property, demolition and all other expenses incurred by the state in the purchase of said property. The commissioner of administration is hereby authorized to expend all or a portion of said funds for the acquisition of land, demolition and site preparation for the expansion of metropolitan community college and the construction of a parking ramp in conjunction with special school district no. 1, Minneapolis, Minnesota.

Sec. 6. [UNIVERSITY OF MINNESOTA.] Subdivision 1. To the regents of the university of Minnesota for the purposes specified in this section.

Subd. 2. At the university of Minnesota, twin city campus

|                                                                                  |           |
|----------------------------------------------------------------------------------|-----------|
| (a) Complete St. Paul library learning resource center including equipment ..... | 4,897,489 |
| (b) Complete home economics building .....                                       | 1,435,500 |
| (c) Remodeling and rehabilitation .....                                          | 500,000   |
| (d) Upgrade for the physically handicapped — university wide .....               | 400,000   |
| (e) O.S.H.A. projects university wide .....                                      | 500,000   |

\$

|                                                                          |           |
|--------------------------------------------------------------------------|-----------|
| (f) Boiler and baghouse — St. Paul .....                                 | 1,996,000 |
| (g) Pollution control and heating plant modification — Minneapolis ..... | 1,000,000 |
| (h) St. Anthony storm sewer assessment .....                             | 383,000   |
| (i) Primary electric system, St. Paul .....                              | 521,950   |
| (j) Greenhouse and headhouse — St. Paul .....                            | 350,000   |
| (k) Basic sciences remodeling .....                                      | 4,937,150 |
| (l) Remodeling and Reassignment — Plans .....                            | 300,000   |

To be expended for the purpose of producing plans for remodeling existing and future structures for pharmacy and nursing programs. The plans for remodeling shall be presented to the Legislature by February 1, 1977.

Subd. 3. At the university of Minnesota, Duluth campus

|                                                                                                     |           |
|-----------------------------------------------------------------------------------------------------|-----------|
| (a) Construct and equip basic sciences building ..                                                  | 1,422,400 |
| (b) Campus utilities, water distribution system improvements, and road and campus improvements .... | 500,000   |

Subd. 4. At the university of Minnesota, Morris campus — Development roadway .....

155,000

Subd. 5. At the technical college, Crookston

|                                                   |           |
|---------------------------------------------------|-----------|
| (a) Food service building, working drawings ..... | 100,000   |
| (b) Learning resources center addition .....      | 1,118,150 |

Subd. 6. At the technical college, Waseca

|                                                       |         |
|-------------------------------------------------------|---------|
| (a) Renovation of school facilities .....             | 220,000 |
| (b) Addition and renovation of plant services area .. | 150,000 |

Subd. 7. At the North Central Experiment Station, Grand Rapids — Construct greenhouse and headhouse .....

150,000

Subd. 8. At the southern experiment station, Waseca — Office, laboratory, and meeting facility .....

300,000

\$

Subd. 9. The University of Minnesota shall conduct a study to explore the feasibility of remodeling an existing building or buildings or constructing new facilities to accommodate the programs of the department of vocational and technical education on the twin cities campus. A report containing the results and recommendations including the location, cost estimate, and square footage of the alternatives examined shall be submitted to the legislature by January 15, 1977.

Subd. 10. All construction authorized and appropriations provided in this section shall be subject to the terms and provisions of Minnesota Statutes, Sections 16.823 to 16.827.

Sec. 7. [PUBLIC WELFARE.] Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Construction of buildings ..... 3,500,000

(a) Willmar State Hospital ..... 2,000,000

(b) Anoka State Hospital ..... 1,500,000

Subd. 3. Life Safety ..... 5,500,000

A priority rating of buildings shall be conducted taking into account program plans, age and location of the buildings. The merits and cost of installing sprinkling equipment shall be considered in lieu of other life safety code requirements. Within the plan developed, sprinkling systems shall be installed where practical.

Subd. 4. Major Remodeling and Renovation ... 3,500,000

Subd. 5. Air conditioning ..... 800,000

Subd. 6. Carpeting ..... 300,000

Sec. 8. [CORRECTIONS.] Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Security Modifications, New Construction and major remodeling ..... 1,700,000

The commissioner of corrections shall make application and seek nonstate money for modifications to the

§

Minnesota metropolitan training center. The commissioner of corrections shall consider optional security measures in modifications to the Minnesota metropolitan training center.

Sec. 9. [EXPENSES OF BOND SALE.] To the commissioner of finance for bond sale expenses pursuant to Minnesota Statutes, Section 16A.64, Subdivision 4 ..... 50,000

Sec. 10. [ADMINISTRATION.] To the Commissioner of administration for administration of the building program authorized by this act, including the employment of personnel ..... 150,000

The commissioner may expend this money for microfilming of plans for all state buildings.

Sec. 11. [STATE BUILDING CONTINGENT.] To the commissioner of administration for the state building contingent account..... 500,000

This appropriation may be spent for plans, studies and surveys, and for alterations, betterments, construction, reconstruction, improvements, or rehabilitation of any state owned building or structure, if it appears to the commissioner that the expenditure is necessary in the public interest in order to avoid injury or damage to persons or property and money has not been otherwise appropriated for these purposes. The commissioner, however, shall not authorize any expenditures from the account until he has first consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee and has received their recommendations thereon. The recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation. The unobligated balance remaining on June 30, 1978 shall cancel.

Sec. 12. [STATE BUILDING ASSISTANCE.] To the commissioner of administration for the state building assistance account..... 50,000

This appropriation may be spent for the purpose of preparing preliminary plans or other documentation that may be required for assistance in obtaining non-state participation in state building programs.

Sec. 13. [FUEL CONVERSION PLANS.] To the commissioner of administration for plans to convert major state institutional heating plants from gas-oil to coal..... 200,000

Sec. 14. [BOND SALE; DEBT SERVICE.] To provide the money appropriated in this act from the state building fund the commissioner of finance upon request of the governor shall sell and issue bonds of the state in the amount of \$53,934,000 in the manner and upon the terms prescribed by Minnesota Statutes, Sections 16A.63 to 16A.67 and by the Constitution, Article XI, Sections 4 to 7.

Sec. 15. Minnesota Statutes 1974, Section 16.16, Subdivision 2, is amended to read:

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) or other permanent improvements of a capital nature 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.

Sec. 16. [REVIEW OF BUILDING PLANS.] *Neither the commissioner of administration nor the board of regents of the university of Minnesota shall prepare final plans and specifications for any building authorized by this act until the using agency or department has presented the program and schematic plans to the chairman of the house appropriations committee and the chairman of the senate finance committee and the chairmen have made their recommendations thereon. The recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.*

Sec. 17. [METHODS OF ACQUISITION.] *Where money has been appropriated by this act to the commissioner of administration to acquire lands or sites for public buildings or real estate, acquisition may be by gift, purchase, or condemnation proceedings. Condemnation proceedings shall be pursuant to chapter 117.*

Sec. 18. [APPROPRIATIONS FOR CONSTRUCTION; TRANSFER.] *Upon the awarding of final contracts for the*

completion of any project for construction or other permanent improvement authorized by this act, the commissioner as to appropriations made to him and the regents as to appropriations made to them may transfer any unexpended balance in the project account to any other project enumerated in the same section of the appropriation act as the project about to be completed. The money transferred pursuant to this section is appropriated for the purposes for which transferred. The commissioner of administration and the regents of the university of Minnesota shall report to the chairman of the house appropriations committee and the chairman of the senate finance committee on any transfer made pursuant to this section.

**Sec. 19. [TRANSFER OF BUILDINGS.]** Notwithstanding the provisions of any other laws to the contrary, any buildings at Hastings state hospital declared surplus by the department of welfare may, with the approval of the commissioner of administration, be transferred to the control of the department of veterans affairs if the commissioner of veterans affairs determines that such buildings are appropriate and needed to carry out his responsibilities for residential care. The department of veterans affairs shall pay the prorata costs of the operations and maintenance of any buildings so transferred.

**Sec. 20. [APPROPRIATIONS FOR CONSTRUCTION; FEDERAL MONEY; EXCEEDING AUTHORIZED COST.]** The commissioner of administration and the board of regents of the university of Minnesota shall apply for the maximum federal share for each capital improvement project for which money is appropriated by this act. Encumbrance or expenditure of money in excess of the project authorization shall be made only after the commissioner of administration and the board of regents have consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee and the chairmen have made their recommendations thereon. The recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

**Sec. 21.** Minnesota Statutes 1974, Section 137.02, Subdivision 3, is amended to read:

**Subd. 3. [POWER OF EMINENT DOMAIN GRANTED.]** The Board of Regents may use any money not specifically appropriated for other purposes for acquiring land by purchase or condemnation. In case it is desired to use the fund for the acquisition of land by eminent domain, the power of eminent domain (MAY) shall be exercised (EITHER) in accordance with (GENERAL STATUTES 1894, SECTIONS 4085 TO 4091, OR) chapter 117.

**Sec. 22. [CANCELLATION OF BALANCES.]** Any balance of the following appropriations which remain unobligated

*June 30, 1976, or become unobligated anytime thereafter, shall be cancelled to the bond fund. For the purposes of this section, a requisition shall not constitute an encumbrance. Any encumbrance which remains unliquidated on June 30, 1977 shall be cancelled.*

*Laws 1963, Chapter 839, Section 5, Subdivisions 2 (1), 5 (1) and 6; Laws 1965, Chapter 882, Section 4, Subdivisions 3 (1), (2) and (3), 4 (2), 5 (1), 6 (1), and 7 (1); Extra Session Laws 1967, Chapter 8, Section 2, Subdivisions 12 (1) and (3), 16 (1), 17 (1), Section 4, Section 5, Section 8, Subdivision 1 (1), (2) and (4); Laws 1969, Chapter 1159, Section 2, Subdivisions 12 (1), 13 (1), 14 (1), and 15 (1), Section 7, Subdivisions 1 (6) and 2, and Section 13; Laws 1971, Chapter 963, Section 2, Subdivisions 15 (1), (2) and (4), 16 (2), (3), (4), and (5), 17 (1) and (2), 18 (1), Section 4, Section 7, Subdivisions 1 (2), (3), (4), (5) and (6), Sections 14 and 15; Laws 1973, Chapter 778, Section 3, Section 6, Subdivision 1 (1) and (9), Sections 13 and 14.*

Sec. 23. [REAPPROPRIATION.] *The unobligated balance of the appropriation made by Laws 1969, Chapter 1159, Section 15 is reappropriated and added to the appropriation made by Laws 1971, Chapter 963, Section 3, for metropolitan community college.*

Sec. 24. [REPEALER.] *Laws 1973, Chapter 778, Section 20, is repealed."*

Further strike the title and insert:

*"A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; authorizing issuance of state building bonds; appropriating money; amending Minnesota Statutes 1974, Sections 16.16, Subdivision 2; 137.02, Subdivision 3; repealing Laws 1973, Chapter 778, Section 20."*

We request adoption of this report and repassage of the bill.

House Conferees: FRED C. NORTON, HOWARD E. SMITH, DONALD B. SAMUELSON, RODNEY N. SEARLE and NEIL S. HAUGERUD.

Senate Conferees: NORBERT ARNOLD, JACK DAVIES, GERALD L. WILLET, WILLIAM G. KIRCHNER and EARL W. RENNEKE.

Norton moved that the report of the Conference Committee on H. F. No. 2678 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2678, A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature;

authorizing issuance of state building bonds; appropriating money; amending Minnesota Statutes 1974, Sections 16.16, Subdivision 2; 16A.28; 137.02, Subdivision 3; repealing Laws 1973, Chapter 778, Section 20.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 125, and nays 4, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

|         |             |      |          |
|---------|-------------|------|----------|
| Heinitz | Johnson, D. | Kvam | Pleasant |
|---------|-------------|------|----------|

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

#### CONFERENCE COMMITTEE REPORT ON H. F. NO. 2677

A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings; appropriating money.

April 5, 1976

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

We, the undersigned conferees for H. F. No. 2677 report that we have agreed upon the items in dispute and recommend as follows:

That H. F. No. 2677, be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [PUBLIC LAND AND BUILDINGS; GENERAL FUND APPROPRIATIONS.] There is appropriated from the general fund, or other funds as designated, in the state treasury to the state agencies indicated the sums set forth in the column designated "APPROPRIATIONS", to be expended in accordance with the provisions of this act.

### APPROPRIATIONS

\$

Sec. 2. [CAPITOL COMPLEX.] Subdivision 1.  
To the commissioner of administration for the purposes specified in this section.

|                                                                                                 |        |
|-------------------------------------------------------------------------------------------------|--------|
| Subd. 2. Modification to buildings and grounds to provide safe use by handicapped persons ..... | 85,000 |
|-------------------------------------------------------------------------------------------------|--------|

|                                                                                 |        |
|---------------------------------------------------------------------------------|--------|
| Subd. 3. Modifications to buildings as required by the state fire marshal ..... | 50,000 |
|---------------------------------------------------------------------------------|--------|

|                                                                  |         |
|------------------------------------------------------------------|---------|
| Subd. 4. General purpose remodeling within state buildings ..... | 125,000 |
|------------------------------------------------------------------|---------|

|                                                                                                                                      |         |
|--------------------------------------------------------------------------------------------------------------------------------------|---------|
| Subd. 5. Additional money for completion of emergency lighting and evacuation warning system in all major buildings in complex ..... | 110,000 |
|--------------------------------------------------------------------------------------------------------------------------------------|---------|

|                                                                                            |         |
|--------------------------------------------------------------------------------------------|---------|
| Subd. 6. Repair perimeter water leaks, state historical and capitol square buildings ..... | 100,000 |
|--------------------------------------------------------------------------------------------|---------|

|                                                                    |        |
|--------------------------------------------------------------------|--------|
| Subd. 7. Enclose and improve capitol square freight elevator ..... | 40,000 |
|--------------------------------------------------------------------|--------|

Subd. 8. Improvements to state historical building

|                                             |        |
|---------------------------------------------|--------|
| (a) Replacement interior rain leaders ..... | 55,500 |
|---------------------------------------------|--------|

|                                       |        |
|---------------------------------------|--------|
| (b) Exterior stairway handrails ..... | 10,000 |
|---------------------------------------|--------|

|                           |        |
|---------------------------|--------|
| (c) Replace windows ..... | 70,000 |
|---------------------------|--------|

\$

(d) Sprinkler system—main building and research center ..... 120,000

Subd. 9. Improvements to veterans service building ..... 80,000

(a) Exterior caulking ..... 45,000

(b) Roof replacement ..... 35,000

Subd. 10. Improvements to Centennial building air handling system ..... 18,500

Subd. 11. Hydraulic lift for central maintenance loading dock ..... 9,500

Subd. 12. Improvements to highway building air handling system ..... 25,000

Sec. 3. [STATE UNIVERSITIES.] Subdivision 1. To the chancellor of the state university system for the purposes specified in this section.

Subd. 2. Repair of buildings, roofs, boilers, tennis courts, track and purchase of land ..... 1,038,000

Subd. 3. Assessments—Mankato and Southwest ..... 126,511

Sec. 4. [COMMUNITY COLLEGES.] To the chancellor of the community college system for remodeling, site work and repairs. This appropriation shall not cancel but be available until all projects have been completed ..... 750,000

Sec. 5. [MINNESOTA HISTORICAL SOCIETY.] Subdivision 1. Equipment for research center, humidity and temperature control for rare documents ..... 325,000

Subd. 2. Oliver H. Kelley farm repair ..... 75,000

Subd. 3. Exhibit construction ..... 100,000

Sec. 6. [COMMISSIONER OF HIGHWAYS.] Subdivision 1. Eden Prairie equipment storage ..... 780,000

Subd. 2. Interstate safety rest area Enfield (I-94) ..... 125,000

\$

The appropriations in this section are from the trunk highway fund.

The highway department shall cancel into the trunk highway fund the unobligated balances of appropriations made for land acquisition, plant, equipment and building construction by Laws 1967, Chapter 887, Section 4; Laws 1969, Chapter 800, Section 5; and Laws 1971, Chapter 965, Section 10.

Sec. 7. [PUBLIC WELFARE.] Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Plant Repairs and Renovation . . . . . 2,200,000

\$12,300 of this appropriation is to be used for construction of a tennis court at the Minnesota School for the Deaf, and shall cancel if not expended by June 30, 1977.

Subd. 3. Furniture . . . . . 1,000,000

Subd. 4. Demolition . . . . . 50,000

Sec. 8. [CORRECTIONS.] Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Plant repairs and renovation . . . . . 1,300,000

Subd. 3. Preliminary planning, working drawings and plans—adult maximum security institution . . . . . 800,000

The appropriation in this subdivision is immediately available upon final enactment.

Subd. 4. Occupational Safety and Health Act and fire marshal regulation compliance . . . . . 300,000

Sec. 9. [REVIEW OF BUILDING PLANS.] Neither the commissioner of administration nor the board of regents of the university of Minnesota shall prepare final plans and specifications for any building authorized by this act until the using agency or department has presented the program and schematic plans to the chairman of the house appropriations committee and the chairman of the senate finance committee and the chairmen have made their recommendations thereon. The recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 10. [METHODS OF ACQUISITION.] Where money has been appropriated by this act to the commissioner of administration to acquire lands or sites for public buildings or real estate, acquisition may be by gift, purchase, or condemnation proceedings. Condemnation proceedings shall be pursuant to chapter 117.

Sec. 11. [APPROPRIATIONS FOR CONSTRUCTION; TRANSFER.] Upon the awarding of final contracts for the completion of any project for construction or other permanent improvement authorized by this act, the commissioner as to appropriations made to him and the regents as to appropriations made to them may transfer any unexpended balance in the project account to any other project enumerated in the same section of the appropriation act as the project about to be completed. The money transferred pursuant to this section is appropriated for the purposes for which transferred. The commissioner of administration and the regents of the university of Minnesota shall report to the chairman of the house appropriations committee and the chairman of the senate finance committee on any transfer made pursuant to this section.

Sec. 12. [APPROPRIATIONS FOR CONSTRUCTION; FEDERAL MONEY; EXCEEDING AUTHORIZED COST.] The commissioner of administration and the board of regents of the university of Minnesota shall apply for the maximum federal share for each capital improvement project for which money is appropriated by this act. Encumbrance or expenditure of money in excess of the project authorization shall be made only after the commissioner of administration and the board of regents have consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee and the chairmen have made their recommendations thereon. The recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 13. [BALANCES AVAILABLE.] The unobligated balances in only the following welfare department building accounts may be used for remodeling for life safety and licensure requirements as provided in Laws of Minnesota 1975, Chapter 434, Section 2, Subdivision 17; Extra Session Laws 1961, Chapter 72, Section 2, Subdivision 7; Laws 1965, Chapter 882, Section 2, Subdivision 4 (1); Extra Session Laws 1967, Chapter 8, Section 2, Subdivisions 3 (1), 8 (1) and (2), and 9 (1); Laws 1969, Chapter 1155, Section 2, Subdivisions 2 (1), 5 (1), 9 (1), 11 (1), 14 (1); Laws 1969, Chapter 1159, Section 2, Subdivisions 2 (1), 4 (1), 6 (2), 9 (1); Laws 1971, Chapter 963, Section 2, Subdivisions 2 (1) and (3), 3 (1) and (2), 4 (1), 5 (1) and (2), 6 (1) and (2), 7 (1), 8 (1), 9 (1), (2) and (3), 10 (1) and (2), 13, 14 (1), (2) and (3); Laws 1971, Chapter 964, Section 2, Subdivisions 2 (1), 3 (1), 4 (1), 5 (1), 6 (3), 8 (1), 10 (1), 11 (1), 12 (2), (3) and (4), 14 (1), 16 (1), (2), (3), (6), 17

(1); Laws 1973, Chapter 777, Section 2, Subdivision 2 (1); Laws 1973, Chapter 778, Section 2, Subdivision 2 (1) and (3).

Any unobligated balances of the above accounts remaining after June 30, 1979 shall cancel to the appropriate fund.

**Sec. 14. [CONVEYANCE OF UTILITY EASEMENT.]** The governor, upon the recommendation of the commissioner of administration, may convey, by proper instrument, in a form approved by the attorney general, a perpetual easement, including the right of access, to the city of Mankato in certain real estate situated in Blue Earth county, Minnesota, a 30 foot permanent easement and an 80 foot construction easement, the centerline of which is described as follows:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 19, township 108 North, Range 26 West; thence East on the South line of the Northeast Quarter of the Southeast Quarter of said Section 19 a distance of 323 feet to the point of beginning; thence North and parallel with the West line of the Northeast Quarter of the Southeast Quarter of said Section 19 a distance of 440 feet, thence West and parallel with the South line of the Northeast Quarter of the Southeast Quarter a distance of 290 feet and there terminating.

Said tract containing approximately .50 acres for permanent easement and .84 acres for construction easement.

The conveyance of said easement shall be made to the said city of Mankato upon such consideration as may be agreed upon for the purpose of right of way for utility purposes upon, over and across said property above described, together with any other incidental or necessary use connected with the purpose aforesaid.

**Sec. 15. [EFFECTIVE DATE.]** Section 14 of this act is effective upon its approval by the governing body of the city of Mankato, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

**Sec. 16. [CANCELLATIONS.]** Any balance of the following appropriations which remain unobligated June 30, 1976, or become unobligated anytime thereafter, shall be cancelled to the general fund. For the purposes of this section, a requisition shall not constitute an encumbrance. Any encumbrance which remains unliquidated on June 30, 1977 shall be cancelled.

Extra Session Laws 1961, Chapter 60, Section 2, Subdivision 26; Extra Session Laws 1967, Chapter 13, Section 2, Subdivisions 20, 21, 24, 26, 28, 29 (1) and (2), 30 (2), 31 (2), 32, 33 (2), 34 (1) and 35 (1); Laws 1969, Chapter 1136, Section 4, Subdivision 1; Laws 1969, Chapter 1154, Section 32, Subdivision 2; Laws 1969, Chapter 1155, Section 2, Subdivisions 17 (1)

and (3), 19 (1), (2), (6), (7), (8) and (9), 20 (2) and (5), 25 (2), (3) and (8), 26 (1) and (2), and 27 (1); Laws 1971, Chapter 964, Section 2, Subdivisions 18 (1), (2) and (5), 19 (1) and (2), 20 (2); (3), (4), (5), (7), (9) and (10), 21 (1) and (3), 22 (1), (2) and (3), 23 (1), 24 (1) and (2), and 25 (2); Laws 1973, Chapter 777, Section 2, Subdivisions 3 (2) and (3), 4 (3), 5 (1), 6 (1) and (2), and 7 (3) and (5).”.

Further strike the title and insert:

“A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings; authorizing conveyance by the state of an easement for utility purposes over certain state lands in Blue Earth county; appropriating money.”.

We request adoption of this report and repassage of the bill.

House Conferees: FRED C. NORTON, HOWARD E. SMITH, DONALD B. SAMUELSON, RODNEY N. SEARLE and NEIL S. HAUGERUD.

Senate Conferees: NORBERT ARNOLD, JACK DAVIES, GERALD L. WILLET, WILLIAM G. KIRCHNER and EARL W. RENNEKE.

Norton moved that the report of the Conference Committee on H. F. No. 2677 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2677, A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings; appropriating money.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 124, and nays 3, as follows:

Those who voted in the affirmative were:

|              |             |          |             |               |
|--------------|-------------|----------|-------------|---------------|
| Abeln        | Brinkman    | Eckstein | Hanson      | Kelly, W.     |
| Adams, L.    | Byrne       | Enebo    | Haugerud    | Kempe, A.     |
| Adams, S.    | Carlson, A. | Erickson | Heinitz     | Kempe, R.     |
| Albrecht     | Carlson, L. | Esau     | Hokanson    | Ketola        |
| Anderson, I. | Carlson, R. | Evans    | Jacobs      | Knickerbocker |
| Arlandson    | Casserly    | Ewald    | Jaros       | Knoll         |
| Beauchamp    | Clark       | Faricy   | Jensen      | Kostohryz     |
| Begich       | Clawson     | Fjoshien | Johnson, C. | Kroening      |
| Berg         | Corbid      | Forsythe | Jude        | Kvam          |
| Berglin      | Dahl        | Fudro    | Kahn        | Laidig        |
| Biersdorf    | Dean        | Fugina   | Kaley       | Langseth      |
| Birnstihl    | Dieterich   | George   | Kalis       | Lemke         |
| Braun        | Doty        | Graba    | Kelly, R.   | Lindstrom     |

|           |           |             |            |              |
|-----------|-----------|-------------|------------|--------------|
| Luther    | Nelson    | Reding      | Sieben, H. | Ulland       |
| Mangan    | Niehaus   | Rice        | Sieben, M. | Vanasek      |
| Mann      | Norton    | St. Onge    | Sieloff    | Vento        |
| McCarron  | Novak     | Samuelson   | Simoneau   | Voss         |
| McCauley  | Osthoff   | Sarna       | Skoglund   | Wenstrom     |
| McCollar  | Parish    | Savelkoul   | Smith      | Wenzel       |
| McEachern | Patton    | Schreiber   | Smogard    | White        |
| Metzen    | Pehler    | Schulz      | Spanish    | Wieser       |
| Moe       | Peterson  | Schumacher  | Stanton    | Williamson   |
| Munger    | Petrufeso | Searle      | Suss       | Zubay        |
| Neisen    | Philbrook | Setzepfandt | Swanson    | Speaker Sabo |
| Nelsen    | Prahl     | Sherwood    | Tomlinson  |              |

Those who voted in the negative were:

Friedrich      Johnson, D.      Pleasant

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

CONFERENCE COMMITTEE REPORT ON 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.

April 5, 1976

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

We, the undersigned conferees for H. F. No. 2489 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 2489 be further amended as follows:

Page 1, line 24, delete "\$25" and insert "\$50".

Page 3, after line 15 insert:

*"Sec. 3. Notwithstanding any law to the contrary, a refuse compactor vehicle taxed and licensed as an urban truck pursuant to section 168.013 may operate within the towns of Oak Grove and Burns in Anoka county. This section expires January 1, 1977."*

Sec. 4. *There is appropriated from the highway user tax distribution fund to the commissioner of public safety, the sum of \$290,000 for the manufacture of graphic design license plates. This appropriation is in addition to the appropriation pursuant to Laws 1975, Chapter 204, Section 31, and shall be available until June 30, 1977.*

Sec. 5. Minnesota Statutes 1974, Section 168.12, is amended by adding a subdivision to read:

*Subd. 5. [ADDITIONAL FEE.] In addition to any fee otherwise authorized or any tax otherwise imposed upon any motor vehicle, the payment of which is required as a condition to the issuance of any number license plate or plates, the commissioner of public safety may impose a fee of up to 25 cents but not to exceed the actual cost of manufacture and distribution of any graphic design license plate or plates upon the issuance of said plate or plates, provided that these plates shall only be issued for vehicles registered pursuant to section 168.017 and recreational vehicles registered pursuant to section 168.013, subdivision 1g."*

Renumber the remaining sections.

Further amend the title:

Page 1, line 2, delete "highway traffic regulations" and insert "motor vehicles".

Page 1, line 6, after "trucks;" insert "providing for graphic design license plates; appropriating money;"

Page 1, line 9, delete "Section" and insert "Sections 168.12, by adding a subdivision;"

We request adoption of this report and repassage of the bill.

House Conferees: WILLIAM H. SCHREIBER, GORDON O. VOSS and HARRY A. SIEBEN.

Senate Conferees: FLORIAN CHMIELEWSKI, MEL FREDERICK and JERALD C. ANDERSON.

Schreiber moved that the report of the Conference Committee on H. F. No. 2489 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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 Stat-

utes 1974, Section 169.86, Subdivision 5; repealing Minnesota Statutes 1974, Section 169.831.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 119, and nays 6, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

|       |        |          |         |       |
|-------|--------|----------|---------|-------|
| Abeln | Pehler | Pleasant | Spanish | White |
| Kvam  |        |          |         |       |

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

#### CONFERENCE COMMITTEE REPORT ON H. F. NO. 2043

A bill for an act relating to elections; providing for uniform reporting dates for campaign disclosure forms; providing for disclosure of campaign contributions and expenditures of political committees and candidates for local office; amending Minnesota Statutes 1974, Chapters 123, 373, and 471, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 210A.01, Subdivisions 1, 5, 6, 8, 9, and by adding subdivisions; 210A.05, Subdivision 1; 210A.16; 210A.23; 210A.24; 210A.25; 210A.26; 210A.27, Subdivision 1; 210A.29; 210A.32; 210A.33; Chapter 210A, by adding sections; repealing Minnesota Statutes, 1975 Supplement, Sections 123.015; 210A.01, Subdivisions 4 and 7; 210A.22; 210A.28; and 210A.31.

April 3, 1976

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

We, the undersigned conferees for H. F. No. 2043 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 2043 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Chapter 123, is amended by adding a section to read:

[123.016] [CODES OF ETHICS.] *The board of any school district however organized may adopt and enforce by resolution a code of ethics not inconsistent with state law for its elected and appointed officials and employees.*

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 201.021, is amended to read:

201.021 [PERMANENT REGISTRATION SYSTEM.] A permanent system of voter registration by county is established. (ANY COUNTY CONTAINING NO CITY WITH A POPULATION OF 10,000 OR MORE MAY BY RESOLUTION OF THE COUNTY BOARD BE EXEMPTED FROM THE PROVISIONS OF SECTIONS 201.021 TO 201.221.) The county auditor shall be chief registrar of voters and the chief custodian of the official registration records in each county.

Sec. 3. Minnesota Statutes, 1975 Supplement, Chapter 204A, is amended by adding a section to read:

[204A.171] [ELECTION LAW CONFERENCES.] *The secretary of state shall conduct conferences for county auditors before each state primary election for the purpose of giving instructions on the administration of election laws.*

*The county auditor or his designee is authorized to conduct in-service training for municipal clerks and chairmen of election boards.*

Sec. 4. Minnesota Statutes, 1975 Supplement, Section 210A.01, Subdivision 1, is amended to read:

210A.01 [ELECTIONS; FAIR CAMPAIGN PRACTICES ACT; DEFINITIONS.] Subdivision 1. *Unless otherwise pro-*

*vided herein*, the words used in (SECTIONS 210A.01 TO 210A.44) *chapter 210A* have the meanings prescribed to them in chapter 200; and the words defined in this section are applicable for the purpose of construing (SECTIONS 210A.01 TO 210A.44) *this chapter*.

Sec. 5. Minnesota Statutes, 1975 Supplement, Section 210A.01, Subdivision 3, is amended to read:

Subd. 3. *Except as otherwise provided in this chapter*, "candidate" means every person for whom it is contemplated or desired that votes may be cast at any election or primary, and who either tacitly or expressly consents to be so considered, except candidates for president and vice president of the United States. (IN SECTIONS 210A.22 TO 210A.28, 210A.32 AND 210A.33, "CANDIDATE" DOES NOT MEAN A PERSON FOR WHOM IT IS CONTEMPLATED OR DESIRED THAT VOTES MAY BE CAST AT ANY ELECTION OR PRIMARY, AND WHO EITHER TACITLY OR EXPRESSLY CONSENTS TO BE SO CONSIDERED FOR GOVERNOR, STATE OFFICER, STATE SENATOR OR MEMBERSHIP IN THE HOUSE OF REPRESENTATIVES.)

Sec. 6. Minnesota Statutes, 1975 Supplement, Section 210A.01, is amended by adding a subdivision to read:

*Subd. 3a. For the purposes of this chapter "election" includes any school district election unless the context clearly indicates otherwise.*

Sec. 7. Minnesota Statutes, 1975 Supplement, Section 210A.01, Subdivision 5, is amended to read:

Subd. 5. "Filing office", when used with reference to any candidate, (SHALL BE CONSTRUED TO MEAN) *means* the officer (WHO IS AUTHORIZED BY LAW TO ISSUE A CERTIFICATE OF NOMINATION OR ELECTION TO SUCH CANDIDATE IF HE BE SUCCESSFUL. IF THERE BE NO OFFICER AUTHORIZED TO ISSUE SUCH CERTIFICATE OF NOMINATION OR ELECTION, THEN SUCH TERM SHALL BE CONSTRUED TO MEAN THE CLERK OF THE TOWN OR CITY IN WHICH SUCH CANDIDATE RESIDES) *with whom the candidate files his affidavit of candidacy.*

Sec. 8. Minnesota Statutes, 1975 Supplement, Section 210A.01, Subdivision 6, is amended to read:

Subd. 6. "(PERSONAL) *Principal* campaign committee" means (ANY) *the single political committee* (APPOINTED) *designated by a candidate for any election.*

Sec. 9. Minnesota Statutes, 1975 Supplement, Section 210A.01, Subdivision 8, is amended to read:

Subd. 8. (EVERY TWO OR MORE PERSONS ELECTED OR APPOINTED BY ANY POLITICAL PARTY OR ASSOCIATION FOR THE PURPOSE, WHOLLY OR PARTLY, OF RAISING, COLLECTING, OR DISBURSING MONEY, OR DIRECTING THE RAISING, COLLECTING OR DISBURSING THEREOF, FOR NOMINATION OR ELECTION PURPOSES, AND EVERY TWO OR MORE PERSONS WHO SHALL CO-OPERATE IN THE RAISING, COLLECTING, OR DISBURSING OF MONEY USED, OR TO BE USED FOR OR AGAINST THE ELECTION TO PUBLIC OFFICE OF ANY PERSON OR ANY CLASS OR NUMBER OF PERSONS, OR FOR OR AGAINST THE ADOPTION OF ANY LAW, ORDINANCES, OR CONSTITUTIONAL AMENDMENT, SHALL BE DEEMED A "POLITICAL COMMITTEE" WITHIN THE MEANING OF SECTIONS 210A.01 TO 210A.44.) *"Political committee" means any political party, association, or person other than an individual, which supports or opposes any question on the ballot or influences the nomination or election of a candidate.*

Sec. 10. Minnesota Statutes, 1975 Supplement, Section 210A.-01, is amended by adding a subdivision to read:

Subd. 10. *"Expenditure" means: (a) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made for the purpose of influencing the nomination for election or election of any candidate to office; or*

*(b) A transfer of funds between political committees or political funds. "Expenditure" does not include services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee, or political fund.*

Sec. 11. Minnesota Statutes, 1975 Supplement, Section 210A.-01, is amended by adding a subdivision to read:

Subd. 11. *"Contribution" means: (a) A gift, subscription, loan, advance, the providing of supplies, materials or equipment, or deposit of money or anything else of value made to influence the nomination for election or election of a candidate to office;*

*(b) A transfer of funds between political committees; or*

*(c) The payment of compensation for the personal services of another person which are rendered to a candidate or political committee to influence the nomination for election or election of a candidate to office by any person other than that candidate or political committee.*

*"Contribution" does not include services provided without compensation by individuals volunteering their time on behalf of a candidate or political committee, or coverage by news media,*

*but only while acting in the ordinary course of business of publishing or broadcasting news items, editorials or other comments.*

Sec. 12. Minnesota Statutes, 1975 Supplement, Chapter 210A, is amended by adding a section to read:

[210A.025] [PAPER COLOR FOR SAMPLE BALLOTS.] *Except that sample ballots may be printed in newspapers as news matter, it is a misdemeanor to print sample ballots on paper of the same color as any official ballots.*

Sec. 13. Minnesota Statutes, 1975 Supplement, Section 210A.-05, Subdivision 1, is amended to read:

210A.05 [PAID ADVERTISEMENTS IN NEWS.] Subdivision 1. No publisher of a newspaper, periodical, or magazine shall insert either in the advertising columns of such newspaper, magazine, or periodical, or elsewhere therein, any matter paid or to be paid for which is intended or tends to influence directly or indirectly any voting at any primary or (GENERAL) election unless at the head or the foot of the matter is printed in six point capital letters the words "Paid Advertisement," and unless there is a statement at the head or the foot of the matter of the amount paid or to be paid therefor, or a statement that the same is to be paid at regular advertising rates, the name of the candidate in whose behalf the matter is inserted and of any other person or the names of the officer and the committee authorizing the publication.

Sec. 14. Minnesota Statutes, 1975 Supplement, Section 210A.-09, is amended to read:

210A.09 [SHALL NOT INDUCE PERSON TO BECOME A CANDIDATE OR REFRAIN THEREFROM.] *Subdivision 1. No person shall pay, or promise to reward another in any manner or form for the purpose of inducing him to be or refrain from or cease being a candidate, and no person shall solicit or receive any payment, promise, or reward from another for such purpose.*

*Subd. 2. Any person elected to a public office shall be permitted time off from his regular employment to attend meetings of his public office. No retaliatory action may be taken by the employer for absences necessary for the employee to attend the meetings. Such time off may be without pay, with pay, or made up with other hours, as agreed between the employee and employer.*

Sec. 15. Minnesota Statutes, 1975 Supplement, Section 210A.-16, is amended to read:

210A.16 [LEGAL EXPENDITURES.] *Subdivision 1. The expenditure of money or other thing of value by any candidate,*

(PERSONAL) *principal* campaign committee, (PARTY COMMITTEE,) or *other* political committee for (POLITICAL) purposes other than those provided in this section is prohibited. The following are permitted expenditures:

- (a) Salaries, wages, and fees;
- (b) Communications, mailing, transportation, and travel;
- (c) Campaign advertising;
- (d) Printing;
- (e) Office and other space and necessary equipment, furnishings, and supplies incidental thereto;
- (f) Other expenses, not included in the above, which are reasonably related to the conduct of election campaigns.

*Subd. 2. No funds contributed to a candidate, principal campaign committee or political committee shall be commingled with any personal funds of the candidate or officers or members of the principal campaign committee or the political committee.*

Sec. 16. Minnesota Statutes, 1975 Supplement, Section 210A.21, is amended to read:

210A.21 [CERTAIN SOLICITATIONS PROHIBITED.] No person shall solicit, receive, or accept any money, property, or other thing of value, or any promise or pledge thereof, constituting (A DISBURSEMENT) *an expenditure or contribution* prohibited by sections 210A.01 to 210A.44.

Sec. 17. Minnesota Statutes, 1975 Supplement, Chapter 210A, is amended by adding a section to read:

[210A.211] [EXPENDITURES OF CANDIDATE TAX DEDUCTIBLE.] *Expenditures authorized by this chapter by a candidate in his own behalf may be deducted as expenses for production of income or a business expense under section 290.09, subdivision 2, in an amount not to exceed \$500.*

Sec. 18. Minnesota Statutes, 1975 Supplement, Chapter 210A, is amended by adding a section to read:

[210A.215] [PRINTED MATERIALS.] *No elected, administrative, or executive officer of any school district, city, county, town, or other political subdivision shall cause to be printed or authorize the printing of official reports and publications printed with public funds and intended for general public circulation, which contain pictures of elected officials or names*

*of public officials or any other device which tends to attribute the publication to an individual or individuals instead of the governmental unit from which it emanates.*

Sec. 19. [210A.220] [DEFINITIONS.] Subdivision 1. *For the purposes of sections 19 to 31 of this act, the following terms have the meanings given them unless the context clearly indicates otherwise.*

Subd. 2. "Candidates" means every person who seeks nomination or election to any county office, any city office in a city with a population of 20,000 or more, and any school district office in any school district with a population of 20,000 or more as determined by, or estimated by the chief administrative officer of a school district from the last decennial census.

Subd. 3. "Business with which he is associated" means any association in connection with which the individual is compensated in excess of \$50 excluding reimbursement for actual expenses in any month as a director, officer, owner, member, partner, employer, or employee, or is a holder of securities worth \$2,500 or more at fair market value.

Sec. 20. [210A.221] [POLITICAL COMMITTEES.] *Every political committee shall have a chairman and a treasurer. The treasurer of a political committee shall be responsible for filing the campaign statements required in this act.*

Sec. 21. [210A.222] [PRINCIPAL CAMPAIGN COMMITTEES.] Subdivision 1. *Each candidate shall designate a principal campaign committee which shall receive contributions and make expenditures on his behalf.*

Subd. 2. *Any candidate may serve as the chairman and treasurer of his principal campaign committee.*

Subd. 3. *A candidate shall file with his filing office a written statement designating his principal campaign committee no later than seven days after the committee has received any contributions or made any expenditures in excess of \$200. The statement shall include the name and address of the chairman and treasurer.*

Subd. 4. *In civil actions and proceedings brought under this chapter, the acts of every member of a principal campaign committee are presumed to be with the knowledge and approval of the candidate until it has been clearly proved that he did not know of and approve the act, and that, in the exercise of reasonable care and diligence, he could not have known of and had the opportunity to disapprove the act.*

Sec. 22. [210A.223] [EXPENDITURES.] Subdivision 1. *Any individual, who makes an expenditure in excess of \$200 on*

*behalf of any candidate, including himself, other than by contribution to a political committee, shall file the campaign statements required in this act.*

*Subd. 2. Except as provided in subdivision 1, a candidate may make expenditures only through his principal campaign committee.*

**Sec. 23. [210A.224] [STATEMENTS OF POLITICAL COMMITTEES.]** *Subdivision 1. Campaign statements of any political committee shall be filed with the filing office:*

*(a) Ten days before any primary or election and 30 days after the election in which a candidate being supported stands for election or a question being supported or opposed appears on the ballot; and*

*(b) January 31 of each year until the committee has terminated. A committee may file a termination statement when the total of the committee's assets and obligations does not exceed \$100.*

*Subd. 2. The campaign statements shall cover the period from the last day covered by the previous statement to seven days prior to the filing date.*

*Subd. 3. The campaign statements shall be filed with the appropriate filing office, or for a committee which is organized to support or oppose a constitutional amendment, with the secretary of state.*

*Subd. 4. Each campaign statement shall itemize:*

*(a) The amount of cash on hand at the beginning of the reporting period.*

*(b) The name, address and employer or, if self-employed, occupation of each person or committee which made a contribution in an aggregate amount in excess of \$50 during the calendar year; and the date and amount of the contribution.*

*(c) The total amount of all contributions received by the committee.*

*(d) The name and address of each person to whom any expenditure was made in an aggregate amount in excess of \$100 during the calendar year; and the date and amount of the expenditure.*

*(e) The total amount of all expenditures made by the committee.*

(f) *The name, address and employer, or if self-employed, occupation of any person to whom the committee owes a debt or obligation in excess of \$100; and the date incurred and amount of the debt or obligation.*

Subd. 5. *The treasurer of each political committee shall keep records of the financial transactions of the committee in sufficient detail to insure that each contribution in an aggregate amount in excess of \$50 and each expenditure, debt or obligation in an aggregate amount in excess of \$100 shall be reported.*

Sec. 24. [210A.231] [CHANGES AND CORRECTIONS.] *Any material changes in information previously submitted or any substantial corrections to a statement required by this act shall be included in the next required statement or reported in writing within 30 days following the date of the event prompting the change. Any person who wilfully fails to report a material change or substantial correction is guilty of a misdemeanor.*

Sec. 25. [210A.232] [CIRCUMVENTION PROHIBITED.] *Any attempt by a person to circumvent the disclosure provisions of this act by redirecting funds through, or contributing funds on behalf of, another person, is guilty of a gross misdemeanor.*

Sec. 26. Minnesota Statutes, 1975 Supplement, Section 210A.24, is amended to read:

210A.24 [BILLS, WHEN RENDERED AND PAID.] *Every person who (SHALL HAVE ANY) has a bill, charge, or claim (UPON OR) against any (PERSONAL CAMPAIGN OR PARTY) political committee or (ANY) candidate, for any (DISBURSEMENT) expenditure made, (SERVICES) service rendered, or thing of value furnished, (FOR POLITICAL PURPOSES, OR INCURRED IN ANY MANNER IN RELATION TO ANY PRIMARY OR ELECTION,) shall render in writing to (SUCH) the candidate or treasurer of the political committee (OR CANDIDATE SUCH) the bill, charge, or claim within (TEN) 60 days after the (DAY OF THE PRIMARY OR ELECTION IN CONNECTION WITH WHICH SUCH BILL, CHARGE, OR CLAIM WAS INCURRED) material or service is provided. (NO CANDIDATE AND NO PERSONAL CAMPAIGN OR PARTY COMMITTEE SHALL PAY ANY) Failure to timely render the bill, charge, or claim (SO INCURRED PRIOR TO ANY PRIMARY OR ELECTION, WHICH IS NOT SO PRESENTED WITHIN TEN DAYS AFTER SUCH PRIMARY OR ELECTION) is a misdemeanor.*

Sec. 27. Minnesota Statutes, 1975 Supplement, Chapter 210A, is amended by adding a section to read:

[210A.255] [CERTAIN ASSOCIATIONS, INDIVIDUALS EXEMPTED.] *Any association which or individual who has*

*been granted exemption from the reporting requirements of section 10A.20 shall be exempted from the reporting requirements of this chapter.*

Sec. 28. Minnesota Statutes, 1975 Supplement, Chapter 210A, is amended by adding a section to read:

[210A.261] [STATEMENTS OF ECONOMIC INTEREST.]  
*Every candidate except a candidate for school district office in any school district with a population of less than 100,000 or a candidate for city or county office in a city or county with a population of less than 50,000 shall file a statement of economic interest with his respective filing office within 14 days after filing an affidavit of candidacy or petition to appear on the ballot. The statement of economic interest shall contain the following:*

(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 the 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, or if there is no street address, the section, township, range and approximate acreage, and the county wherein the property is located.*

*Each candidate specified in this section elected to office shall file a supplementary statement of economic interest on April 15 of each year he is in office.*

Sec. 29. Minnesota Statutes, 1975 Supplement, Section 210A.27, Subdivision 1, is amended to read:

210A.27 [STATEMENT OF EXPENSE, BLANKS; DIGEST OF LAWS.] Subdivision 1. (BLANKS) *Forms for all statements required by (SECTIONS 210A.01 TO 210A.44) this chapter shall be prepared by the secretary of state (AND) Copies (THEREOF) of the forms shall be furnished (THROUGH THE COUNTY AUDITOR OR OTHERWISE, AS THE SECRETARY OF STATE MAY DEEM EXPEDIENT, TO THE SECRETARY OF EVERY COMMITTEE, AND TO EVERY CANDIDATE UPON FILING OF NOMINATION PAPERS, AND TO ALL OTHER PERSONS REQUIRED BY LAW TO FILE SUCH STATEMENTS WHO MAY APPLY THEREFOR) to filing officers, candidates and treasurers. The secretary of state shall have emergency rule making authority*

*as provided in chapter 15 for the purpose of providing forms for elections held in 1976 after the effective date of this act.*

Sec. 30. Minnesota Statutes, 1975 Supplement, Section 210A.-29, is amended to read:

210A.29 [FILING STATEMENTS; PENALTY.] (EVERY TREASURER OR OTHER PERSON WHO RECEIVES ANY MONEY TO BE APPLIED TO ANY OF THE ELECTION PURPOSES FOR WHICH EXPENDITURES ARE PERMITTED BY LAW,) *Any individual who knowingly fails to file any (THE) statement (AND ACCOUNT RESPECTING THE SAME) required by (SECTIONS 210A.01 TO 210A.44) this chapter within (THE TIME PRESCRIBED,) seven days after receiving notice from the filing office shall be guilty of a misdemeanor.*

Sec. 31. Minnesota Statutes, 1975 Supplement, Section 210A.-32, is amended to read:

210A.32 [DUTIES OF FILING OFFICERS.] *Subdivision*  
1. The (OFFICER WITH WHOM THE EXPENSE ACCOUNT) *filing office where a statement* (OF ANY CANDIDATE FOR PUBLIC OFFICE OR COMMITTEE) is required to be filed by the provisions of (SECTIONS 210A.01 TO 210A.-44) *this chapter*, shall notify (SUCH CANDIDATE OR COMMITTEE) *the person responsible for filing the statement* of the failure to comply with (SUCH) *the law,* immediately upon the expiration of the (TIME FIXED BY ANY LAW OF THIS STATE FOR) filing (OF THE SAME, AND SHALL NOTIFY THE COUNTY ATTORNEY OF THE COUNTY WHERE SUCH CANDIDATE RESIDES OR IN WHICH THE HEAD-QUARTERS OF THE COMMITTEE IS LOCATED, OF THE FACT OF THE FAILURE TO FILE SUCH EXPENSE ACCOUNT AND THE COUNTY ATTORNEY SHALL THEREUPON NOTIFY SUCH CANDIDATE OR THE SECRETARY OF THE COMMITTEE OF SUCH DELINQUENCY AND) *date for such statement.* If the *person fails to comply with the provisions* of (SECTIONS 210A.01 TO 210A.44) *this chapter* (SHALL NOT BE COMPLIED WITH) within (TEN) *seven days after the mailing of (SUCH) the notice, the filing office shall notify the county attorney of the county of residence of the person responsible for filing the statement.* The county attorney shall thereupon prosecute (SUCH CANDIDATE OR) the (OFFICER OF THE COMMITTEE) *person required by law to file (SUCH) the statement.*

*Subd. 2. Notwithstanding the provisions of section 138.163, the filing office where statements are filed shall destroy all statements five years after the year in which they were filed. Failure to destroy such statements shall constitute misfeasance.*

Sec. 32. Minnesota Statutes, 1975 Supplement, Chapter 210A, is amended by adding a section to read:

[210A.435] [LOCAL ELECTIONS.] *Notwithstanding any provision of Minnesota Statutes, Section 410.21 or other law or ordinance, the provisions of this chapter apply to all municipal, county and school district elections, except where any provision of this chapter specifically exempts any municipality or school district election.*

Sec. 33. Minnesota Statutes, 1975 Supplement, Section 290.-09, Subdivision 2, is amended to read:

Subd. 2. [TRADE OR BUSINESS EXPENSES; EXPENSES FOR PRODUCTION OF INCOME.] (a) In General. There shall be allowed as a deduction all the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including

(1) A reasonable allowance for salaries or other compensation for personal services actually rendered;

(2) Traveling expenses (including the entire amount expended for meals and lodging) while away from home in the pursuit of a trade or business; and

(3) Rentals or other payments required to be made as a condition to the continued use or possession, for purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity. For purposes of the preceding sentence, the place of residence of a member of congress within the state shall be considered his home, but amounts expended by such members within each taxable year for living expenses shall not be deductible for income tax purposes in excess of \$3,000.

(b) Expenses for Production of Income. In the case of an individual, there shall be allowed as a deduction all the ordinary and necessary expenses paid or incurred during the taxable year.

(1) For the production or collection of income;

(2) For the management, conservation, or maintenance of property held for the production of income; or

(3) In connection with the determination, collection, or refund of any tax.

(c) Campaign expenditures in an amount not to exceed the limits set out in section (210A.22) 17 of this act, not subsequently reimbursed, which have been personally paid by a candidate for

public office if the candidate has complied with the expenditure limitations set out in section (210A.22) 17 of this act:

(No deduction shall be allowed under this clause for any contribution or gift which would be allowable as a credit under section 290.21 were it not for the percentage limitations set forth in such section);

(d) All expense money paid by the legislature to legislators.

Sec. 34. Minnesota Statutes 1974, Chapter 375, is amended by adding a section to read:

[375.191] [CODES OF ETHICS.] *Each organized county may adopt and enforce by ordinance or resolution a code of ethics, not inconsistent with any state law, for its elected officials and employees.*

Sec. 35. Minnesota Statutes 1974, Chapter 471, is amended by adding a section to read:

[471.625] [MUNICIPALITIES; ADOPT CODES OF ETHICS.] *Notwithstanding any law to the contrary, any city however organized may adopt and enforce by ordinance or resolution a code of ethics not inconsistent with state law for its employees and elected officials.*

Sec. 36. Laws 1976, Chapter 108, Section 1, Subdivision 8, is amended to read:

Subd. 8. The total amount of any expenditure or contribution or any one project permitted by subdivisions 5 and 7 which exceeds \$100, together with the date, purpose and the names and addresses of the persons receiving the (CONTRIBUTION) contributions or expenditures, shall be reported to the secretary of state. The reports shall be filed on a form provided by the secretary of state on (THE DATES REQUIRED FOR POLITICAL COMMITTEES UNDER THE PROVISIONS OF SECTION 210A.26, SUBDIVISION 1) *October 1 of each year.* Failure to comply shall be subject to the penalties related to campaign finance reporting under the provisions of this chapter.

Sec. 37. [REPEALER.] *Minnesota Statutes, 1975 Supplement, Sections 123.015; 210.22; 210A.01, Subdivisions 4, 7, 8, and 9; 210A.22; 210A.23; 210A.25; 210A.26; 210A.28; 210A.30; 210A.31; 210A.33; and 211.10 are repealed.*

Sec. 38. [EFFECTIVE DATE.] *This act is effective July 1, 1976."*

Further strike the title and insert:

"A bill for an act relating to elections; providing for uniform reporting dates for and disclosure of campaign contributions and expenditures of political committees and candidates; providing for statements of economic interest for candidates and persons elected to public office; providing for registration of voters for all counties; defining certain terms; providing uniform filing date for corporations spending money for certain election purposes; providing exemption from disclosure requirements for certain persons and political committees; providing restrictions on the use of names and pictures of public officials in government publications; prohibiting sample ballots of the same color as official ballots; giving the secretary of state and county auditors certain duties with respect to elections; permitting elected officials time off from their regular employment to attend meetings of their offices; permitting codes of ethics for counties, cities, and school districts; providing penalties; amending Minnesota Statutes 1974, Chapters 123, 375 and 471, by adding sections; Minnesota Statutes, 1975 Supplement, Chapters 204A and 210A, by adding sections; Sections 201.021; 210A.01, Subdivisions 1, 3, 5, 6, and 8, and by adding subdivisions; 210A.05, Subdivision 1; 210A.09; 210A.16; 210A.21; 210A.24; 210A.27, Subdivision 1; 210A.29; 210A.32; and 290.09, Subdivision 2; and Laws 1976, Chapter 108, Section 1, Subdivision 8; repealing Minnesota Statutes, 1975 Supplement, Sections 123.015; 210.22; 210A.01, Subdivisions 4, 7, 8, and 9; 210A.22; 210A.23; 210A.25; 210A.26; 210A.28; 210A.30; 210A.31; 210A.33; and 211.10."

We request adoption of this report and repassage of the bill.

House Conferees: BRUCE F. VENTO, JOHN J. SARNA and JOHN S. BIERSDORF.

Senate Conferees: STEVE KEEFFE and J. ROBERT STASSEN.

Vento moved that the report of the Conference Committee on H. F. No. 2043 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2043, A bill for an act relating to elections; providing for uniform reporting dates for campaign disclosure forms; providing for disclosure of campaign contributions and expenditures of political committees and candidates for local office; amending Minnesota Statutes 1974, Chapters 123, 373, and 471, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 210A.01, Subdivisions 1, 5, 6, 8, 9, and by adding subdivisions; 210A.05, Subdivision 1; 210A.16; 210A.23; 210A.24; 210A.25; 210A.26; 210A.27, Subdivision 1; 210A.29; 210A.32; 210A.33; Chapter 210A, by adding sections; repealing Minnesota Statutes, 1975 Supplement, Sections 123.015; 210A.01, Subdivisions 4 and 7; 210A.22; 210A.28; and 210A.31.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 107, and nays 19, as follows:

Those who voted in the affirmative were:

|              |             |               |             |              |
|--------------|-------------|---------------|-------------|--------------|
| Abeln        | Dean        | Kelly, R.     | Neisen      | Sieben, M.   |
| Adams, L.    | Dieterich   | Kelly, W.     | Nelson      | Simoneau     |
| Adams, S.    | Doty        | Kempe, A.     | Novak       | Skoglund     |
| Anderson, G. | Enebo       | Kempe, R.     | Osthoff     | Smith        |
| Anderson, I. | Ewald       | Ketola        | Parish      | Smogard      |
| Arlandson    | Faricy      | Knickerbocker | Patton      | Stanton      |
| Beauchamp    | Fjoslien    | Knoll         | Pehler      | Suss         |
| Begich       | Fudro       | Kostohryz     | Petrafeso   | Swanson      |
| Berg         | Fugina      | Kroening      | Philbrook   | Tomlinson    |
| Berglin      | George      | Laidig        | Prahl       | Ulland       |
| Biersdorf    | Hanson      | Lindstrom     | Reding      | Vanasek      |
| Braun        | Haugerud    | Luther        | Rice        | Vento        |
| Brinkman     | Heinitz     | Mangan        | St. Onge    | Voss         |
| Byrne        | Hokanson    | Mann          | Samuelson   | Wenstrom     |
| Carlson, A.  | Jacobs      | McCarron      | Sarna       | Wenzel       |
| Carlson, L.  | Jaros       | McCauley      | Savelkoul   | White        |
| Carlson, R.  | Jensen      | McCollar      | Schreiber   | Wieser       |
| Casserly     | Johnson, C. | McEachern     | Schulz      | Williamson   |
| Clark        | Johnson, D. | Menning       | Schumacher  | Speaker Sabo |
| Clawson      | Jude        | Metzen        | Setzepfandt |              |
| Corbid       | Kahn        | Moe           | Sherwood    |              |
| Dahl         | Kaley       | Munger        | Sieben, H.  |              |

Those who voted in the negative were:

|           |           |          |          |         |
|-----------|-----------|----------|----------|---------|
| Albrecht  | Erickson  | Kalis    | Nelsen   | Searle  |
| Birnstihl | Esau      | Kvam     | Niehaus  | Sieloff |
| Eckstein  | Forsythe  | Langseth | Peterson | Zubay   |
| Eken      | Friedrich | Lemke    | Pleasant |         |

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

### SPECIAL ORDERS

S. F. No. 633, A bill for an act relating to taxation; inheritance and gift taxes; amending Minnesota Statutes 1974, Sections 291.03; 291.05; 292.05, Subdivision 1; and 292.07, Subdivisions 3 and 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 129, and nays 0, as follows:

Those who voted in the affirmative were:

|           |              |           |           |             |
|-----------|--------------|-----------|-----------|-------------|
| Abeln     | Anderson, G. | Begich    | Birnstihl | Carlson, A. |
| Adams, L. | Anderson, I. | Berg      | Braun     | Carlson, L. |
| Adams, S. | Arlandson    | Berglin   | Brinkman  | Carlson, R. |
| Albrecht  | Beauchamp    | Biersdorf | Byrne     | Casserly    |

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

The bill was passed and its title agreed to.

S. F. No. 2082 was reported to the House.

Johnson, D., moved to amend S. F. No. 2082, as follows:

Page 1, line 10, delete "1976" and insert "1977".

Page 2, line 8, delete "1976" and insert "1977".

Page 2, delete line 9.

Page 2, line 10, delete "*commissioner of revenue,*" and insert "*revenue*".

The motion prevailed and the amendment was adopted.

S. F. No. 2082, A bill for an act relating to taxation; providing for payments from the taconite municipal aid account to certain cities and towns; amending Minnesota Statutes 1974, Section 298.282, Subdivision 2, and by adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

|              |              |           |             |             |
|--------------|--------------|-----------|-------------|-------------|
| Abeln        | Anderson, I. | Berg      | Braun       | Carlson, L. |
| Adams, L.    | Arlandson    | Berglin   | Brinkman    | Carlson, R. |
| Albrecht     | Beauchamp    | Biersdorf | Byrne       | Casserly    |
| Anderson, G. | Begich       | Birnstihl | Carlson, A. | Clark       |

|           |               |           |             |              |
|-----------|---------------|-----------|-------------|--------------|
| Clawson   | Haugerud      | Laidig    | Parish      | Simoneau     |
| Corbid    | Heinitz       | Langseth  | Pehler      | Skoglund     |
| Dahl      | Hokanson      | Lemke     | Peterson    | Smith        |
| Dean      | Jacobs        | Lindstrom | Petraleso   | Smogard      |
| Dieterich | Jaros         | Luther    | Philbrook   | Spanish      |
| Doty      | Jensen        | Mangan    | Pleasant    | Stanton      |
| Eckstein  | Johnson, C.   | Mann      | Prahl       | Suss         |
| Eken      | Johnson, D.   | McCarron  | Reding      | Swanson      |
| Enebo     | Jude          | McCauley  | Rice        | Tomlinson    |
| Erickson  | Kahn          | McCollar  | St. Onge    | Ulland       |
| Esau      | Kaley         | McEachern | Samuelson   | Vanasek      |
| Evans     | Kalis         | Menning   | Sarna       | Vento        |
| Ewald     | Kelly, R.     | Metzen    | Savelkoul   | Voss         |
| Farley    | Kelly, W.     | Moe       | Schreiber   | Wenstrom     |
| Fjoslien  | Kempe, A.     | Munger    | Schulz      | Wenzel       |
| Forsythe  | Kempe, R.     | Neisen    | Schumacher  | White        |
| Friedrich | Ketola        | Nelsen    | Searle      | Wieser       |
| Fudro     | Knickerbocker | Nelson    | Setzepfandt | Williamson   |
| Fugina    | Knoll         | Niehaus   | Sherwood    | Zubay        |
| George    | Kostohryz     | Norton    | Sieben, H.  | Speaker Sabo |
| Graba     | Kroening      | Novak     | Sieben, M.  |              |
| Hanson    | Kvam          | Osthoff   | Sieloff     |              |

The bill was passed, as amended, and its title agreed to.

### MESSAGES FROM THE SENATE, Continued

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2657, A bill for an act relating to natural resources; exempting senior citizens from payment of certain camping fees; increasing motor vehicle permit fees; authorizing the designation of the Zumbro river as a canoe and boating route; providing a reduced fee for small game licenses for senior citizens; authorizing the issuance of Minnesota sportsman licenses; requiring the promulgation of rules concerning certain water permits; appropriating money; amending Minnesota Statutes 1974, Sections 85.05, Subdivisions 1 and 2; 85.32, Subdivision 1; 98.45, by adding a subdivision; 98.46, Subdivisions 2, 4, 7, 8, 9, 14, 15, 16, 17, as amended, and 19, and by adding a subdivision; 101.44; and Chapter 105, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 98.46, Subdivision 5, as amended.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2019, A bill for an act relating to controlled substances; scheduling certain substances; authorizing notices on

prescription drugs when driving may be impaired; clarifying the prohibition against sale or possession of legend drugs by certain persons; authorizing county detoxification centers to purchase and possess legend drugs; amending Minnesota Statutes 1974, Sections 151.37, Subdivision 5; 152.02, Subdivisions 2, 3, 4, and 5; Minnesota Statutes, 1975 Supplement, Section 151.212, Subdivision 2.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate refuses to adopt the Conference Committee report on Senate File No. 1963 and has moved that it be returned to the present Conference Committee for further consideration.

S. F. No. 1963, A bill for an act relating to the operation of state government; raising base salaries for certain executive branch employees, judges and judicial branch employees; limiting possible increases for certain executive branch employees; requiring political subdivisions of the state to report certain salaries; providing for a report by the personnel board; extending the open meeting law to the legislature; amending Minnesota Statutes 1974, Sections 15A.081; 15A.083, as amended; 43.062, Subdivision 3; and 43.067; 471.705, Subdivision 1; and Chapter 43, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 15A.081, Subdivision 1; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivisions 1a and 4; 43.066; 43.069; and 487.05.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 2581, A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money for the general administrative expenses of state government and limiting the use thereof; providing for payment of claims against the state; abolishing the state claims commission; amending Minnesota Statutes 1974, Sections 3.732, Subdivisions 1, 2, and 5; 3.751, Subdivision 1; 176.011, Subdivision 9; 192.38; 238.04, by adding a subdivision; 345.48, Subdivision 2; and Chapter 3, by adding a section; Minnesota Statutes, 1975 Supplement, Section 4.19; repealing Minnesota Statutes

1974, Sections 3.66 to 3.7311; 3.735; 3.752; 3.753; 3.76 to 3.83; and 15.315.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2581

A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money for the general administrative expenses of state government and limiting the use thereof; providing for payment of claims against the state; abolishing the state claims commission; amending Minnesota Statutes 1974, Sections 3.732, Subdivisions 1, 2, and 5; 3.751, Subdivision 1; 176.011, Subdivision 9; 192.38; 238.04, by adding a subdivision; 345.48, Subdivision 2; and Chapter 3, by adding a section; Minnesota Statutes, 1975 Supplement, Section 4.19; repealing Minnesota Statutes 1974, Sections 3.66 to 3.7311; 3.735; 3.752; 3.753; 3.76 to 3.83; and 15.315.

April 3, 1976

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

We, the undersigned conferees for S. F. No. 2581 report that we have agreed upon the items in dispute and recommend as follows:

Strike everything after the enacting clause and insert:

"Section 1. [STATE GOVERNMENT APPROPRIATIONS.] Except as herein otherwise specifically provided the sums hereinafter set forth in the columns designated "APPROPRIATIONS", or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury, or any other fund herein designated, for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1976" and "1977" wherever used in this act, shall mean that the appropriations listed thereunder shall be available for the year ending June 30, 1976, and June 30, 1977, respectively.

## APPROPRIATIONS

Available for the Year

Ending June 30,

1976 1977

\$

\$

## Sec. 2. LEGISLATURE

To the legislative joint committee for review of administrative rules ..... 30,000

This appropriation shall not cancel but shall be available until June 30, 1977.

## Sec. 3. CONTINGENT ACCOUNT 25,000

This sum is appropriated to the general contingent account for the purposes of sections 37 and 38 of this act dealing with prevailing wage administration.

## Sec. 4. MINNESOTA BICENTENNIAL COMMISSION 300,000

No more than 80 percent of this appropriation may be expended in grants to state agencies or political subdivisions as defined in section 15.162, subdivisions 5 and 7. No more than 20 percent of the appropriation may be expended for statewide bicentennial commission programs. Notwithstanding the provisions of Laws 1975, Chapter 411, the Minnesota American Revolution Bicentennial Commission shall terminate December 1, 1976.

## Sec. 5. ATTORNEY GENERAL

Subdivision 1. For moving, remodeling, furnishings, and related costs involved in the consolidation of offices in the highway, veterans service and capital square buildings ..... 95,000

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

Subd. 2. Salaries, supplies and expense for defending tort claims against the state ..... 200,000

|                         | 1976   | 1977 |
|-------------------------|--------|------|
|                         | \$     | \$   |
| Sec. 6. STATE TREASURER | 15,000 |      |

For advertising expenses relating to the disposition of unclaimed property.

#### Sec. 7. ADMINISTRATION

|                                 |         |         |
|---------------------------------|---------|---------|
| Subdivision 1. Utility Services | 310,250 | 322,250 |
|---------------------------------|---------|---------|

These sums shall be added to the amounts appropriated in Laws 1975, Chapter 204, Section 18, Subdivision 1.

|                                                 |         |  |
|-------------------------------------------------|---------|--|
| Subd. 2. Statewide licensing system development | 113,000 |  |
|-------------------------------------------------|---------|--|

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

|                                                                                                                 |  |       |
|-----------------------------------------------------------------------------------------------------------------|--|-------|
| Subd. 3. The commissioner of administration is authorized to pay this sum to the National Governor's Conference |  | 3,085 |
|-----------------------------------------------------------------------------------------------------------------|--|-------|

|                                      |       |  |
|--------------------------------------|-------|--|
| Subd. 4. Interstate Co-op Commission | 5,000 |  |
|--------------------------------------|-------|--|

The sums appropriated in subdivisions 3 and 4 shall be added to the appropriations made in Laws 1975, Chapter 204, Section 18, Subdivision 1.

Subd. 5. In the event the income from parking lots and facilities under the jurisdiction of the commissioner of administration is inadequate to make the annual payment of \$203,200 in November, 1975 and 1976, as required by Laws 1973, Chapter 778, Section 21, these payments may be wholly or partially deferred. To the extent these payments are deferred, the commissioner shall, from time to time, make additional payments so as to pay to the Minnesota state building account in the state bond fund the total sum of \$4,064,000.

Subd. 6. Notwithstanding the provisions of any law to the contrary, the commissioner of administration shall sell the

1976

1977

\$

\$

state owned property comprising the Orr airport in the manner which will realize the greatest return to the state, if the airport is not returned to the community, county or region by December 31, 1976. The sale shall be made only after advertising the sale of the property and inviting sealed bids which shall be opened at the time specified and read aloud. The sale shall be made to the best bidder. The advertisement of such sale shall be made in local and national publications including, but not limited to, such publications as the Wall Street Journal and the New York Times. The state reserves the right to reject any and all bids.

Subd. 7. North Capitol Area Improvement .....

800,000

To rehabilitate and redevelop the area north and west of the capitol bounded by Aurora Street, Marion Street, Edmund Avenue, Como Avenue, Park Street, Sherburne Avenue and Rice Street. The commissioner of administration shall consult with and coordinate development activities with the city of St. Paul or the St. Paul housing and redevelopment authority in performing the rehabilitation and redevelopment. The rehabilitation and redevelopment activities shall be consistent with the Minnesota State Capitol Area North Study as adopted and interpreted by the capitol area architectural and planning board. This appropriation is contingent upon the following events occurring prior to July 1, 1977: (1) the appropriation by the city of St. Paul of an equal or greater amount for the same purposes, and (2) the securing by the city of St. Paul or the St. Paul housing and redevelopment authority of a commitment from a qualified developer to construct housing units in the capitol north study area.

Prior to the expenditure of any moneys from the appropriation in this subdivision, the commissioner of administration shall consult with the chairman of the house appropriations committee and the chairman of the senate finance committee, and the

1976

1977

\$

\$

chairmen will make their recommendations thereon. The recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Subd. 8. Acquisition of Mechanic Arts High School ..... 2,000,000

Notwithstanding any other law to the contrary, the commissioner of administration is authorized to negotiate and proceed with the acquisition of Mechanic Arts High School and adjacent athletic fields owned by the St. Paul School District.

Notwithstanding the provisions of Minnesota Statutes, Section 117.52, no relocation assistance, services, payments or benefits shall be provided by the commissioner of administration in connection with the acquisition.

Independent School District No. 625 shall place any money paid to it by the state for acquisition of the Mechanic Arts High School and its adjacent lands in its building construction fund.

## Sec. 8. FINANCE

Tort Claims ..... 500,000

This appropriation is available to pay tort claims against the state, as approved by the commissioner of finance pursuant to section 33 of this act.

## Sec. 9. PERSONNEL

Labor Negotiator ..... 13,938 84,476

Notwithstanding the approved complement provision of Laws 1975, Chapter 204, Section 20, the approved complement shall be 94.

The appropriations made in this section shall be added to the appropriations made in Laws 1975, Chapter 204, Section 20.

1976

1977

\$

\$

**Sec. 10. STATE PLANNING AGENCY**

Subdivision 1. The state planning agency may during the biennium ending June 30, 1977 conduct training activities for local and regional government officials and the public in general as necessary to the implementation of its functions and responsibilities and may charge fees to the participants necessary to cover the agency costs for the activities. All fees received shall be paid into the state treasury and re-appropriated to the state planning agency. The agency shall use these receipts to pay expenses relating to the activities for which the fees are paid.

**Subd. 2. LOCAL GOVERNMENT TRAINING**

75,000

The state planning agency may use this appropriation to organize and conduct training seminars for elected and appointed officials of municipalities and political subdivisions.

**Subd. 3. Study of local government fiscal problems, debts, and fiscal management**

50,000

This appropriation shall not cancel but shall be available until June 30, 1977.

**Sec. 11. INDIAN AFFAIRS BOARD**

10,000

Notwithstanding the approved complement provision of Laws 1975, Chapter 204, Section 27, the approved complement shall be 7.

This sum shall be added to the appropriation for 1976 made in Laws 1975, Chapter 204, Section 27.

**Sec. 12. VETERANS AFFAIRS**

Notwithstanding the provisions of Laws 1976, Chapter 3, Section 4, Subdivision 1,

|                                                                                                         | 1976 | 1977 |
|---------------------------------------------------------------------------------------------------------|------|------|
|                                                                                                         | \$   | \$   |
| Paragraph (a), the Minnesota veterans home may not expend any income in excess of \$1,472,300 for 1976. |      |      |

### Sec. 13. PUBLIC SAFETY

|                                               |         |         |
|-----------------------------------------------|---------|---------|
| Subdivision 1. Crime Victims Reparation Board | 100,000 | 100,000 |
|-----------------------------------------------|---------|---------|

These sums shall be added to the amounts appropriated in Laws 1975, Chapter 204, Section 31, Subdivision 8.

### Subd. 2. MINCIS

Of the amount appropriated to the commissioner of public safety by Laws 1975, Chapter 204, Section 31, Subdivision 2, for fiscal year 1977, \$170,000 is hereby transferred and reappropriated to the same account for fiscal year 1976 to convert computer hardware for the Minnesota crime information system.

|                                         |       |
|-----------------------------------------|-------|
| Subd. 3. Fire Services Advisory Council | 4,500 |
|-----------------------------------------|-------|

This sum shall be in addition to the amounts appropriated in Laws 1975, Chapter 204, Section 31.

### Sec. 14. COMMERCE

|                                      |         |
|--------------------------------------|---------|
| Hearings costs and employee expenses | 102,000 |
|--------------------------------------|---------|

This appropriation shall be added to the appropriation made in Laws 1975, Chapter 204, Section 32.

### Sec. 15. LABOR AND INDUSTRY

|                         |        |
|-------------------------|--------|
| Subdivision 1. Salaries | 92,200 |
|-------------------------|--------|

Notwithstanding the approved complement provision of Laws 1975, Chapter 204, Section 41, Subdivision 1, the approved complement shall be 238.

|                               |       |
|-------------------------------|-------|
| Subd. 2. Supplies and Expense | 6,000 |
|-------------------------------|-------|

1976 1977

\$

\$

The appropriations made in this section shall be added to the appropriations made in Laws 1975, Chapter 204, Section 41.

#### Sec. 16. REVENUE

|                                                       |  |         |
|-------------------------------------------------------|--|---------|
| Subdivision 1. Administrative costs — circuit breaker |  | 400,000 |
|-------------------------------------------------------|--|---------|

This amount shall be added to the appropriation for 1977 made in Laws 1975, Chapter 437, Article XIV, Section 1.

|                                   |        |        |
|-----------------------------------|--------|--------|
| Subd. 2. State Board of Assessors | 28,865 | 28,865 |
|-----------------------------------|--------|--------|

#### Sec. 17. AERONAUTICS

|                                                              |  |        |
|--------------------------------------------------------------|--|--------|
| Operations and maintenance of the state owned airport at Orr |  | 10,000 |
|--------------------------------------------------------------|--|--------|

Notwithstanding the provisions of Laws 1975, Chapter 204, Section 45, Subdivision 8, the commissioner may operate the airport until December 31, 1976.

This appropriation is from the state airport fund.

#### Sec. 18. ENERGY

|                         |       |        |
|-------------------------|-------|--------|
| Subdivision 1. Salaries | 7,911 | 37,517 |
|-------------------------|-------|--------|

Notwithstanding the complement provision of Laws 1975, Chapter 204, Section 50, the approved complement of the agency is 30 for 1976 and 31 for 1977.

|                               |        |         |
|-------------------------------|--------|---------|
| Subd. 2. Supplies and Expense | 86,100 | 119,200 |
|-------------------------------|--------|---------|

The appropriations in this section shall be added to the appropriations in Laws 1975, Chapter 204, Section 50.

It is the intent of the legislature that environmental impact statements shall not be prepared in conjunction with the certificate of need process defined in Minnesota Statutes 1974, Section 116H.13, and the sums

|                                                                                           | 1976 | 1977 |
|-------------------------------------------------------------------------------------------|------|------|
|                                                                                           | \$   | \$   |
| appropriated by this section shall not be expended for environmental reports of any kind. |      |      |

## Sec. 19. NATURAL RESOURCES

|                                                                        |        |        |
|------------------------------------------------------------------------|--------|--------|
| Subdivision 1. Administrative Management — employee relocation expense | 43,000 | 43,000 |
|------------------------------------------------------------------------|--------|--------|

Of the amounts provided herein, \$14,000 each year is appropriated from the game and fish fund.

|                                                     |        |         |
|-----------------------------------------------------|--------|---------|
| Subd. 2. Field Services Support — real estate taxes | 75,000 | 150,000 |
|-----------------------------------------------------|--------|---------|

Of the amounts provided herein, \$18,750 for the first year and \$37,500 in the second year are appropriated from the game and fish fund.

### Subd. 3. Water Resources Management

|                         |         |         |
|-------------------------|---------|---------|
| a. Hydrologic studies   | 192,000 | 183,750 |
| b. Supplies and expense |         | 87,000  |

|                                            |        |        |
|--------------------------------------------|--------|--------|
| Subd. 4. Forest Management — labor service | 50,000 | 50,000 |
|--------------------------------------------|--------|--------|

|                                                          |        |        |
|----------------------------------------------------------|--------|--------|
| Subd. 5. Parks and Recreation Management — labor service | 50,000 | 50,000 |
|----------------------------------------------------------|--------|--------|

### Subd. 6. Enforcement

The provisions of the labor agreement negotiated between the state of Minnesota and the Minnesota conservation officers' association and signed by the parties on September 17, 1975, relating to wages and economic fringe benefits are hereby accepted. The commissioners of administration and finance are authorized to make available such moneys as are required to fulfill the state's responsibilities from the moneys appropriated and under the conditions re-

1976

1977

\$

\$

quired in Laws 1975, Chapter 204, Section 60.

The appropriations made in subdivisions 1 to 6 shall be added to the appropriations made in Laws 1975, Chapter 204, Section 51, Subdivision 1.

Subd. 7.

Of the amount appropriated by Laws 1975, Chapter 204, Section 51 for the program Administrative Management Services for 1976 a sum of not to exceed \$150,000 is transferred and reappropriated for development of a cost distribution and cost accounting system in 1977. The system shall be developed under the direction and control of the commissioner of finance.

Subd. 8. Environmental Impact Statement — Reserve Mining Company Disposal Site

1,300,000

This appropriation shall be added to the appropriation made in Laws 1975, Chapter 204, Section 51, Subdivision 3, and shall be used to repay those appropriations from which moneys have been transferred to continue this activity. The commissioner of finance shall transfer from this account to the department of natural resources general operation and management account the sum of \$975,000, and to the pollution control agency salaries, supplies, and expense account the sum of \$325,000 for the 1976 year.

That portion of the rider in section 51, subdivision 3 which states "should this appropriation prove to be insufficient, the commissioner shall inform the commissioner of administration and request that additional moneys be available from whatever sources are appropriated" is repealed.

Subd. 9. Peat information program

25,000

75,000

Sec. 20. STATE PLANNING AGENCY

|                                                              | 1976 | 1977      |
|--------------------------------------------------------------|------|-----------|
|                                                              | \$   | \$        |
| Copper-nickel regional environmental impact study — phase II |      | 1,400,000 |

This appropriation shall be added to the appropriation made in Laws 1975, Chapter 204, Section 55, Subdivision 7, Paragraph (e).

The requirements of Laws 1975, Chapter 204, Section 55 shall be satisfied by the study undertaken with this appropriation.

## Sec. 21. GAME AND FISH APPROPRIATION CONTINGENT

Subdivision 1. There is appropriated the sum of \$2,500,000 from the general fund in the state treasury for the period ending June 30, 1978 as a contingent appropriation for the use and benefit of the game and fish fund in the state treasury. Transfers from the general fund account to maintain a balance in the game and fish fund may be made when authorized by the governor, but no such transfer shall be made until the governor has consulted with the legislative advisory commission and the commission has made its recommendation thereon. The recommendation shall be advisory only. Failure or refusal on the part of the commission to make its recommendation promptly shall be considered a negative recommendation.

Subd. 2. Any moneys transferred from the general fund shall be repaid to the general fund prior to June 30, 1978.

Sec. 22. Subdivision 1. The unencumbered balance of \$205,694.73 remaining in the appropriation made in Laws 1971, Chapter 963, Section 7, Subdivision 1, (1), to relocate computer facilities and install inverter is cancelled to the bond fund.

Subd. 2. The commissioner of finance is directed to transfer from the general fund to the computer services revolving fund the sum of \$205,694.73 to adjust

1976

1977

\$

\$

the cost to the computer services revolving fund to the actual cost of relocation of computer facilities.

### Sec. 23. PUBLIC WELFARE

Subdivision 1. Notwithstanding the provisions of Laws 1975, Chapter 434, Section 2, the appropriation for centralized disbursement in Laws 1975, Chapter 434, Section 2, Subdivision 2 for 1976 shall not be reduced unless the federal reimbursement is less than \$3,560,000.

Subd. 2. Notwithstanding the provisions of Laws 1975, Chapter 434, Section 2, federal funds budgeted to be earned in the Community Based Residential Services for the Chemically Dependent (subdivision 4) Activity shall be earned by the Daytime Activity Center grant in aid (subdivision 13) activity.

### Sec. 24. CORRECTIONS

Notwithstanding any other law to the contrary, the commissioner of finance upon the request of the commissioner of corrections, may for purposes of budgeting and accounting, transfer and combine the amounts appropriated by Laws 1975, Chapter 434, Section 3, Subdivision 11, items a, b, c and d into single bookkeeping accounts. Provided, however, that reports of expenditures shall be available from the amounts expended for items a, b, c and d for each correctional institution.

### Sec. 25. BOARD OF DENTISTRY

37,000

This appropriation shall be added to the appropriation made in Laws 1975, Chapter 434, Section 4, Subdivision 8.

### Sec. 26. BOARD OF HEALTH

Subdivision 1. Preventive and personal Health Services

123,344

126,482

|  | 1976 | 1977 |
|--|------|------|
|  | \$   | \$   |

**Water Conditioners and Installers**

|           |          |          |
|-----------|----------|----------|
| Licensing | \$ 9,631 | \$ 9,967 |
|-----------|----------|----------|

|                    |           |           |
|--------------------|-----------|-----------|
| Plumbers Licensing | \$113,713 | \$116,515 |
|--------------------|-----------|-----------|

Notwithstanding the approved complement provision of Laws 1975, Chapter 434, Section 5, Subdivision 1, the approved complement shall be 188.5.

|                                           |        |        |
|-------------------------------------------|--------|--------|
| Subd. 2. Health Systems Quality Assurance | 79,006 | 85,296 |
|-------------------------------------------|--------|--------|

|                  |           |           |
|------------------|-----------|-----------|
| Mortuary Science | \$ 59,724 | \$ 65,520 |
|------------------|-----------|-----------|

**Hospital Administrators**

|              |           |           |
|--------------|-----------|-----------|
| Registration | \$ 19,282 | \$ 19,776 |
|--------------|-----------|-----------|

Notwithstanding the approved complement provision of Laws 1975, Chapter 434, Section 5, Subdivision 2, the approved complement shall be 58.75.

The appropriations made in subdivisions 1 and 2 shall be added to the appropriations made in Laws 1975, Chapter 434, Section 5.

Subd. 3. Notwithstanding any law to the contrary, the commissioner of finance may, upon the request of the commissioner of health, transfer amounts between appropriations for purposes of reflecting changes in the account structure of the department of health. Any transfer shall be reported to the committee on finance of the senate and the committee on appropriations in the house of representatives.

Sec. 27. Subdivision 1. All moneys appropriated for fiscal year 1977 in Laws 1975, Chapter 433, as shown in the worksheets of the conferees of the Senate and House of Representatives to the University of Minnesota, State University System, Community College System and Department of education for the purpose of providing funding for the use of and communications costs for the Minnesota educational computing consortium (MECC) managed Univac 1110 instructional time sharing system, and which are unencumbered after completion of the system acceptance test period commencing April 15, 1976, shall not

be expended except under the conditions of subdivision 3, unless Univac meets the acceptance test criteria as defined in the contract between MECC and Univac, including the requirements that:

(1) The criteria that the system be available to users for productive operational use an average of 90 percent or more of the principal period of maintenance (have an average effectiveness level of 90 percent) for a period of 30 consecutive days shall include unavailability from failure of hardware, software and Univac related communications capability and compatibility and shall provide system security as set forth in the MECC bid specifications and Univac's response thereto. The average effectiveness level shall be the percentage figure determined by dividing the total productive operational use time by the total productive operational use time plus associated down time for all users except for intervals specifically provided for in the MECC/Univac contract.

(2) The MECC Acceptance Test Guide shall be used by MECC as the governing document for acceptance test procedures except that it shall not conflict with or lessen any of the performance requirements of the MECC/Univac contract itself.

(3) The systems acceptance criteria shall require throughput and response time for demand mode processing to be reasonably close to the throughput and response time required in the MECC/Univac contract for real time processing considering the functions being performed. The response time for real time processing as required in the benchmark performance demonstration criteria is four seconds or less.

(4) In the event that any of the terms or provisions in subparts 1, 2 and 3 of this subdivision conflict with the language of the contract, the language of the contract shall prevail.

Provided, however, that if any portion of the successful 30 continuous day performance period occurs after May 28, 1976, Univac shall be required to again successfully perform the acceptance test during the period beginning October 1, 1976 and continuing through December 22, 1976. If the acceptance test is not successfully performed within 90 days of April 15, 1976 or by December 22, 1976, if the second acceptance period is utilized, MECC shall terminate the agreement without further extension. Utilization of the second acceptance test period shall not relieve the contracting parties of any of the contract provisions relating to delivery of required features at the conclusion of the first acceptance period.

Subd. 2. The governor shall, using the procedures of Minnesota Statutes, Section 3.30, obtain the services of a consultant to monitor the contract and acceptance test and shall, again using the procedures of Minnesota Statutes, Section 3.30, determine

whether the Univac 1110 has successfully passed the acceptance test. The governor's decision shall be binding on MECC. There is appropriated to the general contingent account the sum of \$100,000 which may be expended to accomplish the purposes of this subdivision.

Subd. 3. In the event that the Univac 1110 fails the acceptance test as defined in subdivision 1, or in the event that Univac removes the 1110 prior to the completion of the test the unencumbered funds may be expended and shall be used to provide back up computer service to the MECC users. There is appropriated to the general contingent account the sum of \$500,000 which may be expended to provide additional back up service in the event the unencumbered funds are not sufficient.

Sec. 28. [INSERVICE TRAINING FOR RIGHT TO READ PROGRAM STAFF MEMBERS.] *The department of education shall implement an inservice training program for the staff members of the right to read program. The training shall be conducted jointly by the division of instruction and the division of special and compensatory education of the department of education. This section shall expire June 30, 1977.*

Sec. 29. *The higher education coordinating board shall not, prior to March 1, 1977, enforce any provisions of sections 136A.61 to 136A.71 or any rules or regulations promulgated thereunder.*

Sec. 30. Minnesota Statutes 1974, Section 3.732, Subdivision 1, is amended to read:

3.732 [SETTLEMENT OF CLAIMS.] Subdivision 1. As used in this section and section 33 of this act the terms defined in this section have the meanings given them.

(1) "State" means each of its departments, boards, commissions, officers in the executive branch financed in whole or in part with moneys appropriated by the legislature and includes but is not limited to the University of Minnesota, state colleges, community colleges, state hospitals, state penal institutions, and other state agencies. It does not include a city, town, county, school district, or other body corporate and politic.

(2) "Employee of the state" means all officers or employees of the state or of any of the aforesaid enumerated agencies thereof, members of the national guard, or persons acting on behalf of such enumerated agencies in an official capacity, temporarily or permanently, with or without compensation, but does not include an independent contractor.

(3) "Scope of his office or employment" means that the employee was acting on behalf of the state in the performance

*of duties or tasks lawfully assigned to him by competent authority.*

Sec. 31. Minnesota Statutes 1974, Section 3.732, Subdivision 2, is amended to read:

Subd. 2. The head of each department or agency of the state, or his designee, acting on behalf of the state, shall attempt to determine, adjust and settle, at any time, any claim for money damages of (\$500) \$2,500 or less against the state for injury to or loss of property or personal injury or death caused by an act or omission of any employee of the state while acting within the scope of his office or employment, under circumstances where the state, if a private person, would be liable to the claimant. Any such settlement shall be final and conclusive on all officers of the state, except where procured by fraud. The acceptance by the claimant of any such settlement shall be final and conclusive on the claimant and shall constitute a complete release of any claim against the state and against the employee of the state whose act or omission gave rise to the claim, by reason of the same subject matter.

Sec. 32. Minnesota Statutes 1974, Section 3.732, Subdivision 5, is amended to read:

Subd. 5. Nothing in this section is to be construed as to deny a claimant who is not paid pursuant to the provisions hereof from (PRESENTING A CLAIM TO THE STATE CLAIMS COMMISSION OR THE LEGISLATURE) *bringing an action at law in the courts of this state.*

Sec. 33. Minnesota Statutes 1974, Chapter 3, is amended by adding a section to read:

[3.736] [TORT CLAIMS.] *Subdivision 1. [GENERAL RULE.] The state will pay compensation for injury to or loss of property or personal injury or death caused by an act or omission of any employee of the state while acting within the scope of his office or employment, under circumstances where the state, if a private person, would be liable to the claimant.*

Subd. 2. [PROCEDURE.] *Claims of various kinds shall be considered and paid only in accordance with the statutory procedures provided. Where there is no other applicable statute, a claim shall be brought pursuant to this section as a civil action in the courts of the state.*

Subd. 3. [EXCLUSIONS.] *Without intent to preclude the courts from finding additional cases where the state and its employees should not, in equity and good conscience, pay compensation for personal injuries or property losses, the legislature declares that the state and its employees are not liable for the following losses:*

(a) Any loss caused by an act or omission of a state employee exercising due care in the execution of a valid or invalid statute or regulation;

(b) Any loss caused by the performance or failure to perform a discretionary duty, whether or not the discretion is abused;

(c) Any loss in connection with the assessment and collection of taxes;

(d) Any loss caused by snow or ice conditions on any highway or other public place, except when the condition is affirmatively caused by the negligent acts of a state employee;

(e) Any loss caused by wild animals in their natural state;

(f) Any loss other than injury to or loss of property or personal injury or death;

(g) Any loss caused by the condition of unimproved real property owned by the state, which means land that the state has not improved, and appurtenances, fixtures and attachments to land that the state has neither affixed nor improved;

(h) Any loss arising from the construction, operation, or maintenance of the outdoor recreation system, as defined in section 86A.04, or from the clearing of land, removal of refuse, and creation of trails or paths without artificial surfaces, except that the state is liable for conduct that would entitle a trespasser to damages against a private person;

(i) Any loss of benefits or compensation due under a program of public assistance or public welfare, except where state compensation for loss is expressly required by federal law in order for the state to receive federal grants-in-aid;

(j) Any loss based on the failure of any person to meet the standards needed for a license, permit, or other authorization issued by the state or its agents;

(k) Any loss based on the usual care and treatment, or lack of care and treatment, of any person at a state hospital or state corrections facility where reasonable use of available appropriations has been made to provide care;

(l) Any loss, damage, or destruction of property of a patient or inmate of a state institution.

The state will not pay punitive damages.

**Subd. 4. [LIMITS.]** *The total liability of the state and its employees acting within the scope of their employment on any tort claim shall not exceed:*

*(a) \$100,000 when the claim is one for death by wrongful act or omission and \$100,000 to any claimant in any other case.*

*(b) \$500,000 for any number of claims arising out of a single occurrence. If the amount awarded to or settled upon multiple claimants exceeds \$500,000, any party may apply to any district court to apportion to each claimant his proper share of the \$500,000. The share apportioned each claimant shall be in the proportion that the ratio of the award or settlement made to him bears to the aggregate awards and settlements for all claims arising out of the occurrence.*

*The limitation imposed by this subdivision on individual claimants includes damages claimed for loss of services or loss of support arising out of the same tort.*

**Subd. 5. [NOTICE REQUIRED.]** *Except as provided in subdivision 6, every person, whether plaintiff, defendant or third party plaintiff or defendant, who claims compensation from the state or a state employee acting within the scope of his employment for or on account of any loss or injury shall present to the attorney general of the state or, in the case of a claim against the university of Minnesota, to the person designated by the regents of the university as the university attorney, and any state employee from whom the claimant will seek compensation, within 180 days after the alleged loss or injury is discovered, a notice stating the time, place and circumstances thereof, the names of any state employees known to be involved, and the amount of compensation or other relief demanded. Actual notice of sufficient facts to reasonably put the state or its insurer on notice of a possible claim complies with the notice requirements of this section. Failure to state the amount of compensation or other relief demanded does not invalidate the notice, but the claimant shall furnish full information available regarding the nature and extent of the injuries and damages within 15 days after demand by the state. The time for giving the notice does not include the time during which the person injured is incapacitated by the injury from giving the notice.*

**Subd. 6. [CLAIMS FOR WRONGFUL DEATH; NOTICE.]** *When the claim is one for death by wrongful act or omission, the notice may be presented by the personal representative, surviving spouse, or next of kin, or the consular officer of the foreign country of which the deceased was a citizen, within one year after the alleged injury or loss resulting in the death. If the person for whose death the claim is made has presented a notice that would have been sufficient had he lived, an action for wrongful death may be brought without any additional notice.*

**Subd. 7. [PAYMENT.]** A state agency, including any entity defined as part of the state in section 3.732, subdivision 1, clause (1), incurring a tort claim judgment or settlement obligation or whose employees acting within the scope of their employment incur the obligation may seek payment from money appropriated for this purpose by submitting a written request to the commissioner of finance. The request shall contain a description of the tort claim precipitating the request, specify the amount of the obligation and be accompanied by copies of judgments, settlement agreements or other documentation relevant to the obligation for which the agency is seeking payment. Upon receipt of the request and review of the claim, the commissioner of finance shall transfer money necessary to pay the obligation to the agency. On January 1 and July 1 of each year, the commissioner of finance shall transmit to the legislature and to the chairman of the house appropriations and senate finance committees copies of all requests in the preceding six months together with a report on the transfers made with respect to each request. Payment shall be made only upon receipt of a written release by the claimant in a form approved by the attorney general, or the person designated as the university attorney, as the case may be.

No attachment or execution shall issue against the state.

**Subd. 8. [LIABILITY INSURANCE.]** A state agency, including any entity defined as a part of the state in section 3.732, subdivision 1, clause (1), may procure insurance against liability of the agency and its employees for damages resulting from the torts of the agency and its employees. The procurement of this insurance constitutes a waiver of the defense of governmental immunity to the extent of the liability stated in the policy but has no effect on the liability of the agency and its employees beyond the coverage so provided.

**Subd. 9. [INDEMNIFICATION.]** The state shall defend, save harmless, and indemnify any state employee against any tort claim or demand, whether groundless or otherwise, arising out of an alleged act or omission if the employee provides complete disclosure and cooperation in the defense of the claim or demand and if, except for elected employees, the employee's appointing authority certifies that the employee was acting within the scope of his employment. This determination may be overruled by the attorney general. This subdivision does not apply in case of malfeasance in office or willful or wanton neglect of duty.

**Subd. 10. [JUDGMENT AS BAR.]** The judgment in an action under this section is a complete bar to any action by the claimant, by reason of the same subject matter, against the state employee whose act or omission gave rise to the claim.

*Subd. 11. [STATUTE OF LIMITATIONS.] The statute of limitations for all tort claims brought against the state shall be as set forth in chapter 541 and other applicable laws.*

Sec. 34. Minnesota Statutes 1974, Section 3.751, Subdivision 1, is amended to read:

3.751 [CONTRACT CLAIMS.] Subdivision 1. When a controversy arises out of any contract for work, services, or the delivery of goods entered into by any state agency through established procedure, in respect to which controversy a person to the contract would be entitled to redress against the state, in a court of appropriate jurisdiction, if the state were suable, and when no claim against the state has been (FILED IN THE STATE CLAIMS COMMISSION OR) made in a bill pending in the legislature for the same redress against it, the state hereby waives immunity from suit in connection with such controversy and confers jurisdiction on the district court to hear and determine any such controversy in the manner provided for the trial of causes in the district court. Only a party to the contract may bring action against the state. (THE STATE DOES NOT WAIVE IMMUNITY WITH RESPECT TO CLAIMS OF PATIENTS OR OTHER INMATES OF STATE INSTITUTIONS.)

Sec. 35. Minnesota Statutes, 1975 Supplement, Section 4.19, is amended to read:

4.19 [CONSULTING CONTRACTS BY STATE AGENCIES OR DEPARTMENTS, FUNCTION OF STATE PLANNING AGENCY.] When any state agency or department proposes to contract with a person, other than a state employee, for information relating to whether or not an activity should be undertaken, that agency or department shall (CONSULT WITH) *obtain the approval of the state planning agency prior to entering into any contract or contracts relating to the same project or study when the aggregate amount is \$15,000 or more.* The state planning agency shall (ADVISE AS TO) *determine whether the information to be obtained through the proposed contract or contracts can be obtained more economically in another way, such as through the services of another state agency or department. A copy of all proposed contracts shall be furnished to the state planning agency, the senate finance committee and the house appropriations committee. Before a contract is approved or rejected, the state planning agency shall obtain the recommendations of the senate finance committee and the house appropriations committee. The recommendations are advisory only. Failure or refusal to make a recommendation promptly is deemed a negative recommendation.* If a consulting contract is entered into by the state, a copy of the contract shall be immediately filed with the state planning agency, which shall continuously monitor work performed under the contract. The contracting agency shall also continuously monitor work performed under the contract.

Sec. 36. Minnesota Statutes 1974, Section 176.011, Subdivision 9, is amended to read:

Subd. 9. [EMPLOYEE.] "Employee" means any person who performs services for another for hire; and includes the following:

- (1) an alien;
- (2) a minor;
- (3) a sheriff, deputy sheriff, constable, marshal, policeman, fireman, a county highway engineer, and a peace officer while engaged in the enforcement of peace or in and about the pursuit or capture of any person charged with or suspected of crime;
- (4) a county assessor;
- (5) an elected or appointed official of the state, except members of the state legislature, or of any county, city, town, school district or governmental subdivision therein but an officer of a political subdivision elected or appointed for a regular term of office or to complete the unexpired portion of any such regular term, shall be included only after the governing body of the political subdivision has adopted an ordinance or resolution to that effect;
- (6) an executive officer of a corporation;
- (7) a voluntary uncompensated worker, other than an inmate, rendering services in state institutions under the commissioner of public welfare and state institutions under the commissioner of corrections similar to those of officers and employees of such institutions, and whose services have been accepted or contracted for by the commissioner of public welfare or the commissioner of corrections as authorized by law, shall be employees within the meaning of this subdivision. In the event of injury or death of any such voluntary uncompensated worker, the daily wage of the worker, for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of such injury or death for similar services in institutions where such services are performed by paid employees;
- (8) a voluntary uncompensated worker engaged in peace time in the civil defense program when ordered to training or other duty by the state or any political subdivision thereof, shall be employees. The daily wage of the worker for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of such injury or death for similar services where such services are performed by paid employees;

(9) a voluntary uncompensated worker participating in a program established by a county welfare board shall be an employee within the meaning of this subdivision. In the event of injury or death of any such voluntary uncompensated worker, the wage of the worker, for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid in the county at the time of such injury or death for similar services where such services are performed by paid employees working a normal day and week;

(10) a voluntary uncompensated worker accepted by the commissioner of natural resources who is rendering services as a volunteer pursuant to section 85.041 shall be an employee. The daily wage of the worker for the purpose of calculating compensation payable under chapter 176, shall be the usual going wage paid at the time of injury or death for similar services where such services are performed by paid employees(.);

(11) *a member of the military forces, as defined in section 190.05, while in "active service" or "on duty" as defined in section 190.05, when the service or duty is ordered by state authority. The daily wage of the member for the purpose of calculating compensation payable under this chapter shall be based on the member's usual earnings in civil life. If there is no evidence of previous occupation or earning, the commission shall consider the member's earnings as a member of the military forces;*

In the event it is difficult to determine the daily wage as herein provided, then the commission may determine the wage upon which the compensation is payable.

Sec. 37. Minnesota Statutes, 1975 Supplement, Section 177.-43, Subdivision 4, is amended to read:

Subd. 4. The prevailing wage rates, prevailing hours of labor and hourly basic rates of pay for all trades and occupations required in any contemplated project shall be ascertained before the state asks for bids. The (DEPARTMENT) commissioner of labor and industry shall make such investigations as may be necessary to enable (IT) him to ascertain such information. The (DEPARTMENT) commissioner shall keep the information posted on the project in at least one conspicuous place for the information of the employees working on the project. *A person aggrieved by a final determination of the commissioner may petition the commissioner for reconsideration of his findings. A person aggrieved by a decision of the commissioner after reconsideration may within 20 days after the decision petition the commissioner for a public hearing in the manner of a contested case under the administrative procedures act, sections 15.0418 to 15.0421.*

Sec. 38. Minnesota Statutes, 1975 Supplement, Section 177.44, Subdivision 4, is amended to read:

Subd. 4. The commissioner of labor and industry shall at least once a year certify the prevailing hours of labor, the prevailing wage rate and the hourly basic rate of pay for all classes of laborers and mechanics referred to in subdivision 3 in each area. The certification shall in addition to the current prevailing hours of labor, the prevailing wage rates and the hourly basic rates of pay include future hours and rates when such hours and rates can be determined for any such classes of laborers and mechanics in any area and shall specifically set forth the effective dates thereof when future hours and rates are certified. If a construction project extends into more than one area there shall be but one standard of hours of labor and wage rates for the entire project. *A person aggrieved by a final determination of the commissioner may petition the commissioner for reconsideration of his findings. A person aggrieved by a decision of the commissioner after reconsideration may within 20 days after the decision petition the commissioner for a public hearing in the manner of a contested case under the administrative procedures act, sections 15.0418 to 15.0421.* If, in the opinion of the commissioner, a change in the certified prevailing hours of labor, prevailing wage rate and the hourly basic rate of pay for any class of laborers or mechanics in any area is required, the commissioner may at any time certify that change.

Sec. 39. Minnesota Statutes 1974, Section 192.38, is amended to read:

192.38 [ILLNESS, INJURY, OR DEATH OF MEMBER OF MILITARY FORCES; COMPENSATION.] Subdivision 1. [TEMPORARY EMERGENCY RELIEF.] If any officer or enlisted man of the military forces is wounded or otherwise disabled, dies from disease contracted or injuries received, or is killed while in "active service" or "on duty" as defined in Minnesota Statutes 1961, Section 190.05, and acts amendatory thereof, when such service or duty is ordered by state authority, he, or in the case of his death his dependent widow, child, or parent, may be provided with such immediate temporary relief as may be necessary in cases of severe hardship, in amount to be determined by the adjutant general and approved by the governor. All such payments under this subdivision shall be made from appropriations for the maintenance of the state military forces. *The adjutant general shall notify the workers' compensation commission of any payments made pursuant to this subdivision and the amount thereof shall be subtracted from any award made by the commission.*

Subd. 2. [ASSISTANCE TO CLAIMANTS.] To the extent information is available to him, the adjutant general shall provide information to a person seeking a benefit from the state or federal government or instituting a claim before a state or federal claims commission arising from loss, damage, or destruction of property or for injury or death incurred or sustained by a member of the military forces. *The adjutant general shall notify the workers' compensation commission of any payments made*

*pursuant to federal law, other than the federal social security act or the federal government life insurance program for members of the armed forces, for the same personal injury as the claimant is seeking workers' compensation for, and the amount thereof shall be subtracted from any award made by the commission.*

Sec. 40. Minnesota Statutes 1974, Section 238.04, is amended by adding a subdivision to read:

*Subd. 5a. [CABLE COMMUNICATIONS BOARD MEMBERS EXPENSE.] The chairman and other members of the board shall receive their ordinary and necessary expenses in the same manner and amount as state employees.*

Sec. 41. Minnesota Statutes 1974, Section 345.48, Subdivision 2, is amended to read:

*Subd. 2. Before making any deposit to the credit of the general fund, the state treasurer may deduct: (a) costs incurred in connection with any sale of abandoned property, (b) any costs of mailing and publication in connection with any abandoned property, and (c) reasonable service charges. Any amounts so deducted shall be credited to a special account and are appropriated to pay costs required by the state treasurer for administration of this section.*

Sec. 42. [REPEALER.] *Minnesota Statutes 1974, Sections 3.66; 3.67; 3.68; 3.69; 3.70; 3.71; 3.72; 3.7311; 3.735; 3.752; 3.753; 3.76; 3.77; 3.78; 3.79; 3.80; 3.81; 3.82; and 3.83; are repealed.*

Sec. 43. [REPEALER.] *Minnesota Statutes 1974, Section 15.315, is repealed.*

Sec. 44. [REPEALER.] *Minnesota Statutes, 1975 Supplement, Section 299F.55, is repealed.*

Sec. 45. [EFFECTIVE DATES.] *Section 40 is effective January 1, 1976. Section 44 is effective July 1, 1976. Section 43 is effective August 1, 1976. Sections 30 to 34 apply to claims arising from events occurring on and after August 1, 1976. The remainder of 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 and operation of state government; appropriating and reappropriating money for the general administrative expenses of state government and limiting the use thereof; providing for payment of claims against the state; abolishing the state claims commission; amending Minnesota Statutes 1974, Sections 3.732, Subdivisions 1, 2, and*

5; 3.751, Subdivision 1; 176.011, Subdivision 9; 192.38; 238.04, by adding a subdivision; 345.48, Subdivision 2; and Chapter 3, by adding a section; Minnesota Statutes, 1975 Supplement, Sections 4.19; 177.43, Subdivision 4; and 177.44, Subdivision 4; repealing Minnesota Statutes 1974, Sections 3.66 to 3.7311; 3.735; 3.752; 3.753; 3.76 to 3.83; 15.315; and Minnesota Statutes, 1975 Supplement, Section 299F.55."

We request adoption of this report and repassage of the bill.

Senate Conferees: NORBERT ARNOLD, JERALD C. ANDERSON, JACK DAVIES, RICHARD W. FITZSIMONS and J. A. JOSEFSON.

House Conferees: NEIL S. HAUGERUD, PHYLLIS KAHN, RAY W. FARICY, MARY M. FORSYTHE and RICHARD J. PARISH.

Haugerud moved that the report of the Conference Committee on S. F. No. 2581 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2581, A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money for the general administrative expenses of state government and limiting the use thereof; providing for payment of claims against the state; abolishing the state claims commission; amending Minnesota Statutes 1974, Sections 3.732, Subdivisions 1, 2, and 5; 3.751, Subdivision 1; 176.011, Subdivision 9; 192.38; 238.04, by adding a subdivision; 345.48, Subdivision 2; and Chapter 3, by adding a section; Minnesota Statutes, 1975 Supplement, Section 4.19; repealing Minnesota Statutes 1974, Sections 3.66 to 3.7311; 3.735; 3.752; 3.753; 3.76 to 3.83; and 15.315.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 112, and nays 13, as follows:

Those who voted in the affirmative were:

|              |           |          |               |           |
|--------------|-----------|----------|---------------|-----------|
| Abeln        | Casserly  | Ewald    | Johnson, C.   | Langseth  |
| Adams, L.    | Clark     | Faricy   | Johnson, D.   | Lemke     |
| Anderson, G. | Clawson   | Forsythe | Jude          | Lindstrom |
| Anderson, I. | Corbid    | Fudro    | Kahn          | Luther    |
| Arlandson    | Dahl      | Fugina   | Kalis         | Mangan    |
| Beauchamp    | Dean      | George   | Kelly, R.     | Mann      |
| Begich       | Dieterich | Graba    | Kelly, W.     | McCarron  |
| Berg         | Doty      | Hanson   | Kempe, A.     | McCauley  |
| Biersdorf    | Eckstein  | Haugerud | Kempe, R.     | McCollar  |
| Brinkman     | Eken      | Heinitz  | Knickerbocker | McEachern |
| Byrne        | Enebo     | Hokanson | Knoll         | Menning   |
| Carlson, A.  | Erickson  | Jacobs   | Kostohryz     | Metzen    |
| Carlson, L.  | Esau      | Jaros    | Kroening      | Moe       |
| Carlson, R.  | Evans     | Jensen   | Laidig        | Munger    |

|           |            |             |           |              |
|-----------|------------|-------------|-----------|--------------|
| Nelson    | Prahl      | Searle      | Smogard   | Wenstrom     |
| Norton    | Reding     | Setzepfandt | Stanton   | Wenzel       |
| Novak     | Rice       | Sherwood    | Suss      | White        |
| Osthoff   | St. Onge   | Sieben, H.  | Swanson   | Wieser       |
| Parish    | Samuelson  | Sieben, M.  | Tomlinson | Williamson   |
| Patton    | Sarna      | Sieloff     | Ulland    | Speaker Sabo |
| Pehler    | Schreiber  | Simoneau    | Vanasek   |              |
| Petrafeso | Schulz     | Skoglund    | Vento     |              |
| Philbrook | Schumacher | Smith       | Voss      |              |

Those who voted in the negative were:

|          |           |         |           |       |
|----------|-----------|---------|-----------|-------|
| Albrecht | Friedrich | Kvam    | Peterson  | Zubay |
| Braun    | Kaley     | Nelsen  | Pleasant  |       |
| Fjoslien | Ketola    | Niehaus | Savelkoul |       |

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

Mr. Speaker:

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

H. F. No. 424, A bill for an act relating to tort liability of cities, counties, towns, public authorities, certain public corporations, school districts and political subdivisions of the state; amending Minnesota Statutes 1974, Section 466.05, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Samuelson moved that the House refuse to concur in the Senate amendments to H. F. No. 424, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 39, and nays 89, as follows:

Those who voted in the affirmative were:

|              |             |          |            |              |
|--------------|-------------|----------|------------|--------------|
| Anderson, I. | Eckstein    | Langseth | Parish     | Suss         |
| Begich       | Eken        | Lemke    | Petrafeso  | Swanson      |
| Berg         | Fugina      | Mangan   | Rice       | Vanasek      |
| Birnstihl    | Graba       | McCarron | Samuelson  | Vento        |
| Braun        | Haugerud    | McCollar | Schulz     | Voss         |
| Casserly     | Johnson, D. | Moe      | Schumacher | White        |
| Clark        | Kalis       | Munger   | Searle     | Speaker Sabo |
| Corbid       | Kelly, W.   | Norton   | Smith      |              |

Those who voted in the negative were:

|              |           |               |           |             |
|--------------|-----------|---------------|-----------|-------------|
| Abeln        | Doty      | Johnson, C.   | McEachern | Schreiber   |
| Adams, L.    | Enebo     | Jopp          | Menning   | Setzepfandt |
| Adams, S.    | Erickson  | Jude          | Metzen    | Sherwood    |
| Albrecht     | Esau      | Kahn          | Neisen    | Sieben, M.  |
| Anderson, G. | Evans     | Kaley         | Nelsen    | Sieloff     |
| Arlandson    | Ewald     | Kelly, R.     | Nelson    | Simoneau    |
| Beauchamp    | Faricy    | Kempe, A.     | Niehaus   | Skoglund    |
| Berglin      | Fjoslien  | Kempe, R.     | Novak     | Smogard     |
| Biersdorf    | Forsythe  | Ketola        | Osthoff   | Spanish     |
| Brinkman     | Friedrich | Knickerbocker | Pehler    | Stanton     |
| Byrne        | Fudro     | Knoll         | Peterson  | Tomlinson   |
| Carlson, A.  | George    | Kostohryz     | Philbrook | Ulland      |
| Carlson, L.  | Hanson    | Kroening      | Pleasant  | Wenstrom    |
| Carlson, R.  | Heinitz   | Kvam          | Prahl     | Wenzel      |
| Clawson      | Hokanson  | Laidig        | Reding    | Wieser      |
| Dahl         | Jacobs    | Lindstrom     | St. Onge  | Williamson  |
| Dean         | Jaros     | Luther        | Sarna     | Zubay       |
| Dieterich    | Jensen    | McCauley      | Savelkoul |             |

The motion did not prevail.

#### CONCURRENCE AND REPASSAGE

Faricy moved that the House concur in the Senate amendments to H. F. No. 424 and that the bill be repassed as amended by the Senate.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 98, and nays 29, as follows:

Those who voted in the affirmative were:

|              |             |               |             |            |
|--------------|-------------|---------------|-------------|------------|
| Abeln        | Eckstein    | Jude          | Munger      | Sieben, M. |
| Adams, L.    | Enebo       | Kahn          | Neisen      | Sieloff    |
| Adams, S.    | Erickson    | Kaley         | Nelsen      | Simoneau   |
| Albrecht     | Esau        | Kalis         | Nelson      | Skoglund   |
| Anderson, I. | Evans       | Kelly, R.     | Niehaus     | Smogard    |
| Arlandson    | Ewald       | Kempe, A.     | Novak       | Spanish    |
| Beauchamp    | Faricy      | Kempe, R.     | Osthoff     | Stanton    |
| Berglin      | Fjoslien    | Ketola        | Patton      | Suss       |
| Biersdorf    | Forsythe    | Knickerbocker | Pehler      | Tomlinson  |
| Byrne        | Friedrich   | Knoll         | Peterson    | Ulland     |
| Carlson, A.  | Fudro       | Kostohryz     | Philbrook   | Vanasek    |
| Carlson, L.  | George      | Kroening      | Pleasant    | Vento      |
| Carlson, R.  | Hanson      | Kvam          | Prahl       | Wenstrom   |
| Casserly     | Heinitz     | Laidig        | Reding      | Wenzel     |
| Clark        | Hokanson    | Luther        | St. Onge    | White      |
| Clawson      | Jacobs      | McCauley      | Sarna       | Wieser     |
| Dahl         | Jaros       | McCollar      | Savelkoul   | Williamson |
| Dean         | Jensen      | McEachern     | Schreiber   | Zubay      |
| Dieterich    | Johnson, C. | Menning       | Setzepfandt |            |
| Doty         | Jopp        | Metzen        | Sherwood    |            |

Those who voted in the negative were:

|              |        |      |           |       |
|--------------|--------|------|-----------|-------|
| Anderson, G. | Begich | Berg | Birnstihl | Braun |
|--------------|--------|------|-----------|-------|

|          |             |           |            |              |
|----------|-------------|-----------|------------|--------------|
| Corbid   | Johnson, D. | McCarron  | Rice       | Smith        |
| Eken     | Kelly, W.   | Moe       | Samuelson  | Swanson      |
| Fugina   | Langseth    | Norton    | Schulz     | Voss         |
| Graba    | Lemke       | Parish    | Schumacher | Speaker Sabo |
| Haugerud | Mangan      | Petrafeso | Searle     |              |

The motion prevailed.

H. F. No. 424, A bill for an act relating to the operation of state government; creating a department of vocational rehabilitation; transferring the powers and duties of the division of vocational rehabilitation to the department; transferring personnel and appropriations; repealing Minnesota Statutes 1974, Sections 121.29; 121.30; 121.301; 121.31; 121.32; 121.33; 121.331; 121.71; 121.711; 121.712; 121.713; and 121.714.

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 99, and nays 27, as follows:

Those who voted in the affirmative were:

|              |             |               |           |             |
|--------------|-------------|---------------|-----------|-------------|
| Abel         | Eckstein    | Jopp          | Menning   | Setzepfandt |
| Adams, L.    | Enebo       | Jude          | Metzen    | Sherwood    |
| Adams, S.    | Erickson    | Kahn          | Munger    | Sieben, M.  |
| Albrecht     | Esau        | Kaley         | Neisen    | Sieloff     |
| Anderson, I. | Evans       | Kalis         | Nelsen    | Simoneau    |
| Beauchamp    | Ewald       | Kelly, R.     | Nelson    | Skoglund    |
| Begich       | Faricy      | Kempe, A.     | Niehaus   | Smogard     |
| Berglin      | Fjoslien    | Kempe, R.     | Novak     | Spanish     |
| Biersdorf    | Forsythe    | Ketola        | Osthoff   | Stanton     |
| Byrne        | Friedrich   | Knickerbocker | Patton    | Tomlinson   |
| Carlson, A.  | Fudro       | Knoll         | Pehler    | Ulland      |
| Carlson, L.  | George      | Kostohryz     | Peterson  | Vanasek     |
| Carlson, R.  | Hanson      | Kroening      | Philbrook | Vento       |
| Casserly     | Heinitz     | Kvam          | Pleasant  | Wenstrom    |
| Clark        | Hokanson    | Laidig        | Prahl     | Wenzel      |
| Corbid       | Jacobs      | Langseth      | Reding    | White       |
| Dahl         | Jaros       | Lemke         | St. Onge  | Wieser      |
| Dean         | Jensen      | Luther        | Sarna     | Williamson  |
| Dieterich    | Johnson, C. | McCauley      | Savelkoul | Zubay       |
| Doty         | Johnson, D. | McEachern     | Schreiber |             |

Those who voted in the negative were:

|              |           |           |            |              |
|--------------|-----------|-----------|------------|--------------|
| Anderson, G. | Fugina    | McCollar  | Samuelson  | Swanson      |
| Birnstihl    | Graba     | Moe       | Schulz     | Voss         |
| Braun        | Haugerud  | Norton    | Schumacher | Speaker Sabo |
| Brinkman     | Kelly, W. | Parish    | Searle     |              |
| Clawson      | Mangan    | Petrafeso | Smith      |              |
| Eken         | McCarron  | Rice      | Suss       |              |

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

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Adams, L., was excused between the hours of 4:30 and 5:00 p.m. Jopp was excused for the remainder of today's session.

MESSAGES FROM THE SENATE, Continued

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 2546, A bill for an act relating to taxation; providing for certain limitations on real property valuation; amending Minnesota Statutes, 1975 Supplement, Sections 273.11, Subdivision 2 and 273.17, Subdivision 1; repealing Minnesota Statutes 1974, Section 273.11, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Suss moved that the House concur in the Senate amendments to H. F. No. 2546 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2546, A bill for an act relating to taxation; providing for certain limitations on real property valuation; amending Minnesota Statutes, 1975 Supplement, Sections 273.11, Subdivision 2 and 273.17, Subdivision 1; repealing Minnesota Statutes 1974, Section 273.11, Subdivision 4.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 114, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 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 Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 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.

April 3, 1976

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

We, the undersigned conferees for S. F. No. 1615 report that we have agreed upon the items in dispute and recommend as follows:

That the house recede from its amendments and that S. F. No. 1615 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [84.523] [MANAGEMENT OF STATE MINERALS AND RELATED RESOURCES IN THE BOUNDARY WATERS CANOE AREA OF THE SUPERIOR NATIONAL FOREST.] Subdivision 1. [DEFINITION.] For the purposes of this section, the term "boundary waters canoe area" means that area of lands and waters included within the boundaries designated in federal regulation REG U-3, 36 Code of Federal Regulations 293.16, as that regulation provided on January 1, 1975.

Subd. 2. [LEGISLATIVE FINDINGS AND PURPOSE.] The legislature finds that a combination of state legislative and administrative actions and court decisions have established a public policy of primarily wilderness management for state lands and waters within the boundary waters canoe area. This state policy, together with a similar federal policy and international actions consistent with these state and federal policies, has created an area of hundreds of thousands of acres of land and water containing myriad lakes and streams, wooded shores, virgin forests, and other natural attractions of surpassing scenic beauty and solitude, free from substantially all commercial activities and artificial development such as hydroelectric dams and power lines, resorts, roads, sawmills, and timber harvesting in no-cut zones.

Subd. 3. [MINING, AND USE OF STATE NATURAL RESOURCES FOR MINING, PROHIBITED IN B.W.C.A.] Except with the prior approval of the legislature in those cases of national emergency which have been declared by the Congress and which direct the need for exploration and mining of federal lands within the boundary waters canoe area, and after an investigation and determination by the commissioner of natural resources pursuant to subdivision 5 no state owned or administered land may be leased for exploration or mining of minerals, and no state permits, licenses or leases shall be issued to use any other state natural resources for any mineral exploration or mining operations in the boundary waters canoe area.

Subd. 4. [PEAT HARVESTING PROHIBITED IN BOUNDARY WATERS CANOE AREA.] Except with prior approval of the legislature in those cases of national emergency which have been declared by the Congress and which direct the need for exploitation of peat deposits on federal land within the boundary waters canoe area, and after an investigation and determination by the commissioner of natural resources pursuant to subdivision 5 no state owned or administered land may be leased for the purpose of harvesting peat, and no state permits, licenses or leases shall be issued to use any other state natural resources for the purpose of harvesting peat in the boundary waters canoe area.

Subd. 5. [INVESTIGATION AND DETERMINATION.] In the event of a national emergency declared by Congress which requires, for the protection of national interests, exploitation of natural resources of the type found in the boundary waters canoe area, the commissioner of natural resources shall investigate and determine if there are reasonable alternative methods for providing the needed resources. If the investigation shows there are reasonable alternatives to exploitation of natural resources in the area, no permit for development shall be issued. If the commissioner of natural resources determines there is a need to provide resources from within the boundary waters canoe area, and that there is no reasonable alternative available to meet the need, a permit may be issued upon approval by the state legislature.

Sec. 2. The sum of \$147,000 is appropriated from the general fund to the commissioner of natural resources for salaries, supplies, and expenses related to mineland reclamation, including but not limited to the following: (1) the completion of development and promulgation of mineland reclamation rules, (2) development of administrative guidelines, procedures, and forms, and (3) development of supply-demand land use evaluations of mining districts for use in analyzing and granting mining permits. The money so appropriated is available for expenditure on the effective date of this act and shall remain available for expenditure until June 30, 1977, notwithstanding the provisions of Minnesota Statutes, Section 16A.28, or any other law relating to the lapse of appropriations to the contrary.

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

Strike the title and insert:

"A bill for an act relating to natural resources; prohibiting, except in national emergencies, the leasing of state minerals and the use of state natural resources in connection with mining in the boundary waters canoe area; for mineland reclamation purposes; appropriating money."

We request adoption of this report and repassage of the bill.

Senate Conferees: A. J. PERPICH, JOHN MILTON and GERALD L. WILLET.

House Conferees: DOUGLAS J. JOHNSON, B. J. PHILBROOK and JOHN S. BIERSDORF.

Johnson, D., moved that the report of the Conference Committee on S. F. No. 1615 be adopted and that the bill be repassed as amended by the Conference Committee. 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 third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 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 Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 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.

April 3, 1976

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

We, the undersigned conferees for S. F. No. 175 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 175 be further amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 241.42, Subdivision 2, is amended to read:

Subd. 2. "Administrative agency" or "agency" means any division, official, or employee of the Minnesota department of corrections, the Minnesota corrections authority, (AND) the board of pardons *and regional correction or detention facilities or agencies for correction or detention programs including those programs or facilities operating under chapter 401*, but does not include:

- (a) any court or judge;
- (b) any member of the senate or house of representatives of the state of Minnesota;
- (c) the governor or his personal staff;
- (d) any instrumentality of the federal government of the United States;
- (e) any political subdivision of the state of Minnesota;
- (f) any interstate compact.

Sec. 2. Minnesota Statutes 1974, Section 241.44, Subdivision 1, is amended to read:

241.44 [POWERS OF OMBUDSMAN; INVESTIGATIONS; ACTION ON COMPLAINTS; RECOMMENDATIONS.] Subdivision 1. [POWERS.] The ombudsman shall have the following powers:

(a) He may prescribe the methods by which complaints are to be made, reviewed, and acted upon; provided, however, that he may not levy a complaint fee;

(b) He may determine the scope and manner of investigations to be made;

(c) Except as otherwise provided, he may determine the form, frequency, and distribution of his conclusions, recommendations, and proposals; provided, however, that the governor or his representative may, at any time the governor deems it necessary, request and receive information from the ombudsman. *Neither the ombudsman nor any member of his staff shall be compelled to testify in any court with respect to any matter involving the exercise of his official duties except as may be necessary to enforce the provisions of sections 241.41 to 241.45;*

(d) He may investigate, upon a complaint (IN WRITING) or upon his own initiative, any action of an administrative agency;

(e) He may request and shall be given access to information in the possession of an administrative agency which he deems necessary for the discharge of his responsibilities;

(f) He may examine the records and documents of an administrative agency;

(g) He may enter and inspect, at any time, premises within the control of an administrative agency;

(h) He may (ORDER) *subpoena* any person to appear, give testimony, or produce documentary or other evidence which the ombudsman deems relevant to a matter under his inquiry, *and may petition the appropriate state court to seek enforcement with the subpoena*; provided, however, that any witness at a hearing or before an investigation as herein provided, shall possess the same privileges reserved to such a witness in the courts or under the laws of this state;

(i) The ombudsman may bring an action in an appropriate state court to provide the operation of the powers provided in this subdivision. The ombudsman may use the services of legal assistance to Minnesota prisoners for legal counsel. The provisions of sections 241.41 to 241.45 are in addition to other provisions of law under which any remedy or right of appeal or objection is provided for any person, or any procedure provided for inquiry or investigation concerning any matter. Nothing in sections 241.41 to 241.45 shall be construed to limit or affect any other remedy or right of appeal or objection nor shall it be deemed part of an exclusionary process(.); *and*

(j) *He may be present at Minnesota correction authority parole and parole revocation hearings and deliberations.*

Sec. 3. Minnesota Statutes 1974, Section 241.44, is amended by adding a subdivision to read:

*Subd. 1a. No proceeding or civil action except removal from office or a proceeding brought pursuant to sections 15.162 to 15.168 shall be commenced against the ombudsman for actions taken pursuant to the provisions of sections 241.41 to 241.45, unless the act or omission is actuated by malice or is grossly negligent.*

Sec. 4. Minnesota Statutes 1974, Section 241.44, Subdivision 3, is amended to read:

Subd. 3. [COMPLAINTS.] The ombudsman may receive a complaint from any source concerning an action of an administrative agency. He may, on his own motion or at the request of another, investigate any action of an administrative agency.

The ombudsman may exercise his powers without regard to the finality of any action of an administrative agency; however, he may require a complainant to pursue other remedies or channels of complaint open to the complainant before accepting or investigating the complaint.

After completing his investigation of a complaint, the ombudsman shall inform the complainant, the administrative agency, and the official or employee, of the action taken.

A letter to the ombudsman from a person in an institution under the control of an administrative agency shall be forwarded immediately and unopened to the ombudsman's office. *A reply from the ombudsman to the person shall be delivered unopened to the person, promptly after its receipt by the institution.*

*No complainant shall be punished nor shall the general condition of his confinement or treatment be unfavorably altered as a result of his having made a complaint to the ombudsman.*

Sec. 5. Minnesota Statutes 1974, Section 260.015, is amended by adding a subdivision to read:

*Subd. 15. "Detention facility" means a facility used for the temporary care of a child in a shelter care or secure detention facility, pending court disposition.*

Sec. 6. Minnesota Statutes 1974, Section 260.015, is amended by adding a subdivision to read:

*Subd. 16. "Secure detention facility" means a physically restricting detention facility, including a detention home.*

Sec. 7. Minnesota Statutes 1974, Section 260.015, is amended by adding a subdivision to read:

*Subd. 17. "Shelter care facility" means a physically unrestricted detention facility, such as a group home or a licensed facility for foster care, excluding a detention home.*

Sec. 8. Minnesota Statutes 1974, Section 260.101, is amended to read:

260.101 [DETENTION HOMES.] In any county or group of counties the county boards may purchase, lease, erect, equip, and maintain a detention home for boys and girls, or a separate detention home for boys and girls, or a separate detention home for boys or a separate detention home for girls. (ANY CHILD ALLEGED TO BE DELINQUENT MAY BE DETAINED IN THE DETENTION HOME IN THE MANNER PROVIDED IN SECTION 260.171, SUBDIVISION 2.) The detention home

may, with the approval of the district court judges in counties now or hereafter having a population of more than 200,000 or of the juvenile court judges in all other counties be a separate institution, or it may be established and operated in connection with a county home school or any organized charitable or educational institution. However, the plans, location, equipment, and operation of the detention home shall in all cases have the approval of the judges. Necessary staff shall be appointed and removed by the judges. The salaries of the staff shall be fixed by the judges, subject to the approval of the county boards. The county board of each county to which this section applies shall provide the necessary funds to carry out the provisions of this section.

Sec. 9. Minnesota Statutes 1974, Section 260.171, Subdivision 1, is amended to read:

260.171 [RELEASE OR DETENTION.] Subdivision 1. (WHEN) *If a child is taken into custody as provided in section 260.165, the parent, guardian, or custodian of the child shall be notified as soon as possible. (EXCEPT WHERE THE IMMEDIATE WELFARE OF THE CHILD OR THE PROTECTION OF THE COMMUNITY REQUIRE THAT THE CHILD BE DETAINED) Unless there is reason to believe that the child would physically endanger himself or others, not return for a court hearing, not remain in the care or control of the person to whose lawful custody he is released, or that the child's health or welfare would be immediately endangered, the child shall be released to the custody of his parent, guardian, custodian, or other suitable person (ON THE PROMISE OF). That (SUCH) person shall promise to bring the child to the court, if necessary, at (SUCH) the time (AS) the court may direct. If the person taking the child into custody believes it desirable he may request the parent, guardian, custodian, or other person designated by the court to sign a written promise to bring the child to court as provided above. The intentional violation of such a promise, whether given orally or in writing, shall be punishable as contempt of court.*

*The court may require the parent, guardian, custodian or other person to whom the child is released, to post any reasonable bail or bond required by the court which shall be forfeited to the court if the child does not appear as directed. The court may also release the child on his own promise to appear in juvenile court.*

Sec. 10. Minnesota Statutes 1974, Section 260.171, Subdivision 2, is amended to read:

Subd. 2. If the child is not released as provided in subdivision 1, the person taking the child into custody shall notify the court as soon as possible of the detention of the child and the reasons for detention. (THE) No child may be detained in a (PLACE OF) detention (SPECIFIED IN SECTION 260.175

FOR NOT) *facility* longer than 24 hours, excluding (SATURDAYS,) Sundays and holidays, after the taking into custody unless an order for detention, specifying the reason for detention, is signed by the judge or referee. No child may be held longer than (48) *36* hours, excluding (SATURDAYS,) Sundays or holidays, after the taking into custody unless a petition has been filed and the judge or referee determines *pursuant to section 14* that the child shall remain in (CUSTODY) *detention*.

(WHERE) *If a child described in section 15, subdivision 4, is to be detained in a jail (BEYOND) up to 48 hours, the judge or referee, in accordance with rules and procedures established by the commissioner of corrections, shall notify the commissioner of the place of (SUCH CONTINUED) the detention and the reasons therefor. The commissioner shall thereupon (OFFER THE SERVICES OF HIS DEPARTMENT TO) assist the court in the relocation of (SUCH) the child in an appropriate detention (FACILITIES) facility within the county or elsewhere in the state, or in determining suitable alternatives. If approved regional juvenile detention facilities exist, the commissioner (SHALL HAVE THE POWER TO) may direct that the child be detained in the nearest approved regional juvenile detention facility. If the court refers the matter to the prosecuting authority (IN ACCORDANCE WITH THE PROVISIONS OF) pursuant to section 260.125, notice to the commissioner shall not be required. (THE PARENT, GUARDIAN, OR CUSTODIAN OF THE CHILD SHALL BE NOTIFIED OF THE PLACE OF DETENTION AS SOON AS POSSIBLE.)*

Sec. 11. Minnesota Statutes 1974, Section 260.171, is amended by adding a subdivision to read:

*Subd. 4. If the person who has taken the child into custody determines that the child should be placed in a detention facility, he shall advise the child and as soon as is possible, the child's parent, guardian, or custodian:*

*(a) of the reasons why the child has been taken into custody and why he is being placed in a detention facility; and*

*(b) of the location of the detention facility; and*

*(c) that the child's parent, guardian, or custodian and attorney may make an initial visit to the detention facility at any time. Subsequent visits by a parent, guardian, or custodian may be made on a reasonable basis during visiting hours and by the child's attorney at reasonable hours; and*

*(d) that the child may telephone his parents and an attorney from the detention facility immediately after being admitted to the detention facility and thereafter on a reasonable basis to be determined by the director of the facility; and*

*(e) that the child may not be held at the detention facility longer than 36 hours, excluding Sundays and holidays, unless a petition has been filed within that time and the court orders the child's continued detention.*

Sec. 12. Minnesota Statutes 1974, Section 260.171, is amended by adding a subdivision to read:

*Subd. 5. If a child is to be detained, the detention facility where the child is to be placed shall promptly provide for transportation of the child to the facility or secure a written transportation order from the court authorizing transportation by the sheriff or other qualified person. The person who has determined that the child should be detained shall deliver to the court and the supervisor of the detention facility where the child is placed, a signed report, setting forth:*

- (a) the time the child was taken into custody; and*
- (b) the time the child was delivered for transportation to the detention facility; and*
- (c) the reasons why the child was taken into custody; and*
- (d) the reasons why the child has been placed in detention; and*
- (e) a statement that the child and his parent have received the notification required by section 11 or the reasons why they have not been so notified.*

Sec. 13. Minnesota Statutes 1974, Section 260.171, is amended by adding a subdivision to read:

*Subd. 6. When a child has been delivered to a detention facility, the supervisor of the facility shall deliver to the court a signed report acknowledging receipt of the child stating the time of the child's arrival. The supervisor of the facility shall ascertain from the report of the person who has taken the child into custody whether the child and his parent, guardian, or custodian have received the notification required by section 11. If the child or his parent, guardian or custodian, or both, have not been so notified, the supervisor of the facility shall immediately make the notification, and shall include in his report to the court a statement that notification has been received or the reasons why it has not.*

Sec. 14. Minnesota Statutes 1974, Chapter 260, is amended by adding a section to read:

[260.172] [DETENTION HEARING.] *Subdivision 1. Within 36 hours of a child's being taken into custody, excluding*

*Sundays and holidays, a hearing shall be held to determine whether the child should continue in detention. Unless there is reason to believe that the child would be dangerous to himself or others, not return for a court hearing, not remain in the care or control of the person to whose lawful custody he is released, or that the child's health or welfare would be immediately endangered, the child shall be released to the custody of his parent, guardian, custodian or other suitable person.*

*Subd. 2. If the court determines that the child should continue in detention, it may order detention continued for eight days, excluding Sundays and holidays, from and including the date of the order. The court shall include in its order the reasons for continued detention and the findings of fact which support these reasons.*

*Subd. 3. Copies of the court's order shall be served upon the parties, including the supervisor of the detention facility, who shall release the child or continue to hold him as the court orders.*

*Subd. 4. If a child held in detention under a court order issued under subdivision 2 has not been released prior to expiration of the order, an additional hearing to determine under the standards provided by subdivision 1, shall be held to determine whether detention should be continued. If detention is continued thereafter, hearings such as these shall be held within every eight days, excluding Sundays and holidays, of the child's detention.*

**Sec. 15.** Minnesota Statutes 1974, Chapter 260, is amended by adding a section to read:

**[260.173] [PLACE OF TEMPORARY CARE.]** Subdivision 1. *If a child is taken into custody pursuant to section 260.165, subdivision 1, clause (a) or is found in surroundings or conditions reasonably believed to endanger his health or welfare and the child is not alleged to be delinquent, he may be detained only in a shelter care facility. These children may not be detained in a shelter care facility in which children described under subdivision 4 are detained.*

*Subd. 2. If a child is taken into custody as one who is:*

*(a) alleged to be uncontrolled by his parent, guardian, or other custodian by reason of being wayward or habitually disobedient; or*

*(b) alleged to have committed an offense which would not constitute a violation of state law or a local ordinance if he were an adult; or*

*(c) reasonably believed to have violated probation, parole, or other field supervision under which he has been placed as a result of behavior described under this subdivision; he may be placed in a shelter care facility.*

*Subd. 3. If a child described under subdivision 2 has previously escaped from a shelter care facility, or is from another state and absent from his home for more than 24 hours without the permission of his parent, guardian or other custodian, he may be placed in a secure detention facility.*

*Subd. 4. If a child is taken into custody as one who:*

*(a) has allegedly committed an act which would constitute a violation of a state law or a local ordinance if he were an adult; or*

*(b) is reasonably believed to have violated the terms of his probation, parole, or other field supervision under which he had been placed as a result of behavior described under clause (a); he may be detained in a shelter care or secure detention facility. If the child cannot be detained in another type of detention facility, a child described in this subdivision may be detained up to 48 hours in a jail, lock-up or other facility used for the confinement of adults who have been charged with or convicted of a crime, in quarters separate from any adult confined in the facility. No child under the age of 14 may be detained in a jail, lock-up or other facility used for the confinement of adults who have been charged with or convicted of a crime.*

*Subd. 5. In order for a child to be detained at a state correctional institution for juveniles, the commissioner of corrections must first consent thereto, and the county must agree to pay the costs of the child's detention.*

**Sec. 16.** Minnesota Statutes 1974, Section 641.14, is amended to read:

**641.14 [JAILS, HOW KEPT.]** The sheriff of each county, by himself or deputy, shall have charge of the jail, and be responsible for its condition. No female prisoner shall be kept in the same room with a male prisoner, and no minor under (16) 18 years shall be kept in the same room with (OTHER) adult prisoners (;). No insane prisoner shall be kept in the same room with any other prisoner unless (SUCH) that person (SHALL BE) is detailed as a nurse; and, so far as the construction of the jail will permit, strict separation of prisoners shall be maintained. No person awaiting trial shall be kept in a room with any other prisoner.

**Sec. 17. [APPROPRIATIONS.]** *The sum of \$10,000 is appropriated to the corrections ombudsman from the general fund for the purposes of this act.*

**Sec. 18. [REPEALER.]** *Minnesota Statutes 1974, Sections 241.42, Subdivision 4; 260.171, Subdivision 3; 260.175; and Laws 1973, Chapter 553, Section 7, are repealed."*

Amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to corrections and juveniles; increasing the scope of the jurisdiction and power of the ombudsman; preserving the rights of complainants; providing limitations on procedures for juvenile detention; providing definitions; setting standards; 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; 260.015, by adding subdivisions; 260.101; 260.171, Subdivisions 1, 2, and by adding subdivisions; 641.14; and Chapter 260, by adding sections; repealing Minnesota Statutes 1974, Sections 241.42, Subdivision 4; 260.171, Subdivision 3; 260.175; and Laws 1973, Chapter 553, Section 7."

We request adoption of this report and repassage of the bill.

Senate Conferees: GEORGE R. CONZEMIUS, EARL W. RENNEKE and B. ROBERT LEWIS.

House Conferees: JANET H. CLARK and KEN NELSON.

Clark moved that the report of the Conference Committee on S. F. No. 175 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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 third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 106, and nays 16, as follows:

Those who voted in the affirmative were:

|              |             |           |          |             |
|--------------|-------------|-----------|----------|-------------|
| Abeln        | Biersdorf   | Clawson   | Ewald    | Hokanson    |
| Adams, S.    | Braun       | Corbid    | Faricy   | Jacobs      |
| Anderson, G. | Brinkman    | Dahl      | Forsythe | Jaros       |
| Anderson, I. | Byrne       | Dean      | Fudro    | Jensen      |
| Arlandson    | Carlson, A. | Dieterich | Fugina   | Johnson, C. |
| Beauchamp    | Carlson, L. | Eckstein  | George   | Johnson, D. |
| Begich       | Carlson, R. | Eken      | Graba    | Jude        |
| Berg         | Casserly    | Enebo     | Hanson   | Kahn        |
| Berglin      | Clark       | Erickson  | Heinitz  | Kalis       |

|               |           |           |             |              |
|---------------|-----------|-----------|-------------|--------------|
| Kelly, R.     | Luther    | Novak     | Schumacher  | Tomlinson    |
| Kelly, W.     | Mangan    | Parish    | Searle      | Ulland       |
| Kempe, A.     | McCarron  | Patton    | Setzepfandt | Vanasek      |
| Ketola        | McCauley  | Pehler    | Sieben, H.  | Vento        |
| Knickerbocker | McCollar  | Petrafeso | Sieben, M.  | Voss         |
| Knoll         | McEachern | Philbrook | Sieloff     | Wenstrom     |
| Kostohryz     | Menning   | Pleasant  | Simoneau    | Wenzel       |
| Kroening      | Metzen    | Reding    | Skoglund    | Williamson   |
| Kvam          | Moe       | Rice      | Smogard     | Speaker Sabo |
| Laidig        | Munger    | St. Onge  | Spanish     |              |
| Langseth      | Neisen    | Sarna     | Stanton     |              |
| Lemke         | Nelson    | Schreiber | Suss        |              |
| Lindstrom     | Norton    | Schulz    | Swanson     |              |

Those who voted in the negative were:

|           |           |           |          |        |
|-----------|-----------|-----------|----------|--------|
| Albrecht  | Evans     | Osthoff   | Sherwood | Wieser |
| Birnstihl | Friedrich | Peterson  | White    | Zubay  |
| Doty      | Kaley     | Prahl     |          |        |
| Esau      | Niehaus   | Savelkoul |          |        |

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

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 2032, A bill for an act relating to public welfare; establishing pilot programs for community mental health treatment; appropriating money; amending Minnesota Statutes 1974, Chapter 245, by adding a section.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 2032

A bill for an act relating to public welfare; establishing pilot programs for community mental health treatment; appropriating money; amending Minnesota Statutes 1974, Chapter 245, by adding a section.

April 2, 1976

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

We, the undersigned conferees for S. F. No. 2032 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment, and that S. F. No. 2032 be amended as follows:

Page 1, line 21, delete "\$615,000" and insert "\$350,000 solely".

Page 1, line 23, after the period insert "*The commissioner of public welfare shall monitor and evaluate each pilot program funded under this act and shall report his findings to the appropriate standing committees of both houses of the legislature by March 15, 1977.*".

Page 2, line 1, delete "April 1, 1976" and insert "*the day following final enactment*".

We request adoption of this report and repassage of the bill.

Senate Conferees: ROGER D. MOE, HOWARD A. KNUTSON and JEROME M. HUGHES.

House Conferees: WALTER R. HANSON, DONALD B. SAMUELSON and PAUL MCCARRON.

Hanson moved that the report of the Conference Committee on S. F. No. 2032 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2032, A bill for an act relating to public welfare; establishing pilot programs for community mental health treatment; appropriating money; amending Minnesota Statutes 1974, Chapter 245, by adding a section.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 121, and nays 3, as follows:

Those who voted in the affirmative were:

|              |             |          |               |           |
|--------------|-------------|----------|---------------|-----------|
| Abeln        | Byrne       | Erickson | Jensen        | Kroening  |
| Adams, L.    | Carlson, A. | Esau     | Johnson, C.   | Kvam      |
| Adams, S.    | Carlson, L. | Evans    | Johnson, D.   | Laidig    |
| Albrecht     | Carlson, R. | Ewald    | Jude          | Langseth  |
| Anderson, G. | Casserly    | Faricy   | Kahn          | Lemke     |
| Anderson, I. | Clark       | Forsythe | Kaley         | Lindstrom |
| Arlandson    | Clawson     | Fudro    | Kalis         | Luther    |
| Beauchamp    | Corbid      | Fugina   | Kelly, R.     | Mangan    |
| Begich       | Dahl        | George   | Kelly, W.     | McCarron  |
| Berg         | Dean        | Graba    | Kempe, A.     | McCauley  |
| Berglin      | Dieterich   | Hanson   | Kempe, R.     | McCollar  |
| Biersdorf    | Doty        | Heinitz  | Ketola        | McEachern |
| Birnsthil    | Eckstein    | Hokanson | Knickerbocker | Menning   |
| Braun        | Eken        | Jacobs   | Knoll         | Metzen    |
| Brinkman     | Enebo       | Jaros    | Kostohryz     | Moe       |

|         |           |             |           |              |
|---------|-----------|-------------|-----------|--------------|
| Munger  | Peterson  | Schreiber   | Skoglund  | Voss         |
| Neisen  | Petraleso | Schulz      | Smogard   | Wenstrom     |
| Nelson  | Philbrook | Schumacher  | Spanish   | Wenzel       |
| Niehaus | Pleasant  | Searle      | Stanton   | White        |
| Norton  | Prahl     | Setzepfandt | Suss      | Wieser       |
| Novak   | Reding    | Sherwood    | Swanson   | Williamson   |
| Osthoff | Rice      | Sieben, H.  | Tomlinson | Speaker Sabo |
| Parish  | St. Onge  | Sieben, M.  | Ulland    |              |
| Patton  | Sarna     | Sieloff     | Vanasek   |              |
| Pehler  | Savelkoul | Simoneau    | Vento     |              |

Those who voted in the negative were:

Friedrich      Samuelson      Zubay

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

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 855, A bill for an act relating to metropolitan government; authorizing council regulations establishing standards and guidelines for determining matters of metropolitan significance to be adopted without specific legislative approval; providing for a joint committee to study governmental structure; amending Laws 1975, Chapter 13, Section 18, Subdivision 2.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 855

A bill for an act relating to metropolitan government; authorizing council regulations establishing standards and guidelines for determining matters of metropolitan significance to be adopted without specific legislative approval; providing for a joint committee to study governmental structure; amending Laws 1975, Chapter 13, Section 18, Subdivision 2.

April 5, 1976

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

We, the undersigned conferees for S. F. No. 855, report that we have agreed upon the items in dispute and recommend as follows:

That the house recede from its amendments and that S. F. No. 855, be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [COMMITTEE TO STUDY GOVERNMENTAL STRUCTURE.] *A joint committee, consisting of members of the house local and urban affairs committee, the senate metropolitan and urban affairs committee, and the governmental operations committees of house and senate, is established to study governmental structure in the seven county metropolitan area.*

*The study shall include responsibility of city and county government, and the role and function of these units of government in relation to the metropolitan council.*

*The joint committee shall make a report to the 1977 session of the legislature.*

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 473.173, is amended to read:

473.173 [COUNCIL REVIEW; METROPOLITAN SIGNIFICANCE.] Subdivision 1. The council shall review all proposed matters of metropolitan significance to be undertaken by any private organization, independent commission, board or agency, local governmental unit, or any state agency in accordance with the regulations adopted pursuant to this section and the provisions of any other relevant statute.

Subd. 2. (WITHIN 12 MONTHS FOLLOWING APRIL 12, 1974) *By September 1, 1976*, the council shall adopt and put into effect regulations (PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT, CHAPTER 15,) establishing standards (AND), guidelines and procedures for determining whether any proposed matter is of metropolitan significance, and establishing a procedure for the review of (ALL PROPOSED MATTERS REQUIRED TO BE CONSIDERED AND REVIEWED BY THE COUNCIL) *and final determination on such matters in accordance with the powers and requirements set forth in this section. (THESE REGULATIONS SHALL TAKE EFFECT ON JULY 1, 1975.)* The purpose of these regulations shall be to promote the orderly and economic development, public and private, of the metropolitan area. (THE METROPOLITAN COUNCIL SHALL SUBMIT THE REGULATIONS ADOPTED PURSUANT TO THIS SECTION TO THE SESSION OF THE LEGISLATURE IN 1975 FOR APPROVAL. THE COUNCIL SHALL ESTABLISH AN ADVISORY COMMITTEE, CONSISTING OF ELECTED OFFICIALS OF LOCAL GOVERNMENTAL UNITS AND REPRESENTING ALL COUNCIL

DISTRICTS EQUALLY, TO PROVIDE ADVICE AND MAKE RECOMMENDATIONS IN THE PREPARATION OF THESE REGULATIONS AND MAY THEREAFTER REVIEW AND MAKE RECOMMENDATIONS TO THE COUNCIL CONCERNING THE METROPOLITAN SIGNIFICANCE OF ANY PROPOSED MATTER CONSIDERED BY THE COUNCIL. THE REGULATIONS ADOPTED SHALL PROVIDE FOR A PUBLIC HEARING PRIOR TO THE DETERMINATION THAT AN ACTION IS OF METROPOLITAN SIGNIFICANCE.)

Subd. 3. In developing the (ABOVE) regulations (ESTABLISHING STANDARDS AND GUIDELINES FOR DETERMINING METROPOLITAN SIGNIFICANCE) the council and the *advisory metropolitan land use committee, as defined in Laws 1976, Chapter 127, Section 2*, shall give consideration to all factors deemed relevant (TO THAT DETERMINATION) including *but not limited to* the following:

(1) The impact a proposed matter will have on the orderly, economic development, public and private, of the metropolitan area and its consistency with the *metropolitan* development guide;

(2) The relationship a proposed matter will have to the policy statement goals, standards, programs and other applicable provisions of the development guide;

(3) The impact a proposed matter will have on policy plans adopted by the council and on the development programs and functions performed and to be performed by (THE) a *metropolitan* commission;

(4) Functions of municipal governments in respect to control of land use as provided for under the municipal planning act(;).

((5) SUCH OTHER FACTORS AS ARE DEEMED RELEVANT.)

Subd. 4. The regulations (ESTABLISHING A PROCEDURE FOR THE REVIEW OF PROPOSED MATTERS) shall include, (AMONG OTHER PROVISIONS, THE FOLLOWING) *without limitation, provisions to effectuate and comply with the following powers and requirements:*

(1) No applicant shall be required to submit a proposed matter for review more than once unless it is materially altered.

(1a) A public hearing shall be held prior to the final determination with regard to a proposed matter.

(2) The council shall be empowered to suspend action on a proposed matter *during the period of review and for a period not to exceed 12 months following the issuance of its (RECOMMENDATION OR) final determination. In its final determination, the council may prescribe appropriate conditions with regard to a proposed matter which, if incorporated or complied with, would cause the council to remove the suspension.*

(3) The council's recommendation or determination concerning a proposed matter, including the determination as to its metropolitan significance, shall be issued within 90 days following its receipt of (AN ADEQUATELY SUPPORTED AND DOCUMENTED) *a proposal accompanied by adequate supporting information. To avoid duplication, the review may be suspended for not more than 90 days to await completion of review of a matter by another public agency.*

(4) The council shall be required to review a proposed matter upon request of an affected local governmental unit or metropolitan commission. The regulations shall include a procedure for review of a proposed matter upon petition by a specified number of residents of the metropolitan area *18 years of age or older.*

(5) The council shall be empowered to review all proposed matters of metropolitan significance regardless of whether the council has received a request from an affected body to conduct that review.

(6) The council shall review all proposed matters determined to be of metropolitan significance as to their consistency with (THE COMPREHENSIVE DEVELOPMENT GUIDE AND, IF APPROPRIATE, AN APPLICABLE POLICY PLAN) *and effect upon metropolitan system plans as defined in Laws 1976, Chapter 127, Section 2 and their adverse effects on other local governmental units.*

((7) ANY MAJOR ALTERATION OR AMENDMENT TO THE REGULATIONS ADOPTED BY THE COUNCIL SHALL BE DEVELOPED AND PROMULGATED BY THE COUNCIL IN THE SAME MANNER AS THE ORIGINAL REGULATIONS.)

((8)) (7) Previously approved policy plans and development programs and areas of operational authority of the metropolitan commissions shall not be subject to review under this section, except as specifically provided in section 473.171.

Subd. 5. *The regulations and any major alteration or amendment thereto shall be developed and promulgated by the council in accordance with the provisions of this section and, to the extent not inconsistent or at variance with this section, in accordance with the administrative procedures act, Minnesota Statutes, Chapter 15, and regulations pursuant to thereto. Once the devel-*

opment of all of the regulations has been completed by the council and the committee, and no later than 30 days prior to the date specified for their adoption, the council shall hold a public hearing for the purpose of considering the developed regulations and receiving comments and recommendations thereon. Notice of the hearing (, CONTAINING THE DEVELOPED REGULATIONS AND SUCH OTHER COMMENTS AS ARE DEEMED APPROPRIATE,) shall be published in (A NEWSPAPER OR) appropriate newspapers (CIRCULATED THROUGHOUT) of general circulation in the metropolitan area and mailed to all persons who have registered for that purpose under Minnesota Statutes, Chapter 15, appropriate state and regional agencies and all (LOCAL GOVERNMENTAL UNITS WHICH MAY BE AFFECTED BY THESE REGULATIONS) cities, counties, towns, school districts, and watershed districts within the metropolitan area no later than 30 days prior to the hearing. In adopting or amending the regulations the enactment of this section shall be deemed to establish or show the need for and to provide evidence in support of the regulations or amendments as required in Minnesota Statutes, Chapter 15, and regulations pursuant thereto, but the council shall prepare for distribution a written summary describing the basis for the composition of the draft regulations or amendments submitted for hearing and shall afford to all interested persons an opportunity at the hearing to question and make suggestions concerning their composition. Following the hearing, the council may revise the proposed regulations, giving consideration to all comments received, and thereafter the council shall finally adopt these regulations.

*Subd. 6. The council and the advisory metropolitan land use committee shall review and assess the regulations following their effective date and at least every two years thereafter. On or before January 15 of each year, the council shall report to the legislature concerning metropolitan significance. No major alteration or amendments to standards for determining the necessity for a comprehensive review shall be put into effect by the council until 90 days have elapsed following the report to the legislature in which the alteration or amendment was proposed and recommended by the council.*

Sec. 3. Minnesota Statutes, 1975 Supplement, Chapter 473, is amended by adding a section to read:

[473.164] [PAYMENT OF METROPOLITAN COUNCIL COSTS.] *Subdivision 1. The metropolitan parks and open space commission, the metropolitan transit commission, the metropolitan waste control commission, and the metropolitan airports commission shall annually reimburse the council for costs incurred by the council in the discharge of its responsibilities relating to the commission. The costs may be charged against any revenue sources of the commission as determined by the commission.*

*Subd. 2. On or before May 1 of each year, the council shall transmit to each commission an estimate of the costs which the council will incur in the discharge of its responsibilities related to the commission in the next budget year including, without limitation, costs in connection with the preparation, review, implementation and defense of plans, programs and budgets of the commission. Each commission shall include the estimates in its budget for the next budget year and may transmit its comments concerning the estimated amount to the council during the budget review process. Prior to December 15 of each year, the amount budgeted by each commission for the next budget year may be changed following approval by the council. During each budget year, the commission shall transfer budgeted funds to the council in advance when requested by the council.*

*Subd. 3. At the conclusion of each budget year, the council, in cooperation with each commission, shall adopt a final statement of costs incurred by the council for each commission. Where costs incurred in the budget year have exceeded the amount budgeted, each commission shall transfer to the council the additional moneys needed to pay the amount of the costs in excess of the amount budgeted, and shall include a sum in its next budget. Any excess of budgeted costs over actual costs may be retained by the council and applied to the payment of budgeted costs in the next year. Costs incurred during 1976 shall be reimbursed to the council by each commission on or before December 31, 1976 following receipt and in accordance with a statement of costs transmitted by the council.*

*Sec. 4. This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.*

*Sec. 5. This act is effective the day following final enactment."*

Further, strike the title and insert:

*"A bill for an act relating to metropolitan government; standards and guidelines for determining matters of metropolitan significance; allocation of costs among agencies; establishing a committee to study governmental structure; amending Minnesota Statutes, 1975 Supplement, Section 474.173 and Chapter 473, by adding a section."*

We request adoption of this report and repassage of the bill.

Senate Conferees: JOHN C. CHENOWETH, HUBERT H. HUMPHREY III and J. ROBERT STASSEN.

House Conferees: JAMES R. CASSERLY, TOM K. BERG and WILLIAM H. SCHREIBER.

Casserly moved that the report of the Conference Committee on S. F. No. 855 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 855, A bill for an act relating to metropolitan government; authorizing council regulations establishing standards and guidelines for determining matters of metropolitan significance to be adopted without specific legislative approval; providing for a joint committee to study governmental structure; amending Laws 1975, Chapter 13, Section 18, Subdivision 2.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 68, and nays 59, as follows:

Those who voted in the affirmative were:

|              |           |               |            |              |
|--------------|-----------|---------------|------------|--------------|
| Abeln        | Clark     | Johnson, D.   | Munger     | Sieloff      |
| Adams, L.    | Corbid    | Kahn          | Nelson     | Simoneau     |
| Anderson, G. | Dahl      | Kelly, R.     | Norton     | Skoglund     |
| Arlandson    | Dean      | Kelly, W.     | Novak      | Smogard      |
| Beauchamp    | Dieterich | Kempe, A.     | Osthoff    | Stanton      |
| Begich       | Doty      | Knickerbocker | Patton     | Tomlinson    |
| Berg         | Eken      | Knoll         | Pehler     | Ulland       |
| Berglin      | Enebo     | Kostohryz     | Petrafeso  | Vento        |
| Braun        | Fariy     | Kroening      | Philbrook  | Voss         |
| Byrne        | Fudro     | Lindstrom     | Prahl      | Wenstrom     |
| Carlson, A.  | Fugina    | Luther        | Rice       | Williamson   |
| Carlson, L.  | George    | McCollar      | Sarna      | Speaker Sabo |
| Carlson, R.  | Hanson    | Menning       | Schreiber  |              |
| Casserly     | Jaros     | Moe           | Schumacher |              |

Those who voted in the negative were:

|              |             |           |             |            |
|--------------|-------------|-----------|-------------|------------|
| Adams, S.    | Ewald       | Kaley     | Nelsen      | Sieben, H. |
| Albrecht     | Fjoslien    | Kalis     | Niehaus     | Sieben, M. |
| Anderson, I. | Forsythe    | Kempe, R. | Parish      | Smith      |
| Biersdorf    | Friedrich   | Ketola    | Peterson    | Spanish    |
| Birnstill    | Graba       | Kvam      | Pleasant    | Suss       |
| Brinkman     | Haugerud    | Laidig    | Reding      | Swanson    |
| Clawson      | Heinitz     | Langseth  | St. Onge    | Vanasek    |
| DeGroat      | Hokanson    | Lemke     | Samuelson   | Wenzel     |
| Eckstein     | Jacobs      | Mangan    | Savelkoul   | White      |
| Erickson     | Jensen      | McCauley  | Searle      | Wieser     |
| Esau         | Johnson, C. | Metzen    | Setzepfandt | Zubay      |
| Evans        | Jude        | Neisen    | Sherwood    |            |

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

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 2014, A bill for an act relating to retirement; increasing certain benefits and annuities; appropriating money.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2014

A bill for an act relating to retirement; increasing certain benefits and annuities; appropriating money.

April 6, 1976

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

We, the undersigned conferees for S. F. No. 2014 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 2014 be further amended as follows:

Page 1, line 19, after "fund;" insert "January 1, 1970, with respect to the St. Paul teachers retirement fund; July 1, 1971, with respect to the Duluth teachers retirement fund;"

Page 2, line 1, before the semicolon insert "of a covered fund".

Page 2, line 4, before the period insert "of a covered fund".

Page 2, line 22, delete "or".

Page 2, line 23, delete the period and insert a semicolon.

Page 2, after line 23, insert:

"(8) the St. Paul teachers retirement fund; or

(9) the Duluth teachers retirement fund."

Page 2, line 31, delete "payment" and insert "accruing".

Page 3, line 5, delete "\$500" and insert "\$300".

Page 3, line 6, after the period insert "Provided further, that no plan participant who is less than 70 years of age and is receiving a permanent disability benefit or a retirement annuity from the St. Paul teachers retirement fund shall be entitled to an increase in the benefit or annuity pursuant to this act until the plan participant attains the age of 70 years."

Page 4, line 9, delete "payment" and insert "accruing".

Page 4, line 17, delete "\$500 per month." and insert "\$300 per month."

Page 5, line 9, delete "\$19,852,833" and insert "\$21,207,456".

Page 5, line 12, delete "\$210,075" and insert "\$237,356".

Page 5, line 14, delete "\$361,079" and insert "\$359,302".

Page 5, line 15, delete "\$8,668,120" and insert "\$8,668,197".

Page 5, line 28, delete the period and insert a semicolon.

Page 5, after line 28, insert:

"(9) To the St. Paul teachers retirement fund association \$942,137;

(10) To the Duluth teachers retirement fund association \$386,905."

Page 6, line 13, after the period insert "Provided however, that with respect to any plan participant who is less than 70 years of age and is receiving a permanent disability benefit or retirement annuity from the St. Paul teachers retirement fund, the increase in such benefit or annuity pursuant to this act shall commence when the plan participant attains the age of 70 years and shall not include retroactivity."

We request adoption of this report and repassage of the bill.

Senate Conferees: JOHN C. CHENOWETH, HARMON T. OGDahl and EUGENE E. STOKOWSKI.

House Conferees: DONALD M. MOE, AL PATTON and JOHN S. BIERSDORF.

Moe moved that the report of the Conference Committee on S. F. No. 2014 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2014, A bill for an act relating to retirement; increasing certain benefits and annuities; appropriating money.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 1644, A bill for an act relating to public welfare; establishing a senior companion program; appropriating funds.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 1644

A bill for an act relating to public welfare; establishing a senior companion program; appropriating funds.

April 6, 1976

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

We, the undersigned conferees for S. F. No. 1644 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the House amendments except that on page 3, line 6, "\$250,000" be deleted and "\$100,000" be inserted in lieu thereof.

We request adoption of this report and repassage of the bill.

Senate Conferees: JOHN C. CHENOWETH, ROGER D. MOE and HOWARD A. KNUTSON.

House Conferees: RANDY C. KELLY, DONALD B. SAMUELSON and MARY M. FORSYTHE.

Kelly, R., moved that the report of the Conference Committee on S. F. No. 1644 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1644, A bill for an act relating to public welfare; establishing a senior companion program; appropriating funds.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

|              |             |           |               |           |
|--------------|-------------|-----------|---------------|-----------|
| Abeln        | Carlson, A. | Esau      | Jaros         | Kroening  |
| Adams, L.    | Carlson, L. | Evans     | Jensen        | Kvam      |
| Adams, S.    | Carlson, R. | Ewald     | Johnson, C.   | Laidig    |
| Albrecht     | Casserly    | Faricy    | Johnson, D.   | Langseth  |
| Anderson, G. | Clark       | Fjoslien  | Jude          | Lemke     |
| Anderson, I. | Clawson     | Forsythe  | Kahn          | Lindstrom |
| Arlandson    | Corbid      | Friedrich | Kaley         | Luther    |
| Beauchamp    | Dahl        | Fudro     | Kalis         | Mangan    |
| Begich       | Dean        | Fugina    | Kelly, R.     | McCarron  |
| Berg         | DeGroat     | George    | Kelly, W.     | McCauley  |
| Berglin      | Dieterich   | Graba     | Kempe, A.     | McCollar  |
| Biersdorf    | Doty        | Hanson    | Kempe, R.     | McEachern |
| Birnstihl    | Eckstein    | Haugerud  | Ketola        | Menning   |
| Braun        | Eken        | Heinitz   | Knickerbocker | Metzen    |
| Brinkman     | Enebo       | Hokanson  | Knoll         | Moe       |
| Byrne        | Erickson    | Jacobs    | Kostohryz     | Munger    |

|         |           |             |           |              |
|---------|-----------|-------------|-----------|--------------|
| Neisen  | Peterson  | Savelkoul   | Simoneau  | Yanasek      |
| Nelsen  | Petrafeso | Schreiber   | Skoglund  | Vento        |
| Nelson  | Philbrook | Schulz      | Smith     | Voss         |
| Niehaus | Pleasant  | Schumacher  | Smogard   | Wenstrom     |
| Norton  | Prahl     | Searle      | Spanish   | Wenzel       |
| Novak   | Reding    | Setzepfandt | Stanton   | White        |
| Osthoff | Rice      | Sherwood    | Suss      | Wieser       |
| Parish  | St. Onge  | Sieben, H.  | Swanson   | Williamson   |
| Patton  | Samuelson | Sieben, M.  | Tomlinson | Zubay        |
| Pehler  | Sarna     | Sieloff     | Ulland    | Speaker Sabo |

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

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 2241, A bill for an act relating to game and fish; requiring a migratory waterfowl stamp; providing for disposition of proceeds of sale.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 2241

A bill for an act relating to game and fish; requiring a migratory waterfowl stamp; providing for disposition of proceeds of sale.

March 31, 1976

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

We, the undersigned conferees for S. F. No. 2241 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 2241 be further amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [MIGRATORY WATERFOWL STAMPS.] Sub-  
division 1. [DEFINITIONS.] As used in this section:

(1) "Migratory waterfowl" means any wild goose, brant, or wild duck

(2) "Department" means department of natural resources.

(3) "Stamp" means the state migratory waterfowl stamp furnished by the department.

(4) "Development" includes, but is not limited to, the construction of dikes, water control structures and impoundments, nest cover, rough fish barriers, limited acquisition of sites necessary to allow development, and any and all facilities for the management of existing waterfowl habitat and the creation of waterfowl management lakes.

Subd. 2. [STAMP REQUIRED.] No person required to possess a Minnesota small game license shall hunt or take any migratory waterfowl within this state without first procuring a state migratory waterfowl stamp and having such stamp in his possession while hunting or taking any migratory waterfowl. Each stamp shall be validated by the signature of the licensee written across the face of such stamp. The department shall determine the form of the stamp and shall furnish the stamps to the county auditors and their designated agents for issuance or sale in the same manner as hunting licenses are issued or sold under Minnesota Statutes, Chapter 98; except that, county auditors or their designated agents shall not receive any fees pursuant to Minnesota Statutes, Section 98.50, Subdivision 5, for issuing a migratory waterfowl stamp pursuant to this act.

Subd. 3. [FEE.] The fee for a migratory waterfowl stamp shall be \$1.50.

Subd. 4. [USE OF REVENUE.] All revenue shall be used for projects approved by the department for the purpose of development of state wetland and designated waterfowl management lakes for maximum waterfowl production, protecting and propagating migratory waterfowl and for the development, restoration, maintenance or preservation of wetlands.

Sec. 2. [APPROPRIATION.] Subdivision 1. Of the amounts appropriated by Laws 1975, Chapter 204, Section 51, for wildlife management for fiscal year 1977 from the wildlife acquisition account, the sum of \$200,000 shall be used for the development of state wetland and designated waterfowl management lakes for maximum waterfowl production, protecting and propagating migratory waterfowl and for the development, restoration, maintenance or preservation of wetlands.

Subd. 2. There is hereby appropriated from the game and fish fund the sum of \$200,000 for the purpose of this act for fis-

cal year ending July 1, 1977, provided that the commissioner of finance shall not permit the allotment, encumbrance, or expenditure of any funds appropriated in this subdivision in excess of the anticipated annual revenue from the migratory waterfowl stamps."

Further, amend the title:

Page 1, line 4, before the period insert "; appropriating money".

We request adoption of this report and repassage of the bill.

Senate Conferees: GENE MERRIAM, ROBERT G. DUNN and GERALD L. WILLET.

House Conferees: HENRY J. SVELKOU, WILLIS R. EKEN and PHYLLIS KAHN.

Savelkoul moved that the report of the Conference Committee on S. F. No. 2241 be adopted and that the bill be repassed as amended by the Conference Committee.

Johnson, D., moved that the House refuse to adopt the Conference Committee report on S. F. No. 2241, and that the bill be returned to the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the Johnson, D., motion and the roll being called, there were yeas 44, and nays 76, as follows:

Those who voted in the affirmative were:

|              |             |           |           |            |
|--------------|-------------|-----------|-----------|------------|
| Abeln        | Corbid      | Kelly, R. | Menning   | Sarna      |
| Anderson, G. | DeGroat     | Ketola    | Moe       | Schumacher |
| Anderson, I. | Doty        | Kostohryz | Novak     | Sherwood   |
| Arlandson    | Faricy      | Kroening  | Pehler    | Skoglund   |
| Beauchamp    | Fugina      | Langseth  | Petraleso | Smith      |
| Begich       | Graba       | Mann      | Prahl     | Spanish    |
| Braun        | Hanson      | McCarron  | Rice      | Wenzel     |
| Brinkman     | Haugerud    | McCollar  | St. Onge  | Wieser     |
| Carlson, R.  | Johnson, D. | McEachern | Samuelson |            |

Those who voted in the negative were:

|             |           |           |             |               |
|-------------|-----------|-----------|-------------|---------------|
| Adams, L.   | Casserly  | Esau      | Hokanson    | Knickerbocker |
| Adams, S.   | Clark     | Evans     | Jaros       | Knoll         |
| Berg        | Clawson   | Ewald     | Jensen      | Kvam          |
| Berglin     | Dean      | Fjoslien  | Johnson, C. | Laidig        |
| Biersdorf   | Dieterich | Forsythe  | Jude        | Lemke         |
| Birnstihl   | Eckstein  | Friedrich | Kahn        | Lindstrom     |
| Byrne       | Eken      | Fudro     | Kaley       | Luther        |
| Carlson, A. | Enebo     | George    | Kalis       | Mangan        |
| Carlson, L. | Erickson  | Heinitz   | Kempe, A.   | McCauley      |

|         |           |             |           |              |
|---------|-----------|-------------|-----------|--------------|
| Metzen  | Parish    | Schulz      | Smogard   | Wenstrom     |
| Munger  | Peterson  | Searle      | Stanton   | White        |
| Nelsen  | Philbrook | Setzepfandt | Suss      | Speaker Sabo |
| Nelson  | Pleasant  | Sieben, H.  | Swanson   |              |
| Niehaus | Reding    | Sieben, M.  | Tomlinson |              |
| Norton  | Savelkoul | Sieloff     | Ulland    |              |
| Osthoff | Schreiber | Simoneau    | Vanasek   |              |

The motion did not prevail.

The question recurred on the Savelkoul motion to adopt the Conference Committee Report. The motion did not prevail.

Johnson, D., moved that the House refuse to adopt the Conference Committee report on S. F. No. 2241, that the present House Conference Committee be discharged, that the Speaker appoint a new Conference Committee consisting of 5 members on the part of the House, and that the Senate be advised of the House action and be requested to appoint a like committee to confer on the differences between the Senate and the House on S. F. No. 2241.

A roll call was requested and properly seconded.

The question was taken on the Johnson, D., motion to refuse to adopt the Conference Committee Report and the roll being called, there were yeas 43, and nays 83, as follows:

Those who voted in the affirmative were:

|              |             |           |           |           |
|--------------|-------------|-----------|-----------|-----------|
| Abeln        | Corbid      | Kroening  | Metzen    | Samuelson |
| Anderson, G. | Doty        | Langseth  | Moe       | Skoglund  |
| Anderson, I. | Eckstein    | Lemke     | Neisen    | Smith     |
| Arlandson    | Fugina      | Mangan    | Novak     | Spanish   |
| Begich       | Hanson      | Mann      | Pehler    | Vanasek   |
| Birnstihl    | Haugerud    | McCarron  | Petrafeso | Wenzel    |
| Braun        | Johnson, D. | McCollar  | Prahl     | Wieser    |
| Brinkman     | Ketola      | McEachern | Rice      |           |
| Carlson, R.  | Kostohryz   | Menning   | St. Onge  |           |

Those who voted in the negative were:

|             |             |               |             |              |
|-------------|-------------|---------------|-------------|--------------|
| Adams, L.   | Enebo       | Jude          | Niehaus     | Sieben, M.   |
| Adams, S.   | Erickson    | Kahn          | Norton      | Sieloff      |
| Beauchamp   | Esau        | Kaley         | Osthoff     | Simoneau     |
| Berg        | Evans       | Kelly, R.     | Parish      | Smogard      |
| Berglin     | Ewald       | Kelly, W.     | Peterson    | Stanton      |
| Biersdorf   | Fjoslien    | Kempe, A.     | Philbrook   | Suss         |
| Byrne       | Forsythe    | Kempe, R.     | Pleasant    | Swanson      |
| Carlson, A. | Friedrich   | Knickerbocker | Reding      | Tomlinson    |
| Carlson, L. | Fudro       | Knoll         | Sarna       | Ulland       |
| Casserty    | George      | Kvam          | Savelkoul   | Voss         |
| Clark       | Graba       | Laidig        | Schreiber   | Wenstrom     |
| Clawson     | Heinitz     | Lindstrom     | Schulz      | White        |
| Dahl        | Hokanson    | Luther        | Schumacher  | Williamson   |
| Dean        | Jacobs      | McCauley      | Searle      | Zubay        |
| DeGroat     | Jaros       | Munger        | Setzepfandt | Speaker Sabo |
| Dieterich   | Jensen      | Nelsen        | Sherwood    |              |
| Eken        | Johnson, C. | Nelson        | Sieben, H.  |              |

The motion did not prevail.

Clawson moved that the House reconsider the action whereby the motion to adopt the conference committee report on S. F. No. 2241 did not prevail.

A roll call was requested and properly seconded.

Johnson, D., moved that the message from the Senate relating to S. F. No. 2241 and the accompanying conference committee report be laid over until Wednesday, April 7, 1976.

A roll call was requested and properly seconded.

The question was taken on the Johnson, D., motion and the roll being called, there were yeas 31, and nays 88, as follows:

Those who voted in the affirmative were:

|              |             |           |            |         |
|--------------|-------------|-----------|------------|---------|
| Abeln        | Doty        | Kroening  | Prahl      | Spanish |
| Anderson, G. | Eckstein    | McCarron  | Rice       | Wenzel  |
| Anderson, I. | Fugina      | McCollar  | St. Onge   | Wieser  |
| Begich       | Haugerud    | McEachern | Samuelson  |         |
| Braun        | Johnson, D. | Menning   | Schumacher |         |
| Brinkman     | Ketola      | Pehler    | Skoglund   |         |
| Carlson, R.  | Kostohryz   | Petrafeso | Smith      |         |

Those who voted in the negative were:

|             |           |               |             |              |
|-------------|-----------|---------------|-------------|--------------|
| Adams, L.   | Enebo     | Johnson, C.   | Nelsen      | Sieloff      |
| Adams, S.   | Erickson  | Jude          | Nelson      | Simoneau     |
| Arlandson   | Esau      | Kahn          | Niehaus     | Smogard      |
| Beauchamp   | Evans     | Kaley         | Norton      | Stanton      |
| Berg        | Ewald     | Kelly, R.     | Novak       | Suss         |
| Berglin     | Faricy    | Kempe, A.     | Osthoff     | Swanson      |
| Biersdorf   | Fjoslien  | Kempe, R.     | Parish      | Tomlinson    |
| Byrne       | Forsythe  | Knickerbocker | Peterson    | Ulland       |
| Carlson, A. | Friedrich | Knoll         | Philbrook   | Vanasek      |
| Carlson, L. | Fudro     | Kvam          | Pleasant    | Voss         |
| Casserly    | George    | Laidig        | Reding      | Wenstrom     |
| Clark       | Graba     | Lindstrom     | Savelkoul   | White        |
| Clawson     | Hanson    | Luther        | Schreiber   | Wigley       |
| Corbid      | Heinitz   | Mangan        | Schulz      | Williamson   |
| Dean        | Hokanson  | McCauley      | Searle      | Zubay        |
| DeGroat     | Jacobs    | Metzen        | Setzepfandt | Speaker Sabo |
| Dieterich   | Jaros     | Munger        | Sieben, H.  |              |
| Eken        | Jensen    | Neisen        | Sieben, M.  |              |

The motion did not prevail.

The question recurred on the Clawson motion to reconsider and the roll being called, there were yeas 94, and nays 35, as follows:

Those who voted in the affirmative were:

|           |           |             |           |          |
|-----------|-----------|-------------|-----------|----------|
| Adams, L. | Berglin   | Carlson, A. | Clawson   | Eckstein |
| Adams, S. | Biersdorf | Carlson, L. | Dean      | Eken     |
| Beauchamp | Birnstihl | Casserly    | DeGroat   | Enebo    |
| Berg      | Byrne     | Clark       | Dieterich | Erickson |

|           |               |           |             |              |
|-----------|---------------|-----------|-------------|--------------|
| Esau      | Jensen        | Lemke     | Peterson    | Smogard      |
| Evans     | Johnson, C.   | Lindstrom | Philbrook   | Stanton      |
| Ewald     | Jude          | Luther    | Pleasant    | Suss         |
| Faricy    | Kahn          | Mangan    | Reding      | Swanson      |
| Fjoslien  | Kaley         | Mann      | Sarna       | Tomlinson    |
| Forsythe  | Kalis         | McCauley  | Savelkoul   | Ulland       |
| Friedrich | Kelly, W.     | Metzen    | Schreiber   | Vanasek      |
| Fudro     | Kempe, A.     | Munger    | Schulz      | Voss         |
| George    | Kempe, R.     | Neisen    | Searle      | Wenstrom     |
| Graba     | Knickerbocker | Nelsen    | Setzepfandt | White        |
| Hanson    | Knoll         | Nelson    | Sherwood    | Wigley       |
| Heinitz   | Kostohryz     | Niehaus   | Sieben, H.  | Williamson   |
| Hokanson  | Kroening      | Norton    | Sieben, M.  | Zubay        |
| Jacobs    | Kvam          | Osthoff   | Sieloff     | Speaker Sabo |
| Jaros     | Laidig        | Parish    | Simoneau    |              |

Those who voted in the negative were:

|              |             |           |           |            |
|--------------|-------------|-----------|-----------|------------|
| Abeln        | Carlson, R. | Ketola    | Novak     | Schumacher |
| Anderson, G. | Corbid      | Langseth  | Pehler    | Skoglund   |
| Anderson, I. | Doty        | McCarron  | Petrafeso | Smith      |
| Arlandson    | Fugina      | McCollar  | Prahl     | Spanish    |
| Begich       | Haugerud    | McEachern | Rice      | Vento      |
| Braun        | Johnson, D. | Menning   | St. Onge  | Wenzel     |
| Brinkman     | Kelly, R.   | Moe       | Samuelson | Wieser     |

The motion prevailed, and the following question was before the House.

Savelkoul moved that the report of the Conference Committee on S. F. No. 2241 be adopted and that the bill be repassed as amended by the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the motion to adopt the Conference Committee Report and the roll being called, there were yeas 66, and nays 57, as follows:

Those who voted in the affirmative were:

|             |             |               |             |           |
|-------------|-------------|---------------|-------------|-----------|
| Adams, L.   | Evans       | Kaley         | Parish      | Stanton   |
| Adams, S.   | Ewald       | Knickerbocker | Peterson    | Suss      |
| Berglin     | Fjoslien    | Knoll         | Philbrook   | Swanson   |
| Biersdorf   | Forsythe    | Kvam          | Pleasant    | Tomlinson |
| Carlson, A. | Friedrich   | Laidig        | Reding      | Ulland    |
| Carlson, L. | George      | Lindstrom     | Savelkoul   | Vanasek   |
| Casserly    | Heinitz     | Luther        | Schreiber   | Voss      |
| Clark       | Hokanson    | Mann          | Searle      | White     |
| Dean        | Jacobs      | McCauley      | Setzepfandt | Wigley    |
| Dieterich   | Jaros       | Munger        | Sieben, H.  | Zubay     |
| Eckstein    | Jensen      | Neisen        | Sieben, M.  |           |
| Eken        | Johnson, C. | Nelson        | Sieloff     |           |
| Erickson    | Jude        | Norton        | Simoneau    |           |
| Esau        | Kahn        | Osthoff       | Smogard     |           |

Those who voted in the negative were:

|       |              |              |           |           |
|-------|--------------|--------------|-----------|-----------|
| Abeln | Anderson, G. | Anderson, I. | Arlandson | Beauchamp |
|-------|--------------|--------------|-----------|-----------|

|             |             |           |            |              |
|-------------|-------------|-----------|------------|--------------|
| Begich      | Faricy      | Kroening  | Pehler     | Smith        |
| Berg        | Fudro       | Langseth  | Petrafeso  | Spanish      |
| Birnstihl   | Fugina      | Lemke     | Prahl      | Vento        |
| Braun       | Graba       | Mangan    | Rice       | Wenstrom     |
| Brinkman    | Hanson      | McCarron  | St. Onge   | Wenzel       |
| Byrne       | Haugerud    | McCollar  | Samuelson  | Wieser       |
| Carlson, R. | Johnson, D. | McEachern | Sarna      | Williamson   |
| Clawson     | Kelly, R.   | Menning   | Schulz     | Speaker Sabo |
| Corbid      | Kelly, W.   | Metzen    | Schumacher |              |
| Doty        | Ketola      | Moe       | Sherwood   |              |
| Enebo       | Kostohryz   | Novak     | Skoglund   |              |

The motion prevailed.

S. F. No. 2241, A bill for an act relating to game and fish; requiring a migratory waterfowl stamp; providing for disposition of proceeds of sale.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 69, and nays 57, as follows:

Those who voted in the affirmative were:

|             |           |               |             |            |
|-------------|-----------|---------------|-------------|------------|
| Adams, L.   | Eken      | Jensen        | Nelson      | Sieloff    |
| Adams, S.   | Erickson  | Johnson, C.   | Norton      | Simoneau   |
| Berg        | Esau      | Jude          | Osthoff     | Smogard    |
| Berglin     | Evans     | Kahn          | Parish      | Stanton    |
| Biersdorf   | Ewald     | Kaley         | Peterson    | Suss       |
| Byrne       | Faricy    | Knickerbocker | Philbrook   | Swanson    |
| Carlson, A. | Fjoslien  | Knoll         | Pleasant    | Tomlinson  |
| Carlson, L. | Forsythe  | Kvam          | Reding      | Ulland     |
| Cassery     | Friedrich | Laidig        | Savelkoul   | Voss       |
| Clark       | George    | Lindstrom     | Schreiber   | White      |
| Clawson     | Heinitz   | Luther        | Searle      | Wigley     |
| Dahl        | Hokanson  | McCauley      | Setzepfandt | Williamson |
| Dean        | Jacobs    | Munger        | Sieben, H.  | Zubay      |
| Dieterich   | Jaros     | Neisen        | Sieben, M.  |            |

Those who voted in the negative were:

|              |             |           |            |              |
|--------------|-------------|-----------|------------|--------------|
| Abeln        | Doty        | Kempe, R. | Moe        | Sherwood     |
| Anderson, G. | Eckstein    | Ketola    | Niehaus    | Skoglund     |
| Anderson, I. | Enebo       | Kostohryz | Novak      | Smith        |
| Arlandson    | Fudro       | Kroening  | Pehler     | Spanish      |
| Beauchamp    | Fugina      | Langseth  | Petrafeso  | Vento        |
| Begich       | Graba       | Lemke     | Prahl      | Wenstrom     |
| Birnstihl    | Hanson      | Mangan    | Rice       | Wenzel       |
| Braun        | Haugerud    | McCarron  | St. Onge   | Wieser       |
| Brinkman     | Johnson, D. | McCollar  | Samuelson  | Speaker Sabo |
| Carlson, R.  | Kelly, R.   | McEachern | Sarna      |              |
| Corbid       | Kelly, W.   | Menning   | Schulz     |              |
| DeGroat      | Kempe, A.   | Metzen    | Schumacher |              |

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

Mr. Speaker:

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

H. F. No. 2144, A bill for an act relating to the state transportation system; creating the Minnesota state transportation fund; appropriating money therefrom for construction and reconstruction of bridges and bridge approaches; authorizing the issuance of state bonds therefor pursuant to article XI of the constitution.

PATRICK E. FLAHAVEN, Secretary of the Senate

Lemke moved that the House refuse to concur in the Senate amendments to H. F. No. 2144, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2144:

Lemke, Patton and Schreiber.

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. 980, A bill for an act relating to taxation; providing for taxation of certain types of air commerce; amending Minnesota Statutes 1974, Sections 270.071, Subdivision 6; and 270.072, Subdivisions 2 and 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Kelly, W., moved that the House concur in the Senate amendments to H. F. No. 980 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 980, A bill for an act relating to taxation; taxes measured by net income; assessment of ad valorem taxes; providing for taxation of certain types of air commerce; amending Minnesota Statutes 1974, Sections 270.071, Subdivision 6; 270.072, Subdivisions 2 and 3; 270.13; 276.05; 276.06; 290.066, Subdivision 1; and Chapters 256 and 273, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 270.16, Subdivision 2; 274.14; 276.04; 290.012, Subdivision 4; 290.21, Subdivision 4; 290A.03, Subdivision 13; 290A.06; 290A.14; and Chapter 209A, by adding a section; and Laws 1975, Chapter 349, Section 32; repealing Minnesota Statutes, 1975 Supplement, Section 124.03.

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 129, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

### MESSAGES FROM THE SENATE, Continued

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2677, A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings; authorizing conveyance by the state of an easement for utility purposes over certain state lands in Blue Earth county; appropriating money.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2678, A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; authorizing issuance of state building bonds; appropriating money; amending Minnesota Statutes 1974, Sections 16.16, Subdivision 2; 137.02, Subdivision 3; repealing Laws 1973, Chapter 778, Section 20.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has discharged its Conference Committee on House File No. 2233 and that the Committee on Committees has appointed a new Conference Committee consisting of three members on the part of the Senate.

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 Senate has appointed as such committee Messrs. Olhoft, Borden and Josefson.

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. 2144, A bill for an act relating to the state transportation system; creating the Minnesota state transportation fund; appropriating money therefrom for construction and reconstruction of bridges and bridge approaches; authorizing the issuance of state bonds therefor pursuant to article XI of the constitution.

The Senate has appointed as such committee Messrs. Laufenburger, Frederick and Anderson.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 2177, A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; providing for a medical adviser in disability cases; inclusions and exclusions under the Minnesota state retirement system; mandatory retirement age for correctional officers; miscellaneous amendments to the elective state officers retirement plan and the unclassified employees retirement plan; providing for privacy of individual retirement data; providing for release of necessary data to governmental agencies; requiring an annual report to the legislature; excluding overtime payments for pension purposes; service credit for teachers on parental or maternity leave; elections to receive a combined service annuity; amending Minnesota Statutes 1974, Sections 352.01, Subdivisions 2A and 2B; 352C.02, Subdivisions 2, 3, and by adding a subdivision; 352C.04, Subdivisions 1 and 2a; 352C.05; 352C.09, Subdivision 1; 353.01, Subdivisions 2b, 16, and 30; 353.03, Subdivision 1, and by adding a subdivision; 353.27, Subdivision 7; 353.30, Subdivision 3; 353.33, Subdivision 11, and by adding subdivisions; 353.34, Sub-

division 6; 353.35; 353.656, Subdivision 6; Chapter 352C, by adding a section; Chapter 354, by adding a section; Chapter 356, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 43.051, Subdivision 3; 352D.02, Subdivision 1; 353.01, Subdivision 24; 353.03, Subdivision 2a; 353.15; and 353.29, Subdivision 7; and repealing Minnesota Statutes 1974, Section 352C.04, Subdivisions 2 and 2b.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2177

A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; providing for a medical adviser in disability cases; inclusions and exclusions under the Minnesota state retirement system; mandatory retirement age for correctional officers; miscellaneous amendments to the elective state officers retirement plan and the unclassified employees retirement plan; providing for privacy of individual retirement data; providing for release of necessary data to governmental agencies; requiring an annual report to the legislature; excluding overtime payments for pension purposes; service credit for teachers on parental or maternity leave; elections to receive a combined service annuity; amending Minnesota Statutes 1974, Sections 352.01, Subdivisions 2A and 2B; 352C.02, Subdivisions 2, 3, and by adding a subdivision; 352C.04, Subdivisions 1 and 2a; 352C.05; 352C.09, Subdivision 1; 353.01, Subdivisions 2b, 16, and 30; 353.03, Subdivision 1, and by adding a subdivision; 353.27, Subdivision 7; 353.30, Subdivision 3; 353.33, Subdivision 11, and by adding subdivisions; 353.34, Subdivision 6; 353.35; 353.656, Subdivision 6; Chapter 352C, by adding a section; Chapter 354, by adding a section; Chapter 356, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 43.051, Subdivision 3; 352D.02, Subdivision 1; 353.01, Subdivision 24; 353.03, Subdivision 2a; 353.15; and 353.29, Subdivision 7; and repealing Minnesota Statutes 1974, Section 352C.04, Subdivisions 2 and 2b.

April 3, 1976

The Honorable Alec G. Olson

President of the Senate

The Honorable Martin O. Sabo

Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 2177 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 2177 be further amended as follows:

Page 2, line 15, strike "of one year".

Page 2, line 16, delete "1977" and insert "1980".

Page 2, line 18 to 23, delete the underscored language and reinstate the stricken language.

Page 2, delete lines 30 to 35.

Page 3, delete lines 1 to 29.

Page 13, delete lines 5 to 9, and insert:

*"(5) The chairman, chief administrator, and not to exceed nine positions at the division director or administrative deputy level of the metropolitan waste control commission as designated by the commission, and the chairman, executive director, and not to exceed nine positions at the division director or administrative deputy level of the metropolitan council as designated by the council; provided that upon initial designation of all positions provided for in this clause, no further designations or redesignations shall be made without approval of the board of directors of the Minnesota state retirement system."*

Page 16, line 23, delete the underscored language and reinstate the stricken language.

Page 16, following line 30 insert: *"Payments under this clause shall include interest at the rate of six percent per annum from the date of the termination of the leave of absence or temporary layoff to the date payment is made."*

Page 18, following line 6, insert:

"Sec. 17. Minnesota Statutes 1974, Chapter 353, is amended by adding a section to read:

[353.0185] [RETIREMENT; PUBLIC EMPLOYEES RETIREMENT ASSOCIATION; MINNESOTA MUNICIPAL UTILITIES ASSOCIATION EMPLOYEES.] *Subdivision 1. From and after July 1, 1976, employees of the Minnesota Municipal Utilities Association, hereinafter referred to as the association, shall become coordinated members of the public employees retirement association unless specifically exempt under section 353.01, subdivision 2b, and the association shall be deemed to be a governmental subdivision for purposes of this chapter.*

*Subd. 2. A person who becomes a member of the public employees retirement association pursuant to subdivision 1 may*

*purchase prior service credit with respect to full time employment with the association subsequent to October 19, 1975 by (a) paying to the public employees retirement association prior to August 1, 1976 an employee contribution in an amount equal to four percent of his or her salary at the time the prior service was rendered, as certified by the association, plus interest at the rate of six percent per annum; (b) the member at the same time shall pay additionally an amount equal to five and one half percent of salary at the time the prior service was rendered, plus interest at the rate of six percent per annum; provided the association may, in its sole discretion, for all employees included hereunder, pay the public employees retirement association the obligation under (b)."*

Page 19, delete lines 30 and 31 and insert: *"the date of the board election held in the year 1977. A board election shall be held prior to October 1, 1977."*

Page 19, delete line 32.

Page 20, delete lines 1 to 15.

Page 26, following line 13, insert:

"Sec. 31. Minnesota Statutes, 1975 Supplement, Section 354.-44, Subdivision 1a, is amended to read:

Subd. 1a. [MANDATORY RETIREMENT.] Notwithstanding the provisions of sections 43.30 or 197.45 to 197.48, a member shall terminate employment on August 31, 1976, or at the end of the academic year in which he reaches the age of 65, whichever is later. For purposes of this subdivision, an academic year shall be deemed to end August 31. A member who terminates employment at any time during the academic year at the end of which such person is required to terminate employment pursuant to this subdivision shall, for the purpose of determining eligibility for a proportionate retirement annuity, be considered to have been required to terminate employment at age 65 or earlier pursuant to this subdivision. *Nothing contained in this subdivision shall preclude a district from employing a retired teacher as a substitute teacher; provided, no teacher required to terminate employment by this subdivision shall resume membership in the retirement association by virtue of employment as a substitute teacher; provided further that upon having earned \$3,000 in any academic year from employment as a substitute teacher, any person over the age of 65 years shall terminate employment for the remainder of that academic year.*

Sec. 32. Minnesota Statutes, 1975 Supplement, Section 354A.-21, is amended to read:

354A.21 [MANDATORY RETIREMENT; PROPORTIONATE ANNUITY.] Notwithstanding the provisions of sections

197.45 to 197.48 or 354A.05, a teacher subject to the provisions of this chapter shall terminate employment on August 31, 1976, or at the end of the academic year in which such teacher reaches the age of 65, whichever is later. For purposes of this section, an academic year shall be deemed to end August 31. A teacher who terminates employment at any time during the academic year at the end of which such person is required to terminate employment pursuant to this section and who has less than the minimum required number of years of service to otherwise qualify for a retirement annuity shall be entitled upon application to a proportionate retirement annuity based on service prior to termination. *Nothing contained in this subdivision shall preclude a district from employing a retired teacher as a substitute teacher; provided, no teacher required to terminate employment by this section shall resume membership in the retirement association by virtue of employment as a substitute teacher; provided further that upon having earned \$3,000 in any academic year from employment as a substitute teacher, any person over the age of 65 years shall terminate employment for the remainder of that academic year."*

Page 26, delete lines 16 to 30.

Page 27, delete lines 1 to 9 and insert:

*"[356.34] [LIMITATION ON AVERAGE SALARY FOR BENEFITS.] Subdivision 1. Effective for any disability benefit or retirement annuity commencing after June 30, 1977 from a fund enumerated in subdivision 2, which benefit or annuity is based on a final average salary, no year of salary used in determining the final average salary as defined by the laws governing the fund shall exceed the salary paid in the previous year by more than 15 percent.*

*Subd. 2. The provisions of this section shall apply to the following retirement funds:*

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

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

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

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

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

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

Page 28, line 8, following the period insert: "*With respect to such persons who are over 65 years of age and whose public service terminated between May 1, 1975 and the effective date of this act, proportionate annuity payments may be made retroactive to January 1, 1976 or the date of termination of public service, whichever is later.*"

Page 28, line 14, delete "3" and insert "2".

Renumber the sections in sequence.

Further, amend the title:

Page 1, line 11, delete "providing for release".

Page 1, delete lines 12 to 14 and insert "limitation on average salary for benefits;"

Page 1, line 18, delete "Subdivisions 2A and" and insert "Subdivision".

Page 1, lines 22 and 23, delete ", and by adding a subdivision".

Page 1, line 27, after the semicolon insert "Chapter 353, by adding a section;"

Page 1, line 32, delete the first "and" and following "Subdivision 7;" insert "354.44, Subdivision 1a; and 354A.21;"

We request adoption of this report and repassage of the bill.

Senate Conferees: EUGENE E. STOKOWSKI, JOHN C. CHENOWETH and HARMON T. OGDahl.

House Conferees: DAVID BEAUCHAMP, JOHN S. BIERSDORF and AL PATTON.

Beauchamp moved that the report of the Conference Committee on S. F. No. 2177 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2177, A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; providing for a medical adviser in disability cases; inclusions and exclusions under the Minnesota state retirement system; mandatory retirement age for correctional officers; miscel-

laneous amendments to the elective state officers retirement plan and the unclassified employees retirement plan; providing for privacy of individual retirement data; providing for release of necessary data to governmental agencies; requiring an annual report to the legislature; excluding overtime payments for pension purposes; service credit for teachers on parental or maternity leave; elections to receive a combined service annuity; amending Minnesota Statutes 1974, Sections 352.01, Subdivisions 2A and 2B; 352C.02, Subdivisions 2, 3, and by adding a subdivision; 352C.04, Subdivisions 1 and 2a; 352C.05; 352C.09, Subdivision 1; 353.01, Subdivisions 2b, 16, and 30; 353.03, Subdivision 1, and by adding a subdivision; 353.27, Subdivision 7; 353.30, Subdivision 3; 353.33, Subdivision 11, and by adding subdivisions; 353.34, Subdivision 6; 353.35; 353.656, Subdivision 6; Chapter 352C, by adding a section; Chapter 354, by adding a section; Chapter 356, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 43.051, Subdivision 3; 352D.02, Subdivision 1; 353.01, Subdivision 24; 353.03, Subdivision 2a; 353.15; and 353.29, Subdivision 7; and repealing Minnesota Statutes 1974, Section 352C.04, Subdivisions 2 and 2b.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 1326, A bill for an act relating to garnishment and execution; amending Minnesota Statutes 1974, Sections 550.04; 550.142; 550.37, Subdivisions 4, 13, 14, 18, 19, and by adding a subdivision; 571.41, Subdivisions 1 and 2, and by adding subdivision; 571.55, Subdivisions 1 and 2; 571.61, Subdivision 1; 571.67; and Chapters 550, by adding a section; and 571, by adding sections; repealing Minnesota Statutes 1974, Sections 571.47; 571.48; and 571.49.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Casserly moved that the House concur in the Senate amendments to H. F. No. 1326 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1326, A bill for an act relating to garnishment, execution, and wage assignment; amending Minnesota Statutes 1974, Sections 550.041; 550.142; 550.37, Subdivisions 13, 14, 18, 19, and by adding a subdivision; 571.41, Subdivisions 1 and 2, and by adding subdivisions; 571.55, Subdivisions 1 and 2; 571.61, Subdivision 1; 571.67; and Chapters 181, by adding a section; 550, by adding a section; and 571, by adding sections; repealing Minnesota Statutes 1974, Sections 571.47; 571.48; and 571.49.

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 70, and nays 58, as follows:

Those who voted in the affirmative were:

|              |               |           |             |              |
|--------------|---------------|-----------|-------------|--------------|
| Abeln        | Dieterich     | Kostohryz | Pehler      | Smogard      |
| Adams, L.    | Eken          | Laidig    | Petrafeso   | Spanish      |
| Adams, S.    | Ewald         | Langseth  | Philbrook   | Stanton      |
| Anderson, G. | George        | Lindstrom | Pleasant    | Suss         |
| Arlandson    | Haugerud      | Luther    | Prahl       | Swanson      |
| Beauchamp    | Heinitz       | Mangan    | Reding      | Tomlinson    |
| Berg         | Hokanson      | McCollar  | Schreiber   | Ulland       |
| Byrne        | Jacobs        | Metzen    | Schumacher  | Vanasek      |
| Carlson, A.  | Jaros         | Moe       | Setzepfandt | Vento        |
| Carlson, L.  | Kahn          | Munger    | Sieben, H.  | Voss         |
| Casserly     | Kelly, R.     | Neisen    | Sieben, M.  | Wenstrom     |
| Clark        | Kelly, W.     | Norton    | Simoneau    | White        |
| Clawson      | Knickerbocker | Novak     | Skoglund    | Williamson   |
| Dean         | Knoll         | Parish    | Smith       | Speaker Sabo |

Those who voted in the negative were:

|              |           |             |           |          |
|--------------|-----------|-------------|-----------|----------|
| Albrecht     | Doty      | Graba       | Mann      | St. Onge |
| Anderson, I. | Eckstein  | Hanson      | McCarron  | Sarna    |
| Begich       | Enebo     | Jensen      | McCauley  | Schulz   |
| Berglin      | Erickson  | Johnson, C. | McEachern | Searle   |
| Biersdorf    | Esau      | Johnson, D. | Menning   | Sherwood |
| Birnstihl    | Evans     | Jude        | Nelsen    | Sieloff  |
| Braun        | Faricy    | Kaley       | Nelson    | Wenzel   |
| Brinkman     | Fjoslien  | Kalis       | Niehaus   | Wieser   |
| Carlson, R.  | Forsythe  | Ketola      | Osthoff   | Wigley   |
| Corbid       | Friedrich | Kroening    | Patton    | Zubay    |
| Dahl         | Fudro     | Kvam        | Peterson  |          |
| DeGroat      | Fugina    | Lemke       | Rice      |          |

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

The following conference committee reports were received:

#### CONFERENCE COMMITTEE REPORT ON H. F. NO. 2144

A bill for an act relating to the state transportation system; creating the Minnesota state transportation fund; appropriating money therefrom for construction and reconstruction of bridges and bridge approaches; authorizing the issuance of state bonds therefor pursuant to article XI of the constitution.

April 6, 1976

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

We, the undersigned conferees for H. F. No. 2144 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 2144 be further amended as follows:

Page 2, line 28, strike "highways" and insert "transportation".

Page 2, line 29, strike "director of planning" and insert "commissioner".

Page 3, line 5, strike "highways" and insert "transportation".

Page 3, line 6, strike "director of planning" and insert "commissioner".

Page 3, line 11, strike "state".

Page 3, line 12, strike "planning agency" and insert "department of transportation".

Page 3, line 29, strike "state planning" and insert "department of transportation".

Page 3, line 30, strike "agency".

Page 4, line 10, strike "highways" and insert "transportation".

Page 4, line 18, strike "highways" and insert "transportation".

Pages 8 and 9, strike section 3 in its entirety and insert:

"Sec. 3. [BOND AUTHORIZATIONS.] Subdivision 1. The commissioner of finance is authorized upon the request of the commissioner of transportation to sell and issue Minnesota state transportation bonds for the purposes provided in section 2, subdivision 1, in the aggregate principal amount of \$12,500,000, in the manner and upon the conditions prescribed in section 2 and in article XI of the constitution; provided that no bonds may be sold in any year unless the money appropriated by section 4, subdivision 2, clause (a), has been expended. The proceeds of the bonds, except as provided in section 2, subdivision 5, are appropriated to the Minnesota state transportation fund for expenditure in accordance with section 1 and section 4, subdivision 1, clause (a).

Subd. 2. The commissioner of finance is authorized upon the request of the commissioner of transportation to sell and issue Minnesota state transportation bonds for the purposes provided in section 2, subdivision 1, in the aggregate principal amount of \$12,500,000, in the manner and upon the conditions prescribed in section 2 and in article XI of the constitution; provided that no bonds shall be sold in any year unless the money appropriated by section 4, subdivision 2, clause (b), has been expended. The proceeds of the bonds, except as provided in section 2, subdivision 5, are appropriated to the Minnesota state transportation fund for expenditure in accordance with this section and section 1 and section 4, subdivision 1, clause (b).

Sec. 4. [APPROPRIATION.] Subdivision 1. The following sums, or so much thereof as is determined to be needed are appropriated from the Minnesota state transportation fund to the department of transportation for the following purposes:

(a) \$25,000,000 for the construction and reconstruction of key bridges and bridge approaches on the trunk highway system, including interstate routes;

(b) For disbursement in the form of grants to political subdivisions by the commissioner of transportation for the construc-

tion and reconstruction of key bridges on the following road systems:

- (1) County highway systems ..... \$13,500,000
- (2) Municipal street systems ..... \$ 4,000,000
- (3) Township road systems ..... \$ 7,500,000.

Subd. 2. The following sums shall be appropriated from the general fund in the fiscal year ending June 30, 1977, to the department of transportation for deposit in the Minnesota state transportation fund:

(a) \$12,500,000 for expenditure in accordance with subdivision 1, clause (a); and

(b) \$12,500,000 for expenditure in accordance with subdivision 1, clause (b).".

Renumber remaining section.

Page 9, line 6, strike "Section 3 is" and insert "Sections 3 and 4 are".

Further, amend the title as follows:

Page 1, line 7, after "constitution" insert "; appropriating money".

We request adoption of this report and repassage of the bill.

House Conferees: RICHARD R. LEMKE, AL PATTON and WILLIAM H. SCHREIBER.

Senate Conferees: ROGER LAUFENBURGER, MEL FREDERICK and JERALD C. ANDERSON.

Lemke moved that the report of the Conference Committee on H. F. No. 2144 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2144, A bill for an act relating to the state transportation system; creating the Minnesota state transportation fund; appropriating money therefrom for construction and reconstruction of bridges and bridge approaches; authorizing the issuance of state bonds therefor pursuant to article XI of the constitution.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 112, and nays 17, as follows:

Those who voted in the affirmative were:

|              |             |               |            |             |
|--------------|-------------|---------------|------------|-------------|
| Abeln        | Eckstein    | Kahn          | Moe        | Searle      |
| Adams, L.    | Eken        | Kalis         | Munger     | Setzepfandt |
| Adams, S.    | Enebo       | Kelly, R.     | Neisen     | Sherwood    |
| Albrecht     | Erickson    | Kelly, W.     | Nelsen     | Sieben, H.  |
| Anderson, G. | Esau        | Kempe, A.     | Nichaus    | Sieben, M.  |
| Anderson, I. | Evans       | Kempe, R.     | Norton     | Sieloff     |
| Beauchamp    | Ewald       | Ketola        | Novak      | Smith       |
| Begich       | Faricy      | Knickerbocker | Osthoff    | Smogard     |
| Biersdorf    | Forsythe    | Kostohryz     | Parish     | Spanish     |
| Birnstihl    | Fudro       | Kroening      | Patton     | Stanton     |
| Braun        | Fugina      | Kvam          | Pehler     | Swanson     |
| Brinkman     | George      | Laidig        | Peterson   | Tomlinson   |
| Carlson, A.  | Graba       | Langseth      | Philbrook  | Ulland      |
| Carlson, L.  | Hanson      | Lemke         | Pleasant   | Vanasek     |
| Carlson, R.  | Haugerud    | Lindstrom     | Prahl      | Vento       |
| Casserly     | Heinitz     | Luther        | Reding     | Voss        |
| Clawson      | Hokanson    | Mangan        | St. Onge   | Wenstrom    |
| Corbid       | Jacobs      | Mann          | Samuelson  | Wenzel      |
| Dahl         | Jaros       | McCarron      | Sarna      | White       |
| Dean         | Jensen      | McCauley      | Savelkoul  | Wieser      |
| DeGroat      | Johnson, C. | McEachern     | Schreiber  |             |
| Dieterich    | Johnson, D. | Menning       | Schulz     |             |
| Doty         | Jude        | Metzen        | Schumacher |             |

Those who voted in the negative were:

|           |           |           |          |              |
|-----------|-----------|-----------|----------|--------------|
| Arlandson | Clark     | McCollar  | Simoneau | Speaker Sabo |
| Berg      | Fjoslien  | Nelson    | Skoglund |              |
| Berglin   | Friedrich | Petrateso | Wigley   |              |
| Byrne     | Kaley     | Rice      | Zubay    |              |

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

#### CONFERENCE COMMITTEE REPORT ON 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.

April 6, 1976

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

We, the undersigned conferees for H. F. No. 2233 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and H. F. No. 2233 be amended as follows:

Page 2, after line 4, insert:

*"Sec. 4. Subdivision 1. Notwithstanding the population requirements of Minnesota Statutes, Section 402.01, Subdivision 1, any two contiguous counties of the counties of Aitkin, Carlton, Itasca, or Koochiching may, by resolution of their county boards of commissioners, designate a human services board having the composition, powers and duties provided in Minnesota Statutes, Sections 402.01 to 402.10.*

*Subd. 2. This section shall be effective for each county named in subdivision 1 upon its approval by the board of county commissioners of the county and upon compliance with Minnesota Statutes, Section 645.021."*

Further, amend the title as follows:

Page 1, line 3, delete "county" and insert ", Aitkin, Carlton, Itasca, and Koochiching counties".

We request adoption of this report and repassage of the bill.

House Conferees: GENE WENSTROM, JAMES I. RICE and WAYNE O. SCHUMACHER.

Senate Conferees: WAYNE OLHOFT, J. A. JOSEFSON and WINSTON BORDEN.

Wenstrom moved that the report of the Conference Committee on H. F. No. 2233 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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 by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 120, and nays 9, as follows:

Those who voted in the affirmative were:

|           |              |           |             |             |
|-----------|--------------|-----------|-------------|-------------|
| Abeln     | Anderson, G. | Berg      | Braun       | Carlson, L. |
| Adams, L. | Arlandson    | Berglin   | Brinkman    | Cassery     |
| Adams, S. | Beauchamp    | Biersdorf | Byrne       | Clark       |
| Albrecht  | Begich       | Birnstihl | Carlson, A. | Clawson     |

|           |               |           |             |              |
|-----------|---------------|-----------|-------------|--------------|
| Corbid    | Hanson        | Kvam      | Parish      | Simoneau     |
| Dahl      | Haugerud      | Laidig    | Pehler      | Skoglund     |
| Dean      | Heinitz       | Langseth  | Peterson    | Smith        |
| DeGroat   | Hokanson      | Lindstrom | Petrafeso   | Smogard      |
| Dieterich | Jacobs        | Luther    | Philbrook   | Spanish      |
| Eckstein  | Jaros         | Mangan    | Pleasant    | Stanton      |
| Eken      | Jensen        | Mann      | Reding      | Suss         |
| Enebo     | Johnson, C.   | McCarron  | Rice        | Swanson      |
| Erickson  | Johnson, D.   | McCauley  | St. Onge    | Tomlinson    |
| Esau      | Jude          | McCollar  | Sarna       | Ulland       |
| Evans     | Kahn          | McEachern | Savelkoul   | Vanasek      |
| Ewald     | Kaley         | Menning   | Schreiber   | Vento        |
| Faricy    | Kelly, R.     | Moe       | Schulz      | Voss         |
| Fjoslien  | Kelly, W.     | Munger    | Schumacher  | Wenstrom     |
| Forsythe  | Kempe, A.     | Nelsen    | Searle      | Wenzel       |
| Friedrich | Kempe, R.     | Nelson    | Setzepfandt | White        |
| Fudro     | Knickerbocker | Niehaus   | Sherwood    | Wieser       |
| Fugina    | Knoll         | Norton    | Sieben, H.  | Wigley       |
| George    | Kostohryz     | Novak     | Sieben, M.  | Zubay        |
| Graba     | Kroening      | Osthoff   | Sieloff     | Speaker Sabo |

Those who voted in the negative were:

|              |       |        |        |       |
|--------------|-------|--------|--------|-------|
| Anderson, I. | Doty  | Ketola | Metzen | Prahl |
| Carlson, R.  | Kalis | Lemke  | Neisen |       |

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

#### ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 11:00 a.m., Wednesday, April 7, 1976. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 11:00 a.m., Wednesday, April 7, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives