

## STATE OF MINNESOTA

## SEVENTIETH SESSION - 1977

## THIRTY-FIFTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 14, 1977

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jaros	Moe	Searles
Adams	Corbid	Jensen	Munger	Sherwood
Albrecht	Cummiskey	Johnson	Murphy	Sieben, H.
Anderson, B.	Dahl	Jude	Neisen	Sieben, M.
Anderson, D.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, G.	Den Ouden	Kaley	Nelsen, M.	Skoglund
Anderson, I.	Eckstein	Kalis	Nelson	Smogard
Anderson, R.	Eken	Kelly, R.	Niehaus	Spanish
Arlandson	Ellingson	Kelly, W.	Norton	Stanton
Battaglia	Enebo	Kempe, A.	Novak	Stoa
Beauchamp	Erickson	Kempe, R.	Osthoff	Suss
Begich	Esau	King	Patton	Swanson
Berg	Evans	Knickerbocker	Pehler	Tomlinson
Berglin	Ewald	Kostohryz	Peterson	Vanasek
Berkelman	Faricy	Kroening	Petraleso	Voss
Biersdorf	Fjoslien	Kvam	Pleasant	Waldorf
Birnstihl	Forsythe	Laidig	Prahl	Welch
Brandl	Friedrich	Langseth	Reding	Wenstrom
Braun	Fudro	Lehto	Rice	Wenzel
Brinkman	Fugina	Lemke	Rose	White
Byrne	George	Mangan	St. Onge	Wieser
Carlson, A.	Gunter	Mann	Samuelson	Wigley
Carlson, D.	Hanson	McCarron	Sarna	Williamson
Carlson, L.	Haugerud	McCollar	Savelkoul	Wynia
Casserly	Heinitz	McDonald	Scheid	Zubay
Clark	Hokanson	McEachern	Schulz	Speaker Sabo
Clawson	Jacobs	Metzen	Searle	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. Laidig moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 61, 145, 320, 818, 557, 821, 968, 203 and 157 and S. F. No. 483 have been placed in the members' files.

## PETITIONS AND COMMUNICATIONS

The following communication was received:

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

April 12, 1977

The Honorable Martin O. Sabo  
Speaker of the House of Representatives  
The Honorable Edward J. Gearty  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1977 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1977</i>	<i>Date Filed 1977</i>
74		20	April 12	April 12
86		21	April 12	April 12

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

## REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 958, A bill for an act relating to agriculture; establishing a swine disease research center; appropriating money.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1172, A bill for an act relating to agriculture; produce; inspection; fees; potato grading; labeling and inspection; prohibiting certain sales of artificially colored potatoes; amending Minnesota Statutes 1976, Sections 27.07; 30.10; 30.20; and Chapter 30, by adding sections; repealing Minnesota Statutes 1976, Sections 30.121; 30.13; 30.14; and 30.478.

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

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 285, A bill for an act relating to commerce; prohibiting discriminatory trade practices; providing a penalty; amending Minnesota Statutes 1976, Sections 325.8013; and 325.-8018, Subdivision 2.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Chapter 325, is amended by adding a section to read:

[325.80155] [DISCRIMINATORY ACTS.] *Subdivision 1. Without limiting section 325.8013, the following, when performed by a person within the jurisdiction of this state, and affecting business in this state, shall be deemed to restrain trade or commerce unreasonably and are unlawful:*

(1) *Requiring any person to be excluded from a business transaction on the basis of that person's sex, race, color, religion, ancestry or national origin or on the basis that the person conducts or has conducted business with persons of a particular race, sex, color, religion, ancestry or national origin, or on the basis that the person has done business in a particular country;*

(2) *Giving, as part of any business transaction, any statement, certification or other document to the effect that the giver of the statement, certification or other document has complied with a policy imposed by any person, nation, or international organization requiring exclusion from any business transaction, or discrimination against, any person on the basis of his race, sex, color, religion, ancestry or national origin or on the basis*

*that the person conducts or has conducted business with persons of a particular race, sex, color, religion, ancestry or national origin, or on the basis that the person has done business in a particular country;*

*(3) Granting, accepting or processing any letter of credit or other document which evidences the transfer of funds or credit, or entering into any contract for the exchange of goods or services, where the letter of credit, contract, or other document contains any provision which requires any person to discriminate against or to certify that he has not dealt with any other person on the basis of race, sex, color, religion, ancestry or national origin, or on the basis that the person conducts or has conducted business with persons of a particular race, sex, color, religion, ancestry or national origin, or on the basis that the person has done business in a particular country;*

*(4) Refusing to grant, accept or process any letter of credit, or other document which evidences the transfer of funds or credit, or refusal to enter into any contract for the exchange of goods or services, on the grounds that it does not contain provisions or certifications described in clause (3) of this subdivision;*

*(5) As part of any business transaction, complying, or agreeing to comply, or certifying or giving other assurance that he complies or agrees to comply, with a policy imposed by another party requiring discrimination against, or refusal to deal with, any person, group of persons, or list of persons, on the basis of race, sex, color, religion, ancestry or national origin or on the basis that the person, group of persons or list of persons conducts or has conducted business with persons of a particular race, sex, color, religion, ancestry or national origin, or on the basis that the person has done business in a particular country; or*

*(6) Providing, agreeing to provide, or requiring another party to provide or agree to provide an assurance that the goods shipped do not have their origin in any particular foreign country.*

*Provided, however, that the provisions of this section shall not apply to (a) any letter of credit, contract, or other document which contains any provisions pertaining to a labor dispute or an unfair labor practice if the other provisions of such letter of credit, contract, or other document do not violate the provisions of this section; (b) the requiring of association with a particular employer or a particular group as a requisite to obtaining group rates or discount on insurance, recreational activities, or other similar benefits; (c) any act which is an unfair discriminatory practice under section 363.01, subdivision 9, and for which a remedy is provided under chapter 363; (d) persons exempted or acts excepted from the provisions of chapter 363 pursuant to section 363.02.*

*The exemption contained in section 325.8017, subdivision 2, shall not apply to actions made unlawful under this subdivision. Provided, however, that the provisions of this subdivision shall not apply to any action made lawful by legislation of the United States of America or executive order of the President of the United States of America which affirmatively preempts the provisions of this section.*

*Subd. 2. Any agreement containing a written or verbal term providing that one or more parties to the agreement will violate the previous subdivision 1 is null and void, and no party to such an agreement may recover in an action for goods or money due by reason of such an agreement or by reason of money paid or goods shipped pursuant to such an agreement.*

Sec. 2. Minnesota Statutes 1976, Section 325.8018, Subdivision 2, is amended to read:

Subd. 2. Any person who is found to have willfully committed any of the acts enumerated in section 325.8015 or section 1 of this act shall be guilty of a felony and subject to a fine of not more than \$50,000 or imprisonment in the state penitentiary for not more than five years, or both.

Sec. 3. *This act is effective July 1, 1977.*

Further, amend the title as follows:

Page 1, line 4, delete "Sections 325.8013; and" and insert "Section".

Page 1, line 5, after "2" insert "; and Chapter 325, by adding a section".

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 875, A bill for an act relating to the state housing finance agency; setting the amount of bonds and notes that may be outstanding; clarifying eligibility; providing for fund administration and repayment requirements; appropriating money; amending Minnesota Statutes 1976, Sections 462A.03, Subdivision 7; 462A.21, Subdivisions 4b and 5; and 462A.22, Subdivision 1.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1976, Section 462A.03, Subdivision 7, is amended to read:

Subd. 7. "Residential housing" means a specific work or improvement within this state undertaken primarily to provide residential care facilities for mentally ill, mentally deficient, physically handicapped, and drug dependent persons licensed or potentially eligible for licensure under rules promulgated by the commissioner of public welfare, or to provide dwelling accommodations for persons and families of low and moderate income and for (OTHERS) *other persons and families* when determined to be necessary *either* in furtherance of the policy of *economic integration* stated in section 462A.02, subdivision 6, (INCLUDING) *or to carry out a redevelopment project as defined in section 462.421, subdivision 13, or a development program within a development district pursuant to section 472A.03 and Laws 1971, Chapters 548 and 677, and Laws 1973, Chapters 196, 761, and 764; and includes land development and the acquisition, construction or rehabilitation of buildings and improvements thereto, for residential housing, and such other nonhousing facilities as may be incidental or appurtenant thereto.*

Sec. 2. Minnesota Statutes 1976, Section 462A.03, Subdivision 13, is amended to read:

Subd. 13. "Eligible mortgagor" means a nonprofit *or cooperative* corporation, limited profit entity or a builder as the same are defined by the agency in its rules, which sponsors or constructs residential housing as defined in subdivision 7, or a natural person of low or moderate income, except that the return to a limited dividend entity shall not exceed six percent of the capital contribution of the investors or such lesser percentage as the agency shall establish in its rules. Owners of existing residential housing occupied by renters shall be eligible for rehabilitation loans, only if, as a condition to the issuance of the loan, the owner agrees to conditions established by the agency in its rules relating to rental or other matters that will insure that the housing will be occupied by persons and families of low or moderate income. The agency shall require by rules that the owner give preference to those persons of low or moderate income who occupied the residential housing at the time of application for the loan.

Sec. 3. Minnesota Statutes 1976, Section 462A.05, Subdivision 5, is amended to read:

Subd. 5. It may make temporary loans solely to "nonprofit" or "cooperative" sponsors as defined by the agency, with or

without interest, and with such security for repayment, if any, as the agency determines reasonably necessary and practicable, solely from the housing development fund, in accordance with the provisions of section 462A.21, to defray development costs to sponsors of residential housing construction for occupancy by persons and families of low and moderate income which development costs are eligible or potentially eligible for construction loans or mortgages.

Sec. 4. Minnesota Statutes 1976, Section 462A.05, Subdivision 15, is amended to read:

Subd. 15. It may make grants to persons and families of low and moderate income to pay or to assist in paying a loan made pursuant to subdivision 14, or to rehabilitate or to assist in rehabilitating existing residential housing owned or occupied by such persons or families. For the purposes of this section, persons of low and moderate income include administrators appointed pursuant to section 566.25, clause (c). No such grant shall be made unless the agency determines that such grant will be used primarily to make the housing more desirable to live in, to increase the market value of the housing or for compliance with state, county or municipal building, housing maintenance, fire, health or similar codes and standards applicable to housing. In unincorporated areas and municipalities not having such codes and standards, the agency may, solely for the purpose of administering this provision, establish such codes and standards. No grant for rehabilitation of owner occupied residential housing shall be denied solely because the grant will not be used for placing such residential housing in full compliance with all state, county or municipal building, housing maintenance, fire, health or similar codes and standards applicable to housing(, OR TO ACCOMPLISH ENERGY CONSERVATION RELATED IMPROVEMENTS). The amount of any such grant shall not exceed the lesser of (a) \$5,000, or (b) the actual cost of the work performed, or (c) that portion of the cost of rehabilitation which the agency determines cannot otherwise be paid by such person or family without spending an unreasonable portion of the income of such person or family thereon; *provided, however, that a grant may exceed \$5,000 by such amount as is necessary to improve the accessibility of residential housing to a handicapped occupant, not to exceed, however, the amount of \$2,500.* In making such grants, the agency shall determine the circumstances under which and the terms and conditions under which all or any portion thereof will be repaid and shall determine the appropriate security should such repayment be required.

The agency may also make grants to rehabilitate or to assist in rehabilitating housing under this subdivision to persons of low and moderate income for the purpose of qualifying as foster parents.

Sec. 5. Minnesota Statutes 1976, Section 462A.07, is amended by adding a subdivision to read:

*Subd. 3a. To encourage applications for multifamily housing projects which afford residents participation in the ownership or management of the project, it shall make available technical assistance to potential applicants.*

Sec. 6. Minnesota Statutes 1976, Section 462A.07, is amended by adding a subdivision to read:

*Subd. 5a. It may enter into agreements with housing and re-development authorities or other appropriate local governmental units to foster multifamily housing rehabilitation and shall act to develop such agreements. It may give advance reservations of mortgage financing and federal rent subsidies as part of such agreements, with the understanding that the agency will only approve the mortgage loans pursuant to normal procedures, and may adopt special procedures designed to meet problems inherent in a program of multifamily housing rehabilitation. The agreements may include the United States department of housing and urban development when desirable and appropriate.*

Sec. 7. Minnesota Statutes 1976, Section 462A.07, Subdivision 12, is amended to read:

*Subd. 12. It may delegate, use or employ any federal, state, regional or local public or private agency or organization, including organizations of physically handicapped persons, upon such terms as it deems necessary or desirable, to assist in the exercise of any of the powers granted in (LAWS 1974, CHAPTER 441) sections 462A.01 to 462A.24 and to carry out the objectives of (LAWS 1974, CHAPTER 441,) sections 462A.01 to 462A.24 and may pay for such services from the housing development fund.*

Sec. 8. Minnesota Statutes 1976, Section 462A.21, Subdivision 4a, is amended to read:

*Subd. 4a. It may make rehabilitation grants and expenditures for correction of residential housing defects as provided in section 462A.05, subdivisions 15 and 16. Grants made under terms of this subdivision shall contain a requirement that the grant be recovered by the agency in accordance with the following schedule:*

*(1) If the property is sold, transferred, or otherwise conveyed within the first year after the date of a grant, the recipient shall repay the full amount of the grant;*

*(2) If the property is sold, transferred, or otherwise conveyed within the second year after the date of a grant, the recipient shall repay 80 percent of the amount of the grant;*



(3) *If the property is sold, transferred, or otherwise conveyed within the third year after the date of a grant, the recipient shall repay 60 percent of the amount of the grant;*

(4) *If the property is sold, transferred, or otherwise conveyed within the fourth year after the date of a grant, the recipient shall repay 40 percent of the amount of the grant;*

(5) *If the property is sold, transferred, or otherwise conveyed within the fifth year after the date of a grant, the recipient shall repay 20 percent of the amount of the grant; or*

(6) *If the property is sold, transferred, or otherwise conveyed within the sixth year after the date of the grant, or thereafter, there shall be no repayment requirement.*

Sec. 9. Minnesota Statutes 1976, Section 462A.21, Subdivision 4b, is amended to read:

Subd. 4b. *It may establish loan funds and may make eligible loans from them, at rates of interest and with security as the agency deems advisable, if each loan is determined by the agency to be necessary to permit the occupant of residential housing financed wholly or in part by any such loan to meet his housing costs without expending an unreasonable portion of his income on them. It may combine loan funds established pursuant to legislative appropriations with loan funds established for the same or similar purposes pursuant to the sale of its notes or bonds, and such combined funds may be deposited with a trustee. Each such combined fund, including loan and investment principal and income received therefrom, shall be administered, disbursed, and collected as provided in the appropriation act and the resolution or indenture securing the bonds or notes.*

Sec. 10. Minnesota Statutes 1976, Section 462A.21, is amended by adding a subdivision to read:

Subd. 8. *It may establish an affordable homes housing assistance fund, on terms and conditions as it deems advisable, to assist persons and families of low and moderate income in paying eligible loans for affordable residential housing and may use the subsidies to provide additional security for eligible loans. Any subsidy shall not exceed \$60 per month; shall be applied against the monthly payments of the recipient; shall decrease ratably over the term of the subsidy, which shall not exceed 12 years; and shall be repaid in full without interest not later than the date on which the eligible loan is fully paid.*

Sec. 11. Minnesota Statutes 1976, Section 462A.22, Subdivision 1, is amended to read:

462A.22 [BOND FUND.] Subdivision 1. The aggregate principal amount of bonds and notes which are outstanding at any time, excluding the principal amount of any bonds and notes refunded by the issuance of new bonds or notes, shall not exceed the sum of:

(a) (\$100,000,000) \$150,000,000 issued for the purpose of providing funds for rehabilitation loans, or refunding bonds or notes issued for this purpose, plus

(b) (\$500,000,000) \$750,000,000 issued for other purposes specified in section 462A.08.

Sec. 12. [APPROPRIATION.] Subdivision 1. *The sum of \$40,000,000 is appropriated from the general fund to the housing development fund created in Minnesota Statutes, Section 462A.-20, for the following purposes and for payment of the administrative costs related thereto:*

(a) \$25,000,000 for making rehabilitation grants to persons and families of low income;

(b) \$10,000,000 for making low interest rehabilitation loans to persons and families of low and moderate income;

(c) \$5,000,000 to establish the affordable homes housing assistance fund to be administered pursuant to section 10 of this act.

Subd. 2. *In making grants and loans pursuant to subdivision 1, clauses (a) and (b), the agency shall give priority to those applicants who shall use the loan or grant proceeds for the purpose of improving energy efficiency of existing dwellings, and to those applicants who are senior citizens or who are owners of residential housing occupied by senior citizens.*

Subd. 3. *Of the amount appropriated in subdivision 1, clause (a), of this section, not less than \$500,000 shall be used for improving accessibility of housing occupied by persons who are physically handicapped."*

Further, amend the title:

Line 7, delete "Subdivision" and insert "Subdivisions" and after "7" insert "and 13" and after the semicolon insert "462A.05, Subdivisions 5 and 15; 462A.07, Subdivision 12, and by adding subdivisions;".

Line 8, after "Subdivisions" insert "4a and" and delete "and 5" and insert ", and by adding a subdivision".

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

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1017, A bill for an act relating to consumer protection; regulating invention development services; prescribing contract terms and disclosures to customers; defining terms; requiring invention developers to file a bond; providing penalties.

Reported the same back with the following amendments:

Page 2, line 17, delete "or".

Page 2, line 20, delete the period and insert ", or".

Page 2, after line 20, insert "(5) any person, firm, corporation, association or other entity whose gross receipts from contracts for invention development services do not exceed ten percent of its gross receipts from all sources during the fiscal year preceding the year in which any contract for invention development services is signed."

Page 5, line 9, delete "patent" and "or a".

Page 5, line 10, delete "registered patent agent".

Page 8, line 9, delete "patent" and "or a".

Page 8, line 10, delete "registered patent agent".

With the recommendation that when so amended the bill pass.

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 888, A bill for an act relating to education; authorizing school boards to appoint a student advisory member.

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

The report was adopted.

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

H. F. No. 776, A bill for an act relating to soil and water conservation; adding the commissioner of natural resources as an ex-officio officer of the state soil and water conservation board; amending Minnesota Statutes 1976, Section 40.03, Subdivision 1.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Section 40.01, Subdivision 8, is amended to read:

Subd. 8. [AGENCY OF THIS STATE OR STATE AGENCY.] “Agency of this state” or “state agency” includes the government of this state and any subdivision, agency, or instrumentality, corporate or otherwise, of the government of this state.

Sec. 2. Minnesota Statutes 1976, Section 40.01, is amended by adding a subdivision to read:

*Subd. 15. [APPROPRIATE AGENCIES.] “Appropriate agencies” include any local, state or federal agency which possesses expertise, involvement or authority concerning the use and development of land and water resources, but does not include any district or the state board.*

Sec. 3. Minnesota Statutes 1976, Section 40.02, is amended to read:

40.02 [PUBLIC POLICY; PURPOSE.] (AS A GUIDE TO THE INTERPRETATION AND APPLICATION OF THIS CHAPTER, THE PUBLIC POLICY OF THE STATE IS DECLARED TO BE AS FOLLOWS:) Improper land-use practices have caused (AND CONTRIBUTED TO) serious *wind and water* erosion of (FARM AND GRAZING) *the* lands of this state (BY WIND AND WATER AND THAT THEREBY TOPSOIL IS BEING WASHED OUT OF FIELDS AND PASTURES AND HAS SPEEDED UP THE REMOVAL OF THE ABSORPTIVE TOPSOIL CAUSING EXPOSURE OF LESS ABSORPTIVE AND LESS PROTECTIVE, BUT MORE EROSIIVE, SUBSOIL; AND THAT), *the runoff of polluting materials, increased costs to maintain agricultural productivity, increased energy costs and increased flood damage.* Land occupiers have (FAILED) *the responsibility* to (CAUSE THE DISCONTINUANCE OF SUCH PRACTICE AS CREATES THIS CONDITION, AND THE CONSEQUENCES THEREOF HAVE CAUSED THE DETERIORATION OF SOIL AND ITS FERTILITY AND THE

DETERIORATION OF CROPS GROWN THEREON, AND DECLINING YIELDS THEREFROM, AND DIMINISHING OF THE UNDERGROUND WATER RESERVE, ALL OF WHICH HAVE CAUSED WATER SHORTAGES, INTENSIFIED PERIODS OF DROUGHT, AND CROP FAILURE, AND THUS BROUGHT ABOUT SUFFERING, DISEASE, AND IMPOVERISHMENT OF FAMILIES AND THE DAMAGE OF PROPERTY FROM FLOODS AND DUST STORMS; AND THAT ALL OF THESE EFFECTS MAY BE PREVENTED BY LAND-USE PRACTICES CONTRIBUTING TO THE CONSERVATION OF TOP SOIL BY CARRYING ON OF ENGINEERING OPERATIONS SUCH AS THE CONSTRUCTION OF TERRACES, CHECK DAMS, DIKES, PONDS, DITCHES, AND THE UTILIZATION OF STRIP CROPPING, LISTER FURROWING, CONTOUR CULTIVATING, LAND IRRIGATION, SEEDING AND PLANTING OF WASTE, SLOPING, ABANDONED, OR ERODED LANDS TO WATER CONSERVING AND EROSION PREVENTING PLANTS, TREES AND GRASSES) *implement the practices which correct these conditions and to conserve the soil and water resources of the state.*

It is (HEREBY DECLARED THAT IT IS FOR THE PUBLIC WELFARE, HEALTH, AND SAFETY OF THE PEOPLE OF MINNESOTA TO PROVIDE FOR THE CONSERVATION OF) *the policy of the state to encourage land occupiers to conserve the soil and (SOIL) water resources (OF THIS STATE, AND FOR THE CONTROL AND PREVENTION OF SOIL EROSION, FOR LAND RESOURCE PLANNING AND DEVELOPMENT, FOR) through the implementation of (LAND RESOURCE USE) practices that effectively reduce or prevent erosion, sedimentation, siltation (AND LOSS OF THE LAND BASE THROUGH ACTIVITIES ASSOCIATED WITH FARMING, MINING, CONSTRUCTION, FORESTRY, AND OTHER ACTIVITIES OF MAN, AND FOR FLOOD PREVENTION OR THE CONSERVATION DEVELOPMENT, UTILIZATION, AND DISPOSAL OF WATER, INCLUDING BUT NOT LIMITED TO, MEASURES FOR FISH AND WILDLIFE AND RECREATIONAL DEVELOPMENT, AND THEREBY) and agriculturally related pollution in order to preserve natural resources, insure continued soil productivity, control floods, prevent impairment of dams and reservoirs, assist in maintaining the navigability of rivers and harbors, preserve wildlife, protect the tax base, and protect public lands (BY LAND-USE PRACTICES, AS HEREIN PROVIDED FOR).*

Sec. 4. Minnesota Statutes 1976, Section 40.03, Subdivision 1, is amended to read:

40.03 [STATE SOIL AND WATER CONSERVATION BOARD.] Subdivision 1. [MEMBERS.] There is hereby established, to serve as an agency within the department of natural resources and to perform the functions conferred upon it in this chapter, the state soil and water conservation board to be composed of (11) 12 members, seven of whom shall be

elected supervisors (OF SOIL AND WATER CONSERVATION DISTRICTS SELECTED AS HEREIN PROVIDED. FOUR MEMBERS THEREOF SHALL BE) *and the following five ex-officio members (COMPOSED OF THE FOLLOWING):* The director of the agricultural extension service of the University of Minnesota; the dean of the Institute of Agriculture of the University of Minnesota; the director of the pollution control agency; the commissioner of agriculture; *and the commissioner of natural resources.* Each ex-officio member may designate a person within his organization to act in his stead as a member of the state board, with all his rights and privileges. The designation shall be filed with the secretary of state. The state board shall invite the state conservationist of the United States soil conservation service to serve as an advisory member. The state board may also invite a representative of the state association of soil and water conservation districts, the association of Minnesota counties, the league of (MUNICIPALITIES) *Minnesota cities* and (SUCH) *any other organizations and (GOVERNMENTAL) appropriate agencies (AS MAY BE) deemed necessary to serve as advisory members.* The (OTHER) seven members of (SAID) *the state board who are elected supervisors* shall be appointed by the governor with the advice and consent of the senate (FROM NOMINEES WHO ARE ELECTED REPRESENTATIVES OF THE STATE SOIL AND WATER CONSERVATION DISTRICTS). In making these appointments the governor may consider persons recommended by the state association of soil and water conservation (DISTRICT SUPERVISORS) *districts.* One member shall be appointed from each department of natural resources region except that two members shall be appointed from region number one. (THE STATE BOARD SHALL KEEP A RECORD OF ITS OFFICIAL ACTIONS, AND MAY PERFORM SUCH ACTS, HOLD SUCH PUBLIC HEARINGS, AND PROMULGATE SUCH RULES AND REGULATIONS AS MAY BE NECESSARY FOR THE EXECUTION OF ITS FUNCTIONS UNDER THIS CHAPTER. THE STATE BOARD SHALL EXERCISE ALL POWERS AND DUTIES AS CONFERRED UPON IT BY LAW.)

Sec. 5. Minnesota Statutes 1976, Section 40.03, Subdivision 2, is amended to read:

Subd. 2. [EMPLOYEES.] The department of natural resources shall provide administrative functions of this section. The commissioner of natural resources shall make available by separate budget to the state soil and water conservation board (SUCH) *the staff services, funds for operation, and office space (AS ARE) necessary for the administration and coordination of its functions.* The state board shall be responsible to the commissioner for reporting purposes in regard to staff functions and (THOSE) operations (AS THEY) *which* relate to department activities.

The commissioner of natural resources shall, subject to approval of the state (SOIL AND WATER CONSERVATION) board, provide an administrative officer and (SUCH TECHNICAL EXPERTS AND SUCH) other *necessary permanent and temporary technical experts*, agents and employees, (PERMANENT AND TEMPORARY, AS IT MAY REQUIRE IN CARRYING OUT THIS SECTION, AND). *The state board shall determine (THEIR) the personnel's qualifications and duties, and recommend compensation to the commissioner of personnel. The state board may call upon the attorney general for (SUCH) necessary legal services (AS IT MAY REQUIRE). It shall have authority to (PRESCRIBE THE POWERS AND DUTIES OF ITS OFFICERS AND EMPLOYEES, AND TO) delegate to its chairman or to one or more of its other officers or members or administrative officer (SUCH) any of its own powers and duties (AS) it may deem proper. The administrative officer is responsible to the state board and may be dismissed by the commissioner of natural resources only upon the advice and recommendation of the state board. All permanent personnel of the state board are employees of the department of natural resources and are in the classified service of the state except as otherwise required by statute. All rights, duties and responsibilities of the existing staff of the state board on November 12, 1971 shall remain unchanged except as may be agreed upon by the state board and the commissioner. (UPON REQUEST OF) In order to perform its duties, the state board, (FOR THE PURPOSE OF CARRYING OUT ANY OF ITS FUNCTIONS,) may request information from the supervising officer of any state agency, (,) or (OF ANY) state institution of (LEARNING) higher education, including the state universities, the community colleges, and the post-secondary vocational technical schools. The supervising officer shall, (INSOFAR AS MAY BE) comply with the state board's request to the extent possible (UNDER) considering available appropriations, (,) and (HAVING DUE REGARD TO THE NEEDS OF THE AGENCY TO WHICH THE REQUEST IS DIRECTED, ASSIGN OR DETAIL TO THE STATE BOARD MEMBERS OF THE STAFF OR PERSONNEL OF THE AGENCY OR INSTITUTION OF LEARNING, AND MAKE SUCH) may assign agency or institution employees to compile existing information and to complete special reports, surveys, or studies (AS THE STATE BOARD MAY REQUEST) concerning the problems specified in section 40.02.*

Sec. 6. Minnesota Statutes 1976, Section 40.03, Subdivision 3, is amended to read:

Subd. 3. [OFFICERS; QUORUM.] The state board shall designate its chairman, and may annually, (FROM TIME TO TIME,) change (SUCH) its designation. A member of the state board shall hold office so long as he shall retain the office by virtue of which he shall be serving on the state board. A majority of the state board shall constitute a quorum, and the concurrence

of a majority in any matter within their duties shall be required for its determination. The state board shall (PROVIDE FOR THE KEEPING OF) *keep* a full and accurate record of (ALL PROCEEDINGS AND OF ALL RESOLUTIONS, REGULATIONS, AND ORDERS ISSUED OR ADOPTED) *its official actions. The state board may hold any public hearings and promulgate rules necessary to execute its duties specified in this chapter.* The legislative auditor shall annually audit the books of the state board.

Sec. 7. Minnesota Statutes 1976, Section 40.03, Subdivision 4, is amended to read:

Subd. 4. [POWERS AND DUTIES.] In addition to the powers and duties hereinafter conferred upon the state soil and water conservation board, it shall have the following powers and duties:

(1) Prepare and present to the commissioner of (THE DEPARTMENT OF) natural resources a budget to finance the activities of the state board and the districts and to administer any law appropriating funds to districts;

(2) (TO) Offer (SUCH) *any appropriate* assistance (AS MAY BE APPROPRIATE) to the supervisors of (SOIL AND WATER CONSERVATION) *the* districts(, ORGANIZED AS PROVIDED HEREINAFTER,) in (CARRYING OUT) *implementing* any of their powers and programs. Any funds made available to a (SOIL AND WATER CONSERVATION) district for expenditures necessary (TO) *for* the operations of the district shall be a grant to the district to be used only for purposes authorized by the state board pursuant to law. The soil and water conservation district may designate the board of county commissioners to act as the agent of the district to receive and expend these funds at the direction and with the approval of the board of supervisors of the district. At least annually the state board shall audit, in a manner it prescribes, the expenditure of funds so granted;

(3) (TO) Keep the supervisors of each (OF THE SEVERAL DISTRICTS ORGANIZED UNDER THE PROVISIONS OF THIS CHAPTER) *district* informed of the activities and experience of all other districts (ORGANIZED HEREUNDER,) and (TO) facilitate *cooperation and* an interchange of advice and experience (BETWEEN SUCH) *among the* districts (AND COOPERATION BETWEEN THEM);

(4) (TO) Coordinate the programs *and activities* of the (SEVERAL SOIL AND WATER CONSERVATION) districts (ORGANIZED HEREUNDER, SO FAR AS THIS MAY BE DONE) *with appropriate agencies* by advice and consultation;



(5) Approve or disapprove the plans or programs of districts (AS THEY RELATE) relating to the use of state funds (AS) administered by the state board;

(6) (TO) Secure the cooperation and assistance of the (UNITED STATES AND ANY OF ITS AGENCIES, AND OF) appropriate agencies (OF THIS STATE,) in the work of (SUCH) the districts and develop a program to advise and assist appropriate agencies in obtaining state and federal funds for erosion, sedimentation, flooding and agriculturally related pollution control programs;

(7) (TO DISSEMINATE) Develop and implement a comprehensive public information (THROUGHOUT THE STATE) program concerning the districts' activities and programs (OF THE SOIL AND WATER CONSERVATION DISTRICTS ORGANIZED HEREUNDER), the problems and preventive practices of erosion, sedimentation, agriculturally related pollution, flood prevention, and (TO ENCOURAGE) the advantages of formation of (SUCH) districts in areas where their organization is desirable; (AND)

(8) (TO) Subdivide and consolidate districts without a hearing or a referendum so as to confine districts within county limits, provided (, FURTHER,) that no district, when feasible and practicable, shall contain less than four full or fractional congressional townships ;

(9) Assist in the implementation of a statewide program for inventorying and classification of the types of soils throughout the state as determined by the Minnesota cooperative soil survey;

(10) Conduct research concerning the nature and extent of erosion, sedimentation, flooding and agriculturally related pollution, the amounts and sources of sediment and pollutants delivered to the waters of the state;

(11) Develop programs to reduce or prevent soil erosion, sedimentation, flooding and agriculturally related pollution, including but not limited to structural and land-use management practices;

(12) Develop a system of priorities within the state to identify the erosion, flooding, sediment and agriculturally related pollution problem areas that are most severely in need of control systems; and

(13) Ensure compliance with statewide programs established by the state board pursuant to this section by advice, consultation, and approval of cost-sharing contracts with the districts.

Sec. 8. Minnesota Statutes 1976, Chapter 40, is amended by adding a section to read:

[40.035] [PROGRAM PLAN.] *Subdivision 1. The state board shall prepare, in consultation with the districts and appropriate agencies, a program plan for the accomplishment of its duties specified in section 40.03, subdivision 4. The state board shall use this program plan in decisions to allocate funds to the districts. The state board shall give immediate emphasis to the determination of priority areas within the state where erosion, sedimentation and related water quality problems appear most in need of control methods and to the development of the comprehensive public information program.*

*Subd. 2. For the purpose of developing the program plan, the state board may request any existing pertinent information from any state agency pursuant to section 40.03, subdivision 2, and may conduct any hearing it deems necessary.*

*Subd. 3. The plan shall be coordinated as closely as possible with other statewide resource plans, such as the statewide framework water resources plan and the statewide water quality management plan.*

*Subd. 4. The state board shall review and revise the plan at intervals it deems appropriate.*

Sec. 9. Minnesota Statutes 1976, Chapter 40, is amended by adding a section to read:

[40.036] [COST SHARING CONTRACTS FOR EROSION CONTROL AND WATER MANAGEMENT.] *Subdivision 1. Within the limits of available funds, the state board may allocate funds to districts to be used to share the cost of implementing any system or practices for erosion control and water quality improvement which are designed to protect and improve the state's soil and water resources. Any district board requesting funds of the state board shall submit a comprehensive plan completed pursuant to section 40.07, subdivision 9, and an application on the form prescribed by the state board. After review of the district's comprehensive plan, the state board shall approve it with any necessary amendments or reject it. If the state board approves the district's comprehensive plan, it shall also determine the specific amount of funds to allocate to the district for the purpose of cost-sharing contracts. Neither the state board nor the district board shall furnish any financial aid for practices designed only for an increase in land productivity.*

*Subd. 2. Within the limits of funds available, a district board may contract on a cost share basis to furnish financial aid to a land occupier or to a state agency for the implementation of permanent systems for erosion control and water quality improve-*

*ment which are consistent with the district's comprehensive plan developed pursuant to section 40.07, subdivision 9. The duration of the contract may be the time required to complete the planned systems. A contract may provide for cooperation or funding with United States agencies. Every contract shall specify that the land occupier is liable for monetary damages, not to exceed the amount of financial assistance he received from the district, if he fails to timely complete or maintain the systems or practices as specified in the contract. A land occupier or any state agency may provide the cost-sharing portion of the contract through in-kind services.*

*Subd. 3. The state board shall promulgate rules specifying the procedures and criteria for allocating funds to districts for cost-sharing contracts. The rules shall also include standards and guidelines which the districts shall include in all cost-sharing contracts. The state board may for the purpose of implementing this section exercise emergency power and adopt emergency rules pursuant to section 15.0412, subdivision 5. No emergency rules may be adopted by the state board pursuant to this subdivision after July 1, 1978.*

*Subd. 4. Before November 15, 1978, the state board shall submit a report to the legislature, as provided in section 3.195, concerning the status of cost-sharing contract programs authorized by this section.*

Sec. 10. Minnesota Statutes 1976, Section 40.07, Subdivision 1, is amended to read:

40.07 [POWERS OF DISTRICT BOARDS.] Subdivision 1. A soil and water conservation district (ORGANIZED UNDER THE PROVISIONS OF THIS CHAPTER) shall constitute a governmental and political subdivision of this state, and a public body, corporate and politic, (EXERCISING PUBLIC POWERS, AND THE DISTRICT, AND THE SUPERVISORS THERE-OF,) shall have the *following* powers (PRESCRIBED IN THIS SECTION,) in addition to those otherwise prescribed by law.

Sec. 11. Minnesota Statutes 1976, Section 40.07, Subdivision 2, is amended to read:

Subd. 2. A district may conduct surveys, investigations, and research (RELATING TO THE CHARACTER OF SOIL EROSION AND THE PREVENTIVE AND CONTROL MEASURES NEEDED, PUBLISH THE RESULTS OF SUCH SURVEYS, INVESTIGATIONS, OR RESEARCH, AND DISSEMINATE INFORMATION CONCERNING SUCH PREVENTIVE AND CONTROL MEASURES, PROVIDED, HOWEVER, THAT) *to identify the problems and preventive practices specified in section 40.02.* In order to avoid duplication of research activities, no district shall initiate any research program except in coop-

eration with (THE GOVERNMENT OF THE) a state (OR ANY OF ITS AGENCIES,) *agency* or (WITH) *an agency* of the United States (OR ANY OF ITS AGENCIES). A *district may publish its comprehensive plan and the results of its surveys, investigations, and research and may disseminate information to the public concerning any of its activities.*

Sec. 12. Minnesota Statutes 1976, Section 40.07, Subdivision 3, is amended to read:

Subd. 3. A district may conduct demonstration projects within the district on lands owned or (CONTROLLED) *administered* by (THIS) a state (OR ANY OF ITS AGENCIES) *agency*, with the cooperation of the *administering* agency (IN CONTROL THEREOF), and on any other lands (WITHIN THE DISTRICT) with the consent of the (OWNER OR) *land* occupier (IN CONTROL THEREOF), in order to demonstrate by example the (MEANS, METHODS, AND MEASURES FOR CONSERVATION OF SOIL AND WATER RESOURCES, FOR PROPER DRAINAGE, FOR THE PREVENTION AND CONTROL OF FLOODS AND POLLUTION AND FOR THE PREVENTION AND CONTROL OF SOIL EROSION) *practices which implement the state policy specified in section 40.02.*

Sec. 13. Minnesota Statutes 1976, Section 40.07, Subdivision 4, is amended to read:

Subd. 4. A district may (CARRY OUT CONSTRUCTIVE, PREVENTIVE, AND CONTROL MEASURES) *implement any necessary practices* within the district, including but not limited to (ENGINEERING OPERATIONS,) *structural measures and* works of improvement for any purpose specified (IN THIS SECTION OR) in section 40.02, methods of cultivation, the (GROWING) *use of vegetation, and changes in use of land, (AND THE MEASURES REFERRED TO IN SECTION 40.02,) on lands* acquired by the district, and on other lands owned or (CONTROLLED) *administered* by (THIS) a state (OR ANY OF ITS AGENCIES) *agency*, with the cooperation of the *administering* agency (IN CONTROL THEREOF), and on any other lands (WITHIN THE DISTRICT), with the consent of the (OWNER OR) *land* occupier (IN CONTROL THEREOF).

Sec. 14. Minnesota Statutes 1976, Section 40.07, Subdivision 5, is amended to read:

Subd. 5. A district may cooperate or enter into agreements with and, within the limits of available appropriations furnish financial or other aid to any *land occupier or appropriate* agency, (GOVERNMENTAL OR OTHERWISE, OR ANY OCCUPIER OF LANDS IN THE CARRYING ON OF EROSION CONTROL AND PREVENTION OPERATIONS AND OTHER MEASURES FOR THE PURPOSES) *to implement the policy specified*

(OR REFERRED TO IN THIS SECTION OR) section 40.02 within the district, subject to (SUCH) conditions (AS) the supervisors (MAY) deem necessary (TO ADVANCE THE PURPOSES OF THIS CHAPTER).

Sec. 15. Minnesota Statutes 1976, Section 40.07, Subdivision 6, is amended to read:

Subd. 6. A district may (OBTAIN OPTIONS UPON AND) acquire *any rights or interests in real or personal property* by *option*, purchase, exchange, lease, gift, grant, bequest, devise, or otherwise (ANY PROPERTY, REAL OR PERSONAL, OR RIGHTS OR INTEREST THEREIN,). *It* may maintain, operate, administer, and improve any properties acquired, may receive income from (SUCH) *the* properties and (TO) expend (SUCH) *the* income in (CARRYING OUT THE PURPOSES AND) *implementing the* provisions of this chapter, and may sell, lease, or otherwise dispose of any of its property or interests (THEREIN IN FURTHERANCE OF THE PURPOSES AND PROVISIONS OF THIS CHAPTER).

Sec. 16. Minnesota Statutes 1976, Section 40.07, Subdivision 7, is amended to read:

Subd. 7. A district may make available, on (SUCH) terms (AS) it shall prescribe, to land occupiers within the district, *any* agricultural and engineering machinery and equipment, fertilizer, seeds, and seedlings, and (SUCH) other material or equipment (AS) *which* will assist (SUCH) land occupiers to (CARRY ON OPERATIONS) *implement* upon their lands (FOR THE CONSERVATION OF SOIL AND WATER RESOURCES, FOR THE PREVENTION AND CONTROL OF SOIL EROSION OR FOR ANY OTHER PURPOSE SPECIFIED IN THIS CHAPTER, AND ACTS AMENDATORY THEREOF) *the practices specified in section 40.02.*

Sec. 17. Minnesota Statutes 1976, Section 40.07, Subdivision 8, is amended to read:

Subd. 8. A district may construct, install, improve, maintain, and operate (SUCH) *any* structures and works (AS MAY BE) necessary or convenient for the performance of any of the operations authorized in this chapter.

Sec. 18. Minnesota Statutes 1976, Section 40.07, Subdivision 9, is amended to read:

Subd. 9. A district may develop *and revise a* comprehensive (PLANS FOR THE CONSERVATION OF SOIL AND WATER RESOURCES AND FOR THE CONTROL AND PREVENTION OF SOIL EROSION WITHIN THE DISTRICT) *plan,*

specifying the (MEASURES AND) practices (DEEMED NECESSARY OR DESIRABLE FOR THE EFFECTUATION THEREOF) *to implement the state policy specified in section 40.02, including, without limitation, (ENGINEERING OPERATIONS,) the construction, maintenance, and operation of (WORKS) structural measures, methods of cultivation, the (GROWING) use of vegetation, cropping programs, (TILLAGE) mechanical practices, and changes in use of land (, AND MAY PUBLISH SUCH PLANS AND INFORMATION AND BRING THEM TO THE ATTENTION OF OCCUPIERS OF LANDS WITHIN THE DISTRICT, AND OTHERS CONCERNED. SUCH PLANS SHALL BE CONSISTENT WITH THE STATE PLAN FOR WATER AND RELATED LAND RESOURCES) and technical standards and specifications related thereto. The plan shall include a classification of the soil types within the district as determined by the Minnesota cooperative soil survey and the areas within the district where erosion, sedimentation and related water quality problems appear most in need of control methods. The plan shall be consistent with the statewide framework water resources plan, the statewide water quality management plan, and the state board's cost-sharing program plan.*

Sec. 19. Minnesota Statutes 1976, Section 40.07, Subdivision 10, is amended to read:

Subd. 10. A district may take over by purchase, lease, or otherwise, and may improve, maintain, operate and administer any soil or water conservation, erosion-control, erosion-prevention, watershed protection, flood prevention or flood control project located within its boundaries undertaken by the United States or by (THIS) a state (OR ANY OF THEIR AGENCIES, FOR OR IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION, OPERATION, MANAGEMENT OR ADMINISTRATION OF ANY SUCH PROJECT) *agency*, may accept donations, gifts, grants, or contributions in money, services, materials, or otherwise from the United States (OR FROM THIS), *any* state (OR ANY OF THEIR AGENCIES) *agency* or (FROM) any other source, *in order to accomplish the authorization in this section. A board may enter into any contract or agreement (WHICH MAY BE) necessary or appropriate (FOR THE PURPOSES THEREOF, MAY COMPLY WITH ANY APPLICABLE PROVISIONS OF FEDERAL OR STATE LAW) to accomplish the transfer, and may use or expend (SUCH) any moneys, services, materials, or other things (IN ACCORDANCE WITH THE APPLICABLE TERMS AND CONDITIONS FOR) to accomplish any authorized purpose (OF THE DISTRICT).*

Sec. 20. Minnesota Statutes 1976, Section 40.07, Subdivision 11, is amended to read:

Subd. 11. A district may sue and be sued in the name of the district, have perpetual succession unless terminated as herein-

after provided, make and execute contracts and other instruments necessary or convenient to the exercise of its powers, and make, amend, or repeal rules and regulations not inconsistent with this chapter (TO CARRY INTO EFFECT ITS PURPOSES AND POWERS).

Sec. 21. Minnesota Statutes 1976, Section 40.07, Subdivision 12, is amended to read:

Subd. 12. As a condition to the extending of any benefits (UNDER THIS CHAPTER TO OR) *for* the performance of work upon any lands not owned or (CONTROLLED) *administered* by (THIS) *a* state (OR ANY OF ITS AGENCIES) *agency* or (BY) the district, the supervisors may require compensation or contributions in money, services, materials, or otherwise commensurate with the cost or reasonable value of the operations or work conferring (SUCH) *the* benefits.

Sec. 22. Minnesota Statutes 1976, Section 40.07, Subdivision 14, is amended to read:

Subd. 14. A district may *submit any application and* enter into any agreement or contract with the secretary of agriculture or other designated authority (WHICH MAY BE NECESSARY OR APPROPRIATE) for the purpose of obtaining or using federal assistance under the provisions of (SAID) Public Law 566(,) or (ANY ACT AMENDATORY THEREOF OR SUPPLEMENTARY THERETO, OR UNDER) any other law providing for federal assistance for any authorized purpose of the district(, OR FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF WORKS OF IMPROVEMENT AS DEFINED IN SAID ACT OR AMENDATORY ACT OR OTHER APPLICABLE FEDERAL LAW);. A *district* may acquire without cost to the federal government (SUCH) *any* land, easements, or rights-of-way (AS WILL BE) needed in connection with works of improvement installed with federal assistance; may assume (SUCH) *the* proportionate share of the cost of installing any works of improvement involving federal assistance (AS MAY BE) determined by the secretary or other designated authority to be equitable in consideration of anticipated benefits from (SUCH) *the* improvements; may make arrangements satisfactory to the secretary or other authority for defraying costs of operating and maintaining (SUCH) *the* works of improvement in accordance with *prescribed* regulations (PRESCRIBED BY SECRETARY OF AGRICULTURE, OR OTHER DESIGNATED AUTHORITY); may acquire or provide assurance that land (OWNERS) *occupiers* have acquired (SUCH) *the* water rights and other rights, pursuant to state law, (AS MAY BE) needed in the installation, maintenance, and operation of (SUCH) *the* works of (IMPROVEMENTS) *improvement*; may obtain agreements to carry out recommended soil and water conservation measures and (PROPER) *prepare* farm plans (FROM) *for* owners of not less than 50 percent or other required

percentage of the lands situated in any drainage area above any retention reservoir which may be installed with federal assistance, all as prescribed in said Public Law 566 or (AMENDATORY ACT OR OTHER) applicable federal law, and may do any (AND ALL) other acts necessary to secure and use federal aid (THEREUNDER).

Sec. 23. *The governor shall appoint to the soil and water conservation board one member from region six to serve as 13th member of the board until a member is appointed from region six pursuant to section 40.03, subdivision 1, at which time the appointment authorized by this section shall expire.*

Sec. 24. [APPROPRIATION.] *The sum of \$12,000,000 is appropriated from the general fund to the state soil and water conservation board to be available until June 30, 1979 for the purpose of initiating a cost-sharing program for erosion control and water quality improvement. Not more than ten percent of the total amount appropriated shall be utilized for administrative expenses of the state board and the district boards. In addition, not more than ten percent of the total amount appropriated may be used for technical services to plan erosion control and water quality systems. Notwithstanding any other provision to the contrary, the state board can allocate funds not to exceed one-half of the appropriation in this section to districts prior to the completion of a program plan pursuant to section 8 and a comprehensive plan pursuant to section 9.*

Sec. 25. Minnesota Statutes 1976, Section 106.673, is amended to read:

106.673 [DITCHES, PLANTING WITH PERMANENT GRASS.] In any proceeding for the establishment or construction of a public drainage system or ditch or for the improvement, extension, or other work affecting such system or ditch under chapters 106, 111, 112, or any other law now in force or hereafter enacted, where viewers are appointed to assess benefits and damages, the authority having jurisdiction of the proceeding, shall order the spreading of spoil banks consistent with the plan and function of the ditch and (MAY) *shall* order the planting of a permanent grass, other than a noxious weed, on the banks and on a strip one rod in width or to the crown of the leveled spoil bank which ever is the greater on each side of the top edge of the channel of the ditch. The acreage which will be required is that needed for the foregoing and the authority having jurisdiction shall acquire the additional interests in land needed for this purpose. No agricultural practices, other than those required for the maintenance of a permanent growth of grass, shall be permitted on any portion of the land acquired for this purpose and it shall be the duty of the authority having jurisdiction over the repair and maintenance of the ditch system to supervise all necessary reseeding and funds (MAY) *shall* be expended for the perpetration of the growth of grass in the same



manner as for the other ditch repairs. Harvest of grass from the grass strip in any manner not harmful to the grass or ditch shall be the privilege of the fee owner or his assigns, subject to such regulations as the county ditch inspector shall establish for the harvesting of grass.

*Sec. 26. Minnesota Statutes 1976, Sections 40.005 and 40.07, Subdivision 13, are repealed.*

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

Further amend the title as follows:

Page 1, delete lines 5 and 6 and insert "conservation board; authorizing a cost-sharing program; clarifying the powers and duties of the state board and local districts; amending ambiguous or redundant provisions; adding a member to the soil and water conservation board temporarily; appropriating funds; amending Minnesota Statutes 1976, Chapter 40, by adding sections; and Sections 40.01, Subdivision 8, and by adding a subdivision; 40.02; 40.03, Subdivisions 1, 2, 3 and 4; 40.07, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 14; and 106.673; repealing Minnesota Statutes 1976, Sections 40.005; and 40.07, Subdivision 13."

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

The report was adopted.

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

H. F. No. 313, A bill for an act relating to unemployment compensation; providing eligibility for benefits for certain retired workers; amending Minnesota Statutes 1976, Section 268.09, Subdivision 1.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 268.09, Subdivision 1, as amended by Laws 1977, Chapter 4, is amended to read:

268.09 [UNEMPLOYMENT COMPENSATION; DISQUALIFIED FROM BENEFITS.] Subdivision 1. [DISQUALIFY-

ING CONDITIONS.] An individual shall be disqualified for waiting week credit and benefits for the duration of his unemployment and until he has earned four times his weekly benefit amount in insured work:

(1) [VOLUNTARY LEAVING.] If such individual voluntarily and without good cause attributable to the employer discontinued his employment with such employer.

(2) [DISCHARGE FOR MISCONDUCT.] If such individual was discharged for misconduct, not amounting to gross misconduct connected with his work or for misconduct which interferes with and adversely affects his employment.

An individual shall not be disqualified under clauses (1) and (2) of this subdivision under any of the following conditions:

(a) If such individual voluntarily discontinued his employment to accept work offering substantially better conditions of work or substantially higher wages or both (.);

(b) If such individual is separated from employment due to his own serious illness provided that such individual has made reasonable efforts to retain his employment (.);

(c) If such individual accepts work from a base period employer which involves a change in his location of work so that said work would not have been deemed to be suitable work under the provisions of subdivision 2 of this section and within a period of 13 weeks from the commencement of said work voluntarily discontinues his employment due to reasons which would have caused the work to be unsuitable under the provision of said subdivision 2; or

*(d) If such individual left employment because he had reached mandatory retirement age and was 65 years of age or older provided, the weekly benefit payable to such individuals shall be reduced by the weekly amount of all retirement benefits, including social security, for which the individual would be eligible if the individual made application for such benefits, and to which the employer has made at least 50 percent of the contributions toward the benefit.*

(3) [DISCHARGE FOR GROSS MISCONDUCT.] If such individual was discharged for gross misconduct connected with his work or gross misconduct which interferes with and adversely affects his employment and provided further that the commissioner is empowered to impose a total disqualification for the benefit year and to cancel part or all of the wage credits from the last employer from whom he was discharged for gross misconduct connected with his work.

For the purpose of this clause "gross misconduct" shall be defined as misconduct involving assault and battery or the malicious destruction of property or the theft of money or property of a value of \$100 or more or arson or sabotage or embezzlement. However, no person shall be deemed to have been discharged for gross misconduct for purposes of chapter 268 unless (1) the person makes an admission to the conduct in writing or under oath, or (2) the person is found to have engaged in such conduct by an appeals tribunal established pursuant to section 268.10, or (3) the person has been convicted by a court of competent jurisdiction of acts constituting gross misconduct.

(4) [LIMITED OR NO CHARGE OF BENEFITS.] Benefits paid subsequent to an individual's separation under any of the foregoing clauses, excepting clause (2) (c), or because of his failure, without good cause, to accept an offer of suitable re-employment, shall not be used as a factor in determining the future contribution rate of the employer from whose employment such individual separated or whose offer of re-employment he refused; provided that this clause shall not apply to an individual involuntarily separated from employment because of pregnancy."

Further amend the title as follows:

Page 1, line 5, after "1" insert ", as amended by Laws 1977, Chapter 4".

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 756, A bill for an act relating to public lands; authorizing sale of certain state owned and tax forfeited lands for use in a taconite tailings disposal facility.

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

The report was adopted.

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

H. F. No. 965, A bill for an act relating to public land surveys; creating a state land surveys board and providing for the employment of a state land surveyor; prescribing the powers and duties of the board and the state land surveyor; authorizing the board to contract with the several counties for the preserva-

tion and remonumentation of the United States public land survey; providing for the financing thereof; authorizing the several counties to levy an ad valorem tax to pay their share of the cost; prescribing penalties; and appropriating money; amending Minnesota Statutes 1976, Section 287.21.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. [LEGISLATIVE FINDINGS.] *The legislature finds that it is in the public interest that the public records and the monuments established by the United States public land survey be perpetuated and preserved, and that in those instances where the monuments have been destroyed, obliterated, or obscured to an extent that they are difficult to locate, that they be reestablished with permanent monuments and their positions perpetuated. The legislature further finds that the preservation of the records and monuments and remonumentation when necessary is of statewide significance.*

Sec. 2. [DEFINITIONS.] *Subdivision 1. Unless the language or context clearly indicates that a different meaning is intended, as used in sections 1 to 7, the terms defined in this section have the meanings given them.*

*Subd. 2. “Land surveyor” means any person licensed to practice the art and science of land surveying pursuant to the provisions of Minnesota Statutes, Sections 326.02 to 326.15.*

Sec. 3. [RESPONSIBILITIES AND DUTIES OF THE COUNTY BOARD.] *Subdivision 1. [DUTIES GENERALLY.] The county board of each county shall coordinate, administer and supervise the preservation and perpetuation of the monuments and records of the United States public land survey within the county, and where necessary, reestablish the public land survey corners by remonumentation.*

*Subd. 2. [CONTRACTS.] The county board may enter into all necessary contracts for the purpose of carrying out the provisions of sections 1 to 7.*

Sec. 4. [DUTIES OF COUNTY SURVEYOR IN REMONUMENTATION PROGRAM.] *Under the direction of the county board, the county surveyor, or a land surveyor designated by the county board, shall coordinate, supervise, and administer the following functions, duties, and responsibilities:*

(1) *Resurrect, monument and perpetuate the land survey monuments, section corners, quarter section corners, meander corners, and witness corners, or other corners established by the*

*United States public land survey within Minnesota, and preserve all pertinent field notes, plats and documents;*

*(2) Cause a standard monument, as determined by the Minnesota state board of architecture, engineering, land surveying and landscape architecture, to be placed at established public land survey corner sites where practical permanently indicating Minnesota public land survey corners. If such monuments cannot be placed at the exact corner point, then witness corners of similar design shall be placed as close as possible to the true corner;*

*(3) Establish and maintain a safe storage for a comprehensive system of recordation of information, respecting all monuments established by the United States public land survey within this county, and such records as may be pertinent to the establishment or maintenance of land corners, Minnesota coordinate system stations and accessories and monuments in general;*

*(4) Establish and record a state plane coordinate position for each monument of the public land survey when the extended geodetic network base data is available;*

*(5) Provide for township maps where sufficient monuments have been established and tied into the state plane coordinate system and record the coordinate data on the township map along with bearings and distances, and assist in the proper recording of the same by duly constituted public officials;*

*(6) Provide for section mapping for the county showing the monuments established and the bearings and distances, and the state plane coordinate position determined and recorded. These maps shall become a part of the public record and shall be duly recorded by the proper county officials. Property lines of record may be shown on these maps. Geodetic control and monument positions may be shown when available;*

*(7) Collect and preserve information obtained from surveys to establish land monuments or land boundaries. This information shall become a part of the public record and shall be duly recorded by the proper county officials;*

*(8) Furnish upon reasonable request and tender of the required fees therefor, certified copies of records created or maintained by the county. Fees to be charged for certified copies shall be fixed by the county, but shall not exceed the fee authorized in Minnesota Statutes, Section 357.18, for comparable records. All fees collected shall be paid into the county treasury; and*

*(9) Prescribe regulations designed to establish uniform professional surveying and mapping methods and standards, in the county, for the purposes of sections 1 to 5.*

**Sec. 5. [ENTER UPON PRIVATE PROPERTY DAMAGES.]** *Any county surveyor and any land surveyor designated by a county pursuant to a contract with the county board, may lawfully enter upon private property for the purpose of making surveys, or for searching for or relocating or re-monumenting land monuments, stations or section corners, provided the owner or occupant of the property is notified in advance of the intended entry. Reasonable care shall be taken to prevent unnecessary damage to the property should any of these persons necessarily damage the property of the owner in making surveys, searches, or re-monumentations. The county board may make reasonable payment for the damage. Members of the board and its employees and contractors of the board are personally liable for any damage caused by their wantonness, willfulness, or negligence.*

**Sec. 6. [CERTAIN RECORDS TO BE FURNISHED UPON WRITTEN REQUEST OF THE COUNTY SURVEYOR.]** *All state departments and agencies, county recorders and other officials of county and city governments, including district court judges, shall furnish the county surveyor certified copies of deeds, mortgages and other documents and instruments pertaining to land descriptions which are in their custody. Whenever practicable, the copy shall be furnished without cost; but, in no event shall the cost exceed the actual cost of reproduction. On the same basis of cost, the county surveyor upon request therefor, shall furnish certified copies of records in his custody to state departments and agencies and county and city officers.*

**Sec. 7. [CONTRACTS.]** *The county board may enter into contracts for the performance of any of the functions, responsibilities and duties enumerated in section 4, provided the land surveyor in responsible control of the monumentation program is licensed as a land surveyor by the state board of architecture, engineering, land surveying and landscape architecture.*

**Sec. 8. [COUNTY LAND SURVEY ACCOUNT; CREATION; EXPENDITURES.]** *Subdivision 1. A separate account is created in each county treasury to be known as the county land survey account. The account shall consist of all of the taxes imposed, collected and paid into the county treasury under the provisions of Minnesota Statutes, Sections 287.21 to 287.36.*

*Subd. 2. Except as provided in subdivision 3, all of the money in the county land survey account shall be expended by the county solely for the purposes of sections 1 to 7 and for refunds of taxes erroneously or unjustly paid as provided in Minnesota Statutes, Section 287.28. Any county may make expenditures from its general fund, or from federal revenue sharing funds designated for that purpose, in carrying out the purposes of sections 1 to 7.*

*Subd. 3. Upon certification to the county board by the county surveyor or the land surveyor in responsible control of the monumentation program that the program has been completed within the county in accordance with the provisions of sections 1 to 7, the county board, if it so finds, may by resolution transfer any money remaining in the county land survey account to the general fund of the county. Upon the transfer, the county land survey account shall cease to exist. Any money so transferred, together with money thereafter paid into the county treasury pursuant to Minnesota Statutes, Sections 287.21 to 287.36, may be used for any county purpose.*

Sec. 9. Minnesota Statutes 1976, Section 287.21, Subdivision 2, is amended to read:

Subd. 2. The proceeds of the taxes levied and collected under sections 287.21 to 287.36 shall be (**CREDITED TO THE GENERAL FUND**) *deposited in the county treasury of the county where the taxes are collected.*

Sec. 10. Minnesota Statutes 1976, Section 287.25, is amended to read:

**287.25 [PAYMENT OF TAX; STAMPS.]** The tax imposed by section 287.21 shall be paid by the affixing of a documentary stamp or stamps in the amount of the tax to the document or instrument with respect to which the tax is paid, provided that the commissioner of revenue may, in exceptional cases, permit the payment of the tax without the affixing of the documentary stamps and in such cases shall, upon receipt of the tax, endorse his receipt for such tax upon the face of the document or instrument. In such case the commissioner of revenue shall (**DEPOSIT THE AMOUNT RECEIVED IN PAYMENT OF THE TAX WITH THE STATE TREASURER TO THE CREDIT OF THE GENERAL FUND**) *transfer the tax received to the county treasury where the land is located. A sum sufficient for transfers pursuant to this section is annually appropriated from the general fund to the commissioner of revenue.*

Sec. 11. Minnesota Statutes 1976, Section 287.28, is amended to read:

**287.28 [REFUNDMENTS OR REDEMPTION.]** The commissioner of revenue may order the refundment in whole or in part of any tax which has been erroneously or unjustly paid and may allow for or redeem such of the stamps, issued under the authority of sections 287.21 to 287.36 as may have been spoiled, destroyed, or rendered useless or unfit for the purpose intended or for which the owner may have no use or which through mistake may have been improperly or unnecessarily used. Such order shall be made only upon written application of the taxpayer and shall, if the refundment exceeds \$500, be valid only if approved

by the attorney general. Refunds therefor shall be paid out of the (GENERAL FUND OF THE STATE AND MONEYS THEREFOR ARE HEREBY ANNUALLY APPROPRIATED FROM THE GENERAL FUND FOR SUCH PURPOSE) *county treasury where the land is located.*

Sec. 12. Minnesota Statutes 1976, Section 287.32, is amended to read:

287.32 [COMMISSIONER OF REVENUE; DUTIES.] When any deed, instrument, or writing has been recorded or registered without the payment of the tax due thereon the tax, together with any penalty imposed under section 287.31, shall be assessed by the commissioner of revenue and collected in the manner provided for the collection of taxes due under the provisions of chapter 290. *The commissioner shall transfer the tax collected to the county treasury where the land is located. A sum sufficient for transfers pursuant to this section is annually appropriated from the general fund to the commissioner of revenue.* The commissioner of revenue shall enforce the provisions of sections 287.21 to 287.34 and shall have all of the powers prescribed in chapters 270 and 290. He may prescribe rules and regulations not inconsistent with sections 287.21 to 287.34 for their detailed and efficient administration and may call upon any county attorney or the attorney general for assistance and may employ such additional employees as may be required in the administration of sections 287.21 to 287.34.

Sec. 13. [EFFECTIVE DATE.] *This act is effective January 1, 1978."*

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

"A bill for an act relating to the public land surveys; authorizing the counties to contract for the preservation and remonumentation of the United States public land survey; providing for the financing thereof; amending Minnesota Statutes 1976, Sections 287.21, Subdivision 2; 287.25; 287.28; and 287.32."

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

The report was adopted.

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

H. F. No. 979, A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in St. Louis county.



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

The report was adopted.

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

H. F. No. 1107, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in Itasca county; appropriating money.

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

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 956, A bill for an act relating to education; providing for scholarships for Spanish-surnamed American students; appropriating money.

Reported the same back with the following amendments:

Page 1, line 8, delete "shall" and insert "may".

Page 1, line 17, after "board" insert "on the basis of financial need".

Page 2, line 13, after the period insert "In no event shall the amount of a scholarship pursuant to this section exceed an amount which if combined with the amount of a federal basic educational opportunity grant for which the applicant is eligible equal 75 percent of the applicant's financial need."

Page 2, after line 13, insert:

"Sec. 2. This act shall be effective the day following final enactment. The higher education coordinating board may adopt emergency rules pursuant to section 15.0412, subdivision 5, for the purpose of governing scholarship awards pursuant to this act for the 1977-1978 school year."

Page 2, line 14, delete "2" and insert "3".

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

The report was adopted.

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

H. F. No. 424, A bill for an act allowing money in the state treasury not currently needed to be invested in the local government pooled investment fund; establishing and setting forth procedures for a state investment pool for local government funds; amending Minnesota Statutes 1976, Section 11.10, Subdivision 1; and Chapter 11, by adding sections.

Reported the same back with the following amendments:

Page 3, after line 31, insert:

*“Subd. 8. “Treasurer” means the state treasurer.”.*

Page 4, line 11, delete *“commissioner”* and insert *“treasurer”*.

Page 4, line 24, delete *“commissioner’s”* and insert *“treasurer’s”*.

Page 5, delete lines 18 to 21.

Renumber following subdivisions accordingly.

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 542, A bill for an act relating to the city of Saint Paul; establishing a public housing agency; transferring functions from housing and redevelopment authority.

Reported the same back with the following amendments:

Page 1, delete lines 7 to 15.

Renumber the following sections.

Page 2, line 20, delete “4” and insert “3”.

Page 2, line 28, after “powers” insert a colon and delete “in”.

Page 2, delete lines 29 and 30.

Page 3, line 2, after “temporary,” delete “and”.

Page 3, line 3, after "compensation" insert ", and to accept transfer of housing employees from the housing and redevelopment authority of the city of Saint Paul".

Page 3, delete lines 4 to 11.

Renumber the following clause.

Page 3, line 22, after "obligations" insert ", existing collective bargaining agreements and fringe benefit plan affecting employees transferred from the housing and redevelopment authority of the city of Saint Paul,".

Page 3, line 27, delete "4" and insert "3".

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

The report was adopted.

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

H. F. No. 544, A bill for an act relating to highways; removing the construction moratorium on a certain interstate route, and extending it through the city of St. Paul; removing a certain route from the trunk highway system; amending Minnesota Statutes 1976, Sections 161.117; 161.12; and 161.123.

Reported the same back with the following amendments:

Page 2, line 25, strike "general northerly".

Page 2, line 26, strike "direction".

Page 2, line 28, delete "through" and strike the remainder of the line.

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 652, A bill for an act relating to Hennepin county; personnel system; filling of vacancies; amending Laws 1965, Chapter 855, Section 4, Subdivision 2.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Laws 1965, Chapter 855, Section 4, Subdivision 2, is amended to read:

Subd. 2. [DUTIES AND POWERS OF BOARD.] It shall be the duty of the personnel board as a body:

(a) to frame, with the assistance of the personnel director, rules for the classified service. Such rules shall be framed only after posted notice in each department and after written notice to all department heads and labor organizations whose employees are covered under the provisions of this act providing for a public hearing on the proposed rules or changes or amendments thereto. Such rules shall be submitted to the county board who may approve or reject such rules. When approved, which shall be by majority vote and in the form of a written resolution, the rules shall have the force and effect of law. Such rules may be amended and repealed with the consent of the county board in the same manner as provided for original adoption. Notwithstanding any other provisions of this act all personnel rules affecting employees of departments and agencies paid in whole or in part by federal funds, shall conform to any valid federal or state regulation affecting any such department. Such rules shall provide among other things:

(1) for the rejection of otherwise eligible candidates who fail to comply with the reasonable requirements of the board with regard to age, citizenship, qualifications, residence, sex, or physical or medical condition, or who have been guilty of crime involving moral turpitude, or who have attempted any deception or fraud in connection with an application or examination, or who have been dismissed from the public service for delinquency or misconduct, or who have directly or indirectly given or promised to give any money, service, or other valuable thing to any person for or on account of his examination, appointment, or proposed appointment.

(2) for examinations which shall be competitive and standardized and which may consist of any one or a combination of the following: written or oral tests of the subjective or objective type, physical tests, practical or demonstration tests, or evaluation of past training and experience. Oral tests may be of the question and answer type used to test candidates' knowledge of the duties of the position, or may be of the interview type used to test the candidates' personal fitness for the job.

(3) for the creation of eligible lists upon which shall be entered the names of successful candidates in the order of their rating in the examination.

(4) for the appointment to fill a vacancy of one of those who have qualified through the examination process, if the vacancy

is not filled by reduction, transfer, or reinstatement. (THREE PERSONS WHEN AVAILABLE SHALL BE REFERRED TO DEPARTMENT HEADS WHEN A VACANCY OCCURS, WITH WAIVER IN EXTREME OR UNIQUE CONDITIONS SUBJECT TO UNANIMOUS APPROVAL OF THE PERSONNEL BOARD.) *When a vacancy occurs the director shall certify from the list of eligibles appropriate for the grade and class in which the position is classified, the first three names on such list together with any additional names of persons having an examination rating within three points of the person on the list with the highest examination rating. In the case of an eligible list for initial entry into the county services, the director shall certify the first ten names on such list. The personnel board may waive the above provisions where extreme or unique conditions exist by unanimous approval.*

(5) for a period of probation during which period such probationer may be discharged or reduced, and he shall have no right of appeal. Such period of probation shall not exceed six months unless waived by unanimous approval of the personnel board due to extreme or unique conditions.

(6) for provisional employment without examination with the consent of the director, in cases of emergency and pending appointment from an eligible list, providing no provisional employment shall continue longer than 90 days.

(7) for transfers including transfers from other merit systems provided that a transfer shall not result in a promotion or reduction; and for reinstatement of persons who without fault or delinquency on their part are separated from the service or reduced.

(8) for promotion based upon competitive examinations and upon the record of efficiency. Whenever practicable vacancies shall be filled by promotion.

(9) for suspensions without pay for no longer than 30 days for disciplinary purposes; for leaves of absence with or without pay; for layoffs; for hours of employment; for vacations and sick leave; severance pay, and such other benefits and emoluments as may improve the public service.

(10) for discharge or reduction in rank of a permanent employee only when the person to be discharged or reduced has been presented with charges specifically stated in writing and has been allowed a hearing thereon before the personnel board. Records of such charges and the hearing shall be filed in the office of the personnel director.

(b) to provide a salary and wage schedule for county employees to be presented to the county board for approval and to

establish periods and manner in which salaries and wages shall be paid.

(c) to make investigations either on petition of a citizen or of its own motion concerning the enforcement and effect of this act, to require observance of its provisions and the rules made thereunder.

(d) to hear and determine appeals on complaints respecting the administrative work of the personnel director and such other matters as may be appealed to the board.

(e) to make such investigations as may be requested by the county board or the personnel director and to report thereon.

(f) to make an annual report to the county board on the activities of the personnel department.”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 331, A bill for an act relating to motor vehicles; application for registration or certificate of title; specifying information to be supplied; appropriating money; amending Minnesota Statutes 1976, Sections 168.10, Subdivision 1; 168A.04, Subdivision 1; and 168A.05, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 15, delete “*or owners*”.

Page 1, line 17, strike “*he*” delete “*or they*” strike “*shall become the owner*” delete “*or owners*” strike “*thereof*” and insert “*ownership of a motor vehicle is acquired*”.

Page 1, line 23, strike “*name*” and insert “*names*”.

Page 1, line 23, delete “*date*” and insert “*dates*”.

Page 1, line 23, strike “*address*” and insert “*addresses*”.

Page 1, line 23, strike “*the owner*”.

Page 1, line 23, delete “*or*” and insert “*all*”.

Page 2, line 1, after “*owners*” insert “*thereof who use natural persons, the full names and addresses of all other owners*”.

Page 2, line 22, strike "such" and insert "to the".

Page 2, line 30, strike "such" and insert "the".

Page 3, line 8, delete "name" and insert "names".

Page 3, line 8, delete "date" and insert "dates".

Page 3, line 8, delete "address" and insert "addresses".

Page 3, line 8, delete the second "the".

Page 3, line 9, delete "owner or" and insert "all".

Page 3, line 29, delete "name" and insert "names".

Page 3, line 29, delete "date" and insert "dates".

Page 3, line 29, delete "address" and insert "addresses".

Page 3, line 29, delete "the owner".

Page 3, line 30, delete "or" and insert "all".

Further amend the title as follows:

Line 2, delete "application" and insert "requiring information as to all owners in applications".

Line 3, delete "specifying".

Line 4, delete "information to be supplied;"

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 946, A bill for an act relating to the trunk highway system; adding a new route in substitution of an existing route.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 947, A bill for an act relating to railroads; allowing reduced rates for transportation of waste material for re-processing; amending Minnesota Statutes 1976, Section 218.021, Subdivision 2.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1172, 285, 1017, 888, 313, 756, 979, 1107, 424, 542, 544, 652, 946 and 947 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Nelsen, M.; Samuelson; Jensen; Birnstihl and Fudro introduced:

H. F. No. 1421, A bill for an act relating to natural resources; designating wild rice as the official state grain; amending Minnesota Statutes 1976, Chapter 1, by adding a section.

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

Braun, Birnstihl, Lemke, Biersdorf and Mann introduced:

H. F. No. 1422, A bill for an act relating to agriculture; soil conditioners and pesticides; prescribing the powers and duties of the commissioner of agriculture in relation thereto; eliminating regulatory powers of the Minnesota pollution control agency under certain circumstances; amending Minnesota Statutes 1976, Sections 17.712; 17.725, Subdivision 1; 18A.32, by adding a subdivision; and 116.07, Subdivision 1.

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



Wenstrom introduced:

H. F. No. 1423, A bill for an act relating to state government buildings; establishing the building renovation revolving fund; appropriating money.

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

Jaros, Fudro, Hanson, Evans and Lehto introduced:

H. F. No. 1424, A bill for an act relating to intoxicating liquor; permitting licensing and sale on certain tour boats; amending Minnesota Statutes 1976, Section 340.11, by adding a subdivision.

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

Nelson, Clark, Arlandson, McCarron and Kaley introduced:

H. F. No. 1425, A bill for an act relating to obscenity; prohibiting the promotion or employment of minors as models alone or with others in sexual performances for purposes of preparing an obscene work; prescribing penalties; amending Minnesota Statutes 1976, Chapter 617, by adding a section.

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

Jaros, McCarron, Clark, Nelson and Laidig introduced:

H. F. No. 1426, A bill for an act relating to crimes; specifying the crime of receiving or buying stolen property; prescribing penalties; amending Minnesota Statutes 1976, Section 609.53, Subdivision 1; repealing Minnesota Statutes 1976, Section 609.53, Subdivisions 2 and 3.

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

Byrne introduced:

H. F. No. 1427, A bill for an act relating to the administration of criminal justice; creating an advisory committee to study the reorganization of the criminal justice system; appropriating money.

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

Nelsen, M.; Johnson; Brandl; Langseth and Mangan introduced:

H. F. No. 1428, A bill for an an act relating to education; authorizing the state board of education to create additional advisory task forces; amending Minnesota Statutes 1976, Section 15.014, by adding subdivisions.

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

Munger, Erickson, Mann and Eken introduced:

H. F. No. 1429, A bill for an act relating to water resources; creating a water planning board; prescribing its duties; regulating the appropriation and use of water; establishing emergency restrictions on the use of state waters for irrigation and other purposes; establishing procedures for the processing of irrigation permits; requiring municipal water supply authorities to conserve water during shortages; appropriating money; amending Minnesota Statutes 1976, Sections 105.41, Subdivision 1a; 105.415; 105.44, Subdivisions 1, 2, 3, 6, 9 and 10; 105.462; 105.482, Subdivisions 3 and 5; and Chapter 105, by adding a section; repealing Minnesota Statutes 1976, Section 105.41, Subdivision 1b.

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

Clawson introduced:

H. F. No. 1430, A bill for an act relating to high voltage transmission lines; terms and conditions of easements; recording of survey points.

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

Abeln, Wynia, Schulz, Fjoslien and Brinkman introduced:

H. F. No. 1431, A bill for an act relating to insurance; establishing a product liability placement facility; authorizing the establishment of a joint underwriting association; requiring the reporting of certain insurance claims.

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

Osthoff introduced:

H. F. No. 1432, A bill for an act relating to elections; providing that the secretary of state prescribe voting equipment; prohibiting certain equipment; amending Minnesota Statutes 1976, Section 206.08, by adding subdivisions.

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

Lehto, Kostohryz, Stoa, Savelkoul and Cummiskey introduced:

H. F. No. 1433, A bill for an act relating to elections; providing for publication of dates for filing for municipal office; amending Minnesota Statutes 1976, Section 205.13.

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

Evans introduced:

H. F. No. 1434, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Ottertail county for the purpose of correcting boundary description errors.

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

Faricy; Brandl; Carlson, A.; Searle and Patton introduced:

H. F. No. 1435, A bill for an act relating to the organization and operation of state government; creating the institute for analyses of public choices; requiring the identification and analysis of trends affecting the state; appropriating money.

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

Moe, Patton, Casserly, Lehto and Dean introduced:

H. F. No. 1436, A bill for an act relating to the cities of St. Paul, Minneapolis, and Duluth; firemen's survivor benefits; amending Laws 1955, Chapter 375, Section 25, as amended; Laws 1965, Chapter 519, Section 1, as amended; and Laws 1975, Chapter 127, Section 2, as amended.

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

Fugina introduced:

H. F. No. 1437, A bill for an act relating to the city of Gilbert; authorizing proportionate service pensions for firemen.

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

Samuelson, Mangan, Clawson, Anderson, I., and Corbid introduced:

H. F. No. 1438, A bill for an act relating to public welfare; providing quarantees of loans for construction and capital improvements in daytime activity centers; providing appropriations.

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

Pehler, Jacobs, Brinkman, Rice and Kostohryz introduced:

H. F. No. 1439, A bill for an act relating to taxation; permitting deduction of amount of prizes paid to be deducted from gross receipts of bingo occasions on which the sales tax is imposed; amending Minnesota Statutes 1976, Chapter 297A, by adding a section.

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

Clawson, Jacobs, Savelkoul, Suss and Wieser introduced:

H. F. No. 1440, A bill for an act relating to tax delinquent real estate; eliminating obsolete provisions relating to sale and redemption of tax delinquent real estate; amending Minnesota Statutes 1976, Sections 280.001; 280.07; 281.02; 281.36; and 281.37; repealing Minnesota Statutes 1976, Sections 279.32; 280.01; 280.02; 280.03; 280.04; 280.05; 280.06; 280.10; 280.11; 280.12; 280.13; 280.25; 280.26; 280.28; 280.29; 280.36; 281.15; 281.20; 281.24; 281.26; 281.27; 281.31; and 281.32.

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

Beauchamp and Langseth introduced:

H. F. No. 1441, A bill for an act relating to aeronautics; providing for joint interstate airports; amending Minnesota Statutes 1976, Section 360.042, by adding a subdivision.

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

## HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Lehto, Prael, Enebo and Dean introduced:

H. A. No. 25, A proposal to study employee and bargaining agent rights to medical records.

The advisory was referred to the Committee on Labor-Management Relations.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 291, A bill for an act relating to education; school districts; joint powers; authorizing joint boards to acquire certain property for data processing; amending Minnesota Statutes 1976, Section 123.73.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 558, A bill for an act relating to snowmobiles; providing for operation on certain highways; amending Minnesota Statutes 1976, Section 84.87, Subdivision 3.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 235, A bill for an act relating to agriculture; soybean research and promotion council; powers of the commissioner of agriculture and the council; providing for an increase in

fees and specifying the uses thereof; amending Minnesota Statutes 1976, Sections 21A.01; 21A.05; 21A.06; 21A.09; 21A.12; 21A.16, Subdivision 2; 21A.19, Subdivision 1; and Chapter 21A, by adding a section; repealing Minnesota Statutes 1976, Section 21A.18.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Kalis moved that the House concur in the Senate amendments to H. F. No. 235 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 235, A bill for an act relating to agriculture; soybean research and promotion council; powers of the commissioner of agriculture and the council; providing for an increase in fees and specifying the uses thereof; amending Minnesota Statutes 1976, Sections 21A.01; 21A.04; 21A.05; 21A.06; 21A.09; 21A.12; 21A.14; 21A.15; 21A.16, Subdivisions 1 and 2; 21A.17; 21A.19, Subdivision 1; and Chapter 21A, by adding a section; repealing Minnesota Statutes 1976, Section 21A.18.

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

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Johnson	Munger	Sieben, H.
Adams	Dean	Jude	Murphy	Sieben, M.
Albrecht	Den Ouden	Kahn	Neisen	Simoneau
Anderson, B.	Eckstein	Kaley	Nelsen, B.	Skoglund
Anderson, D.	Eken	Kalis	Nelsen, M.	Smogard
Anderson, G.	Ellingson	Kelly, R.	Nelson	Spanish
Anderson, I.	Enebo	Kelly, W.	Niehaus	Stanton
Anderson, R.	Erickson	Kempe, A.	Novak	Stoa
Arlandson	Esau	Kempe, R.	Osthoff	Suss
Battaglia	Evans	King	Patton	Swanson
Begich	Ewald	Knickerbocker	Pehler	Tomlinson
Berglin	Faricy	Kostohryz	Peterson	Vanasek
Berkelman	Fjoslien	Kroening	Petrafeso	Voss
Biersdorf	Forsythe	Kvam	Pleasant	Waldorf
Birnstihl	Friedrich	Laidig	Prahl	Welch
Braun	Fudro	Langseth	Reding	Wenstrom
Brinkman	Fugina	Lehto	Rice	Wenzel
Byrne	George	Lemke	Rose	White
Carlson, A.	Gunter	Mangan	St. Onge	Wieser
Carlson, L.	Hanson	Mann	Samuelson	Wigley
Casserly	Haugerud	McCarron	Sarna	Williamson
Clark	Heinitz	McCollar	Savelkoul	Zubay
Clawson	Hokanson	McDonald	Scheid	Speaker Sabo
Cohen	Jacobs	McEachern	Schulz	
Corbid	Jaros	Metzen	Searles	
Cummiskey	Jensen	Moe	Sherwood	

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

Mr. Speaker :

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

H. F. No. 57, A bill for an act relating to health and safety; licensing and certification of ambulance services; amending Minnesota Statutes 1976, Chapter 144, by adding a section; Sections 144.801; 144.802; 144.803; 144.804; and 144.805.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Heinitz moved that the House concur in the Senate amendments to H. F. No. 57 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 57, A bill for an act relating to health and safety; licensing and certification of ambulance services; amending Minnesota Statutes 1976, Chapter 144, by adding a section; Sections 144.801; 144.802; 144.803; 144.804; and 144.805.

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

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Ewald	Kahn	McDonald
Adams	Byrne	Faricy	Kaley	McEachern
Albrecht	Carlson, A.	Fjoslien	Kalis	Metzen
Anderson, B.	Carlson, D.	Forsythe	Kelly, W.	Moe
Anderson, D.	Carlson, L.	Friedrich	Kempe, A.	Munger
Anderson, G.	Casserly	Fudro	Kempe, R.	Murphy
Anderson, I.	Clark	Fugina	Knickerbocker	Neisen
Anderson, R.	Clawson	George	Kostohryz	Nelsen, B.
Arlandson	Cohen	Gunter	Kroening	Nelsen, M.
Battaglia	Cummiskey	Hanson	Kvam	Nelson
Beauchamp	Dean	Haugerud	Laidig	Niehaus
Begich	Den Ouden	Heinitz	Langseth	Norton
Berglin	Eckstein	Hokanson	Lehto	Novak
Berkelman	Ellingson	Jacobs	Lemke	Osthoff
Biersdorf	Enebo	Jaros	Mangan	Patton
Birnstihl	Erickson	Jensen	Mann	Pehler
Brandl	Esau	Johnson	McCarron	Peterson
Braun	Evans	Jude	McCollar	Petrateso

Pleasant	Scheid	Skoglund	Vanasek	Wigley
Reding	Schulz	Smogard	Voss	Williamson
Rice	Searle	Spanish	Waldorf	Wynia
Rose	Searles	Stanton	Welch	Zubay
St. Onge	Sherwood	Stoa	Wenstrom	Speaker Sabo
Samuelson	Sieben, H.	Suss	Wenzel	
Sarna	Sieben, M.	Swanson	White	
Savelkoul	Simoneau	Tomlinson	Wieser	

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

Mr. Speaker:

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

H. F. No. 82, A bill for an act relating to crimes; raising the amount of pecuniary gain which must be received by a person incident to a violation of law before the violation is categorized as a felony; increasing the penal fine of misdemeanors; directing a court to require as a condition of a stay of imposition or execution of sentence restitution for property damage or loss or compensation for personal injuries; amending Minnesota Statutes 1976, Sections 412.231; 609.02, Subdivision 3; 609.03; 609.031; 609.032; 609.135, Subdivision 1; 609.27, Subdivision 2; 609.551, Subdivision 1; 609.563, Subdivision 1; 609.576, Subdivision 1; 609.595, Subdivision 1; 609.615; and 609.785.

PATRICK E. FLAHAVEN, Secretary of the Senate

Stanton moved that the House refuse to concur in the Senate amendments to H. F. No. 82, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

S. F. No. 1072.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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



S. F. Nos. 13, 345, 827, 828 and 872.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 1072, A bill for an act relating to appropriations; appropriating money for the fiscal year ending June 30, 1977.

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

S. F. No. 13, A bill for an act relating to jurisdiction over federal lands; permitting acceptance by the state of retrocession of jurisdiction over federal lands by federal agencies; amending Minnesota Statutes 1976, Section 1.043; and Chapter 1, by adding a section.

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

S. F. No. 345, A bill for an act relating to the Minnesota municipal board; providing for per diem compensation and reimbursement of expenses for board members; amending Minnesota Statutes 1976, Section 414.01, Subdivision 6a.

The bill was read for the first time.

Petrafeso moved that S. F. No. 345 and H. F. No. 53, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 827, A bill for an act relating to the city of Duluth; authorizing the establishment and administration of a city housing finance program and expenditures for the purpose; providing for the issuance of revenue bonds.

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

S. F. No. 828, A bill for an act relating to the city of Duluth; authorizing the city to acquire, construct, and maintain parking facilities and to finance same.

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

S. F. No. 872, A bill for an act relating to state government; closing Hastings state hospital.

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

## CONSENT CALENDAR

H. F. No. 749 was reported to the House.

There being no objection, H. F. No. 749 was continued on the Consent Calendar for one day.

## CALENDAR

H. F. No. 203 was reported to the House and given its third reading.

Abeln moved that H. F. No. 203 be re-referred to the Committee on Local and Urban Affairs.

A roll call was requested and properly seconded.

The question was taken on the motion by Abeln and the roll was called. There were 22 yeas and 101 nays as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kahn	Sieben, M.	Welch
Arlandson	Ellingson	Kempe, R.	Simoneau	White
Byrne	Enebo	Kvam	Skoglund	
Carlson, L.	Faricy	McEachern	Stoa	
Dahl	Hanson	Scheid	Swanson	

Those who voted in the negative were:

Adams	Corbid	Kalis	Nelsen, M.	Sherwood
Albrecht	Dean	Kelly, R.	Nelson	Sieben, H.
Anderson, B.	Den Ouden	Kelly, W.	Niehaus	Smogard
Anderson, D.	Erickson	Kempe, A.	Norton	Spanish
Anderson, G.	Esau	King	Novak	Stanton
Anderson, I.	Evans	Knickerbocker	Osthoff	Suss
Battaglia	Ewald	Kostohryz	Patton	Tomlinson
Beauchamp	Fjoslien	Laidig	Pehler	Vanasek
Begich	Forsythe	Langseth	Peterson	Waldorf
Berglin	Friedrich	Lehto	Petrafeso	Wenstrom
Berkelman	Fudro	Lemke	Pleasant	Wenzel
Biersdorf	Fugina	Mangan	Prahl	Wieser
Birnstihl	George	Mann	Reding	Wigley
Brandl	Heinitz	McCarron	Rose	Williamson
Braun	Hokanson	McCollar	St. Onge	Wynia
Brinkman	Jacobs	Metzen	Samuelson	Zubay
Carlson, D.	Jaros	Moe	Sarna	Speaker Sabo
Casserly	Jensen	Munger	Savelkoul	
Clark	Johnson	Murphy	Schulz	
Clawson	Jude	Neisen	Searle	
Cohen	Kaley	Nelsen, B.	Searles	

The motion did not prevail.

H. F. No. 203, A bill for an act relating to public health; providing for a municipal referendum on the fluoridation of mu-

nicipal water supplies; amending Minnesota Statutes 1976, Section 144.145.

The bill was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 74 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Albrecht	Clawson	Kelly, R.	Niehaus	Sherwood
Anderson, B.	Cohen	Kelly, W.	Norton	Sieben, H.
Anderson, G.	Corbid	Lehto	Novak	Smogard
Anderson, I.	Cummiskey	Lemke	Osthoff	Spanish
Anderson, R.	Den Ouden	Mangan	Pehler	Stanton
Pattaglia	Eken	Mann	Petrafero	Suss
Beauchamp	Erickson	McCarron	Prahl	Wenstrom
Begich	Esau	McCollar	Reding	Wenzel
Berglin	Fjoslien	McDonald	Rose	Wieser
Biersdorf	Fugina	Metzen	St. Onge	Wigley
Brandl	Gunter	Moe	Samuelson	Williamson
Braun	Heinitz	Munger	Savelkoul	Wynia
Brinkman	Jaros	Nelsen, B.	Schulz	Zubay
Carlson, D.	Johnson	Nelsen, M.	Searle	Speaker Sabo
Clark	Jude	Nelson	Searles	

Those who voted in the negative were:

Abeln	Dean	Hanson	Kvam	Skoglund
Adams	Eckstein	Haugerud	Laidig	Stoa
Anderson, D.	Ellingson	Jensen	McEachern	Swanson
Arlandson	Enebo	Kahn	Murphy	Tomlinson
Berg	Evans	Kaley	Neisen	Vanasek
Berkelman	Ewald	Kalis	Patton	Waldorf
Birnstihl	Faricy	Kempe, A.	Peterson	Welch
Byrne	Forsythe	Kempe, R.	Plesant	White
Carlson, L.	Friedrich	King	Scheid	
Casserly	Fudro	Knickerbocker	Sieben, M.	
Dahl	George	Kostohryz	Simoneau	

The bill was passed and its title agreed to.

H. F. No. 218, A bill for an act relating to the city of Minneapolis and Hennepin county; providing for representation for the board of county commissioners of Hennepin county and the Minneapolis city council on the municipal building commission; amending Laws 1903, Chapter 247, Section 1.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jaros	Munger	Searles
Adams	Cummiskey	Jensen	Murphy	Sherwood
Albrecht	Dahl	Johnson	Neisen	Sieben, H.
Anderson, B.	Dean	Jude	Nelsen, B.	Sieben, M.
Anderson, D.	Den Ouden	Kahn	Nelsen, M.	Simoneau
Anderson, G.	Eckstein	Kaley	Nelson	Skoglund
Anderson, I.	Eken	Kalis	Niehaus	Smogard
Anderson, R.	Ellingson	Kelly, W.	Norton	Spanish
Arlandson	Enebo	Kempe, A.	Novak	Stanton
Battaglia	Erickson	Kempe, R.	Osthoff	Stoa
Beauchamp	Esau	King	Patton	Suss
Begich	Evans	Knickerbocker	Pehler	Swanson
Berg	Ewald	Kostohryz	Peterson	Tomlinson
Berkelman	Faricy	Kroening	Petrafeso	Vanasek
Biersdorf	Fjoslien	Kvam	Pleasant	Voss
Birnstihl	Forsythe	Laidig	Prahl	Waldorf
Brandl	Friedrich	Lehto	Reding	Welch
Braun	Fudro	Lemke	Rice	Wenstrom
Brinkman	Fugina	Mangan	Rose	Wenzel
Byrne	George	Mann	St. Onge	White
Carlson, D.	Gunter	McCarron	Samuelson	Wieser
Carlson, L.	Hanson	McCollar	Sarna	Wigley
Casserly	Haugerud	McDonald	Savelkoul	Williamson
Clark	Heinitz	McEachern	Scheid	Zubay
Clawson	Hokanson	Metzen	Schulz	Speaker Sabo
Cohen	Jacobs	Moe	Searle	

Those who voted in the negative were:

Berglin

The bill was passed and its title agreed to.

Simoneau was excused from 4:00 to 4:15 p.m.

### GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

#### REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 324 which it recommended to pass.

S. F. No. 483 which it recommended to pass as amended by the Committee of the Whole on Wednesday, April 13, 1977.

H. F. No. 7 which it recommended progress retaining its place on General Orders.

H. F. Nos. 585, 1005, 800, 676, 707, 993 and 79 which it recommended progress.

S. F. No. 170 which it recommended progress.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

#### ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Carlson, A., moved to amend S. F. No. 483, the unofficial engrossment, as follows:

Page 7, at the end of line 17, add "*Furthermore, notwithstanding any other law or ordinance to the contrary, no increase in compensation for an elected official of a political subdivision shall take effect until at least one half of the positions on the governing body which approved the increase have been filled by election held after the increase was approved.*".

Amend the title as follows:

Page 1, line 11, after "governor" insert "and delaying certain salary increases".

The question was taken on the adoption of the amendment and the roll was called. There were 44 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Kempe, A.	Niehaus	Smogard
Anderson, D.	Erickson	Kempe, R.	Novak	Stanton
Anderson, R.	Esau	Knickerbocker	Peterson	Swanson
Biersdorf	Evans	Kostohryz	Pleasant	Wenstrom
Byrne	Ewald	Kvam	Reding	Wenzel
Carlson, A.	Fjoslien	Laidig	Rose	Wieser
Carlson, D.	Friedrich	McDonald	Savelkoul	Wigley
Carlson, L.	Heinitz	McEachern	Searle	Zubay
Dean	Kaley	Nelsen, B.	Searles	

Those who voted in the negative were:

Abeln	Berkelman	Cummiskey	Haugerud	King
Adams	Birnstihl	Dahl	Hokanson	Kroening
Anderson, B.	Brandl	Eckstein	Jacobs	Langseth
Anderson, G.	Braun	Eken	Jaros	Lehto
Anderson, I.	Brinkman	Ellingson	Jensen	Lemke
Battaglia	Casserly	Enebo	Jude	Mangan
Beauchamp	Clark	Fudro	Kahn	Mann
Begich	Clawson	Fugina	Kalis	McCarron
Berg	Cohen	George	Kelly, R.	McCollar
Berglin	Corbid	Gunter	Kelly, W.	Metzen

Moe	Pehler	Scheid	Skoglund	Waldorf
Munger	Petrafeso	Schulz	Stoa	Welch
Murphy	Prahl	Sherwood	Suss	White
Neisen	Rice	Sieben, H.	Tomlinson	Williamson
Norton	St. Onge	Sieben, M.	Vanasek	Wynia
Patton	Samuelson	Simoneau	Voss	Speaker Sabo

The motion did not prevail and the amendment was not adopted.

Dean moved to amend S. F. No. 483, the unofficial engrossment, as follows:

Page 13, line 9, strike "\$48" and insert "\$27".

Page 22, line 20, after "enactment." insert "Sec. 11 is effective January 1, 1979."

The question was taken on the adoption of the amendment and the roll was called. There were 53 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Abeln	Erickson	Kelly, R.	Nelsen, B.	Smogard
Albrecht	Esau	Kempe, A.	Niehaus	Spanish
Anderson, D.	Evans	Kempe, R.	Osthoff	Stoa
Anderson, G.	Ewald	Knickerbocker	Peterson	Waldorf
Anderson, R.	Fjoslien	Kvam	Pleasant	Wenstrom
Biersdorf	Forsythe	Laidig	Reding	Wenzel
Carlson, A.	Friedrich	Langseth	Rose	Wieser
Carlson, D.	Heinitz	Lehto	Savelkoul	Wigley
Dahl	Hokanson	McDonald	Searle	Zubay
Dean	Jude	McEachern	Searles	
Den Ouden	Kaley	Murphy	Skoglund	

Those who voted in the negative were:

Adams	Casserly	Jensen	Norton	Stanton
Anderson, I.	Clark	Kahn	Novak	Suss
Arlandson	Cohen	Kelly, W.	Patton	Swanson
Battaglia	Corbid	King	Pehler	Tomlinson
Beauchamp	Cummiskey	Kostohryz	Petrafeso	Vanasek
Begich	Eckstein	Kroening	Rice	Voss
Berg	Eken	Lemke	St. Onge	Welch
Berglin	Ellingson	Mangan	Samuelson	White
Berkelman	Enebo	Mann	Sarna	Williamson
Birnstihl	Fudro	McCarron	Scheid	Wynia
Brandl	Fugina	McCollar	Schulz	Speaker Sabo
Braun	George	Metzen	Sherwood	
Brinkman	Gunter	Moe	Sieben, H.	
Byrne	Haugerud	Neisen	Sieben, M.	
Carlson, L.	Jaros	Nelson	Simoneau	

The motion did not prevail and the amendment was not adopted.

Dean moved to amend S. F. No. 483, the unofficial engrossment, as follows:

Page 12, strike lines 25 through 28.

Page 12, line 30, after "of" insert "*a majority of the*".

Page 12, line 30, strike "*which constitutes the*".

Page 12, line 31, strike "*largest political affiliation within that body*".

Page 13, line 1, after "*house*" strike the remainder of the line and insert "*not voting in the election of the majority leader.*".

Page 13, strike all of line 2.

The question was taken on the adoption of the amendment and the roll was called. There were 44 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Albrecht	Dean	Heinitz	McEachern	Searles
Anderson, D.	Den Ouden	Kahn	Nelsen, B.	Skoglund
Anderson, R.	Erickson	Kaley	Nelson	Smogard
Biersdorf	Esau	Kempe, R.	Niehaus	Spanish
Carlson, A.	Evans	Knickerbocker	Peterson	Stanton
Carlson, D.	Fjoslien	Kvam	Pleasant	Wenstrom
Casserly	Forsythe	Laidig	Rose	Wigley
Clark	Friedrich	Langseth	Savelkoul	Zubay
Corbid	Haugerud	McDonald	Searle	

Those who voted in the negative were:

Abeln	Carlson, L.	Johnson	Neisen	Sieben, M.
Adams	Clawson	Jude	Norton	Simoneau
Anderson, B.	Cohen	Kelly, R.	Novak	Stoa
Anderson, G.	Cummiskey	Kelly, W.	Osthoff	Suss
Anderson, I.	Dahl	Kempe, A.	Patton	Swanson
Arlandson	Eckstein	King	Pehler	Tomlinson
Battaglia	Eken	Kostohryz	Petrafeso	Vanasek
Beauchamp	Ellingson	Kroening	Reding	Voss
Begich	Enebo	Lemke	Rice	Waldorf
Berglin	Ewald	Mann	St. Onge	Wenzel
Berkelman	Fudro	McCarron	Samuelson	White
Birnstihl	Fugina	McCollar	Sarna	Wieser
Brandl	George	Metzen	Scheid	Williamson
Braun	Gunter	Moe	Schulz	Wynia
Brinkman	Hokanson	Munger	Sherwood	Speaker Sabo
Byrne	Jacobs	Murphy	Sieben, H.	

The motion did not prevail and the amendment was not adopted.

Kelly, R.; Waldorf; Scheid; Stoa; Tomlinson; Murphy; Kempe, A.; Byrne; McCollar; Kostohryz; Lehto and Ellingson moved to amend S. F. No. 483, the unofficial engrossment, as follows:

Page 12, line 1, delete "not to".

Page 12, strike lines 2 and 3 and insert "each member who has not moved from his usual place of lodging during a substantial part of the session shall be reimbursed for actual and necessary expenses incurred in the exercise of his official duties in an amount and manner provided for other state employees."

A roll call was requested and properly seconded.

Patton moved to amend the Kelly, R., amendment to S. F. No. 483, the unofficial engrossment, as follows:

After "employees." insert "No member other than self-employed member of the Minnesota Legislature shall receive compensation from an employer while the Legislature is in session."

The question was taken on the adoption of the amendment to the amendment and the roll was called. There were 70 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Haugerud	McEachern	Rice
Adams	Byrne	Hokanson	Metzen	St. Onge
Albrecht	Carlson, L.	Jaros	Moe	Samuelson
Anderson, B.	Casserly	Jensen	Munger	Sarna
Anderson, G.	Corbid	Johnson	Murphy	Sherwood
Anderson, I.	Cummiskey	Kahn	Neisen	Stanton
Arlandson	Eckstein	Kelly, W.	Nelson	Suss
Battaglia	Eken	King	Niehaus	Swanson
Beauchamp	Enebo	Knickerbocker	Novak	Vanasek
Begich	Erickson	Kroening	Osthoff	Voss
Berglin	Esau	Laidig	Patton	Wenzel
Berkelman	Fudro	Lemke	Pehler	White
Birnstihl	George	Mangan	Peterson	Williamson
Braun	Hanson	Mann	Petrateso	Speaker Sabo

Those who voted in the negative were:

Anderson, D.	Ewald	Kelly, R.	Pleasant	Smogard
Anderson, R.	Farcy	Kempe, A.	Prahl	Stoa
Biersdorf	Fjoslien	Kempe, R.	Reding	Tomlinson
Brandl	Forsythe	Kostohryz	Rose	Waldorf
Carlson, A.	Friedrich	Kvam	Savelkoul	Welch
Carlson, D.	Fugina	Langseth	Scheid	Wenstrom
Clawson	Gunter	Lehto	Searle	Wieser
Cohen	Heinitz	McCarron	Searles	Wigley
Dean	Jacobs	McCollar	Sieben, H.	Wynia
Den Ouden	Jude	McDonald	Sieben, M.	Zubay
Ellingson	Kaley	Nelsen, B.	Simoneau	
Evans	Kalis	Norton	Skoglund	

The motion prevailed and the amendment to the amendment was adopted.



Kahn moved to amend the Kelly, R., amendment, as amended, to S. F. No. 483, the unofficial engrossment, as follows:

Delete *"who has not moved from his usual place of lodging during a substantial part of the session"*.

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Kelly, R., amendment, as amended, and the roll was called. There were 53 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Anderson, D.	Esau	Kaley	McEachern	Simoneau
Berkelman	Evans	Kelly, R.	Munger	Stoa
Byrne	Ewald	Kempe, A.	Murphy	Tomlinson
Carlson, A.	Faricy	Kempe, R.	Nelsen, B.	Waldorf
Carlson, D.	Fjoslien	Knickerbocker	Niehaus	Welch
Carlson, L.	Forsythe	Kostohryz	Osthoff	Wieser
Dahl	Friedrich	Laidig	Peterson	Williamson
Den Ouden	Haugerud	Lehto	Reding	Wynia
Eckstein	Heinitz	Mann	Savelkoul	Zubay
Ellingson	Jacobs	McCollar	Scheid	
Erickson	Jude	McDonald	Searle	

Those who voted in the negative were:

Abeln	Braun	Jaros	Nelson	Sieben, M.
Adams	Brinkman	Jensen	Norton	Skoglund
Albrecht	Cassery	Johnson	Novak	Smogard
Anderson, B.	Clark	Kahn	Patton	Stanton
Anderson, G.	Clawson	Kalis	Pehler	Suss
Anderson, I.	Cohen	Kelly, W.	Petrafeso	Swanson
Anderson, R.	Corbid	King	Pleasant	Vanasek
Arlandson	Cummiskey	Kroening	Rice	Voss
Battaglia	Dean	Kvam	Rose	Wenstrom
Beauchamp	Eken	Langseth	St. Onge	Wenzel
Begich	Enebo	Lemke	Samuelson	White
Berg	Fudro	Mangan	Sarna	Wigley
Berglin	Fugina	McCarron	Schulz	Speaker Sabo
Biersdorf	George	Metzen	Searles	
Birnstihl	Gunter	Moe	Sherwood	
Brandl	Hokanson	Neisen	Sieben, H.	

The motion did not prevail and the amendment, as amended, was not adopted.

Carlson, D., moved to amend S. F. No. 483, the unofficial engrossment, as follows:

Page 10, line 32, strike all of Sec. 10.

Page 13, line 3, strike all of Sec. 11.

Page 13, line 22, strike all of Sec. 12.

Renumber the sections accordingly.

Further, amend the title accordingly.

The question was taken on the adoption of the amendment and the roll was called. There were 29 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Friedrich	McDonald	Rose
Anderson, D.	Erickson	Jude	Murphy	Savelkoul
Anderson, R.	Esau	Kempe, A.	Nelsen, B.	Searles
Biersdorf	Evans	Kempe, R.	Niehaus	Spanish
Carlson, D.	Fjoslien	Kvam	Peterson	Wigley
Dean	Forsythe	Laidig	Pleasant	

Those who voted in the negative were:

Abeln	Casserly	Jacobs	Moe	Skoglund
Adams	Clark	Jaros	Munger	Smogard
Anderson, B.	Clawson	Jensen	Neisen	Stanton
Anderson, G.	Cohen	Kahn	Nelson	Stoa
Anderson, I.	Corbid	Kelly, R.	Norton	Suss
Arlandson	Cummiskey	Kelly, W.	Novak	Swanson
Battaglia	Eckstein	King	Pehler	Tomlinson
Beauchamp	Eken	Knickerbocker	Petrafaso	Vanasek
Begich	Ellingson	Kostohryz	Prahl	Voss
Berg	Enebo	Kroening	Rice	Waldorf
Berglin	Ewald	Langseth	St. Onge	Welch
Berkelman	Farcy	Lehto	Samuelson	Wenstrom
Birnstihl	Fudro	Lemke	Sarna	Wenzel
Brandl	Fugina	Mangan	Scheid	White
Braun	George	McCarron	Schulz	Wieser
Brinkman	Gunter	McCollar	Sherwood	Williamson
Byrne	Haugerud	McEachern	Sieben, H.	Wynia
Carlson, L.	Hokanson	Metzen	Sieben, M.	Speaker Sabo

The motion did not prevail and the amendment was not adopted.

The question was taken on the motion to recommend passage of S. F. No. 483 and the roll was called. There were 70 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jacobs	Metzen	Sieben, H.
Anderson, I.	Corbid	Jaros	Moe	Sieben, M.
Arlandson	Cummiskey	Johnson	Munger	Skoglund
Battaglia	Dahl	Kahn	Murphy	Stanton
Beauchamp	Eken	Kelly, R.	Nelson	Suss
Berg	Ellingson	Kelly, W.	Norton	Swanson
Berglin	Enebo	King	Pehler	Vanasek
Brandl	Farcy	Kostohryz	Petrafaso	Voss
Braun	Fudro	Kroening	Reding	Waldorf
Carlson, A.	Fugina	Langseth	Rice	Wenzel
Carlson, L.	George	Lehto	St. Onge	White
Casserly	Gunter	Mangan	Samuelson	Williamson
Clark	Hanson	Mann	Scheid	Wynia
Clawson	Haugerud	McCarron	Sherwood	Speaker Sabo

Those who voted in the negative were:

Adams	Den Ouden	Kaley	Niehaus	Smogard
Albrecht	Eckstein	Kalis	Novak	Spanish
Anderson, B.	Erickson	Kempe, A.	Osthoff	Stoa
Anderson, D.	Esau	Kempe, R.	Patton	Tomlinson
Anderson, G.	Evans	Knickerbocker	Peterson	Welch
Anderson, R.	Ewald	Kvam	Pleasant	Wenstrom
Berkelman	Fjoslien	Laidig	Prahl	Wieser
Biersdorf	Forsythe	Lemke	Rose	Wigley
Birnstihl	Friedrich	McCollar	Savelkoul	Zubay
Brinkman	Heinitz	McDonald	Schulz	
Byrne	Hokanson	McEachern	Searle	
Carlson, D.	Jensen	Neisen	Searles	
Dean	Jude	Nelsen, B.	Simoneau	

The motion prevailed.

### MOTIONS AND RESOLUTIONS

Wenstrom moved that H. F. No. 85, now on General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

Erickson, Johnson, Den Ouden and Eken introduced:

House Resolution No. 13, A house resolution congratulating the Minnesota Association of the Future Farmers of America.

The resolution was referred to the Committee on Rules and Legislative Administration.

### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 82: Stanton, Kempe, A., and Carlson, A.

### ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, April 18, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, April 18, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

