

STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

FORTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MAY 7, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Rose	Zubay
Dean	Jennings	Munger	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

A quorum was present.

Wieser was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Peterson 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. 1325, 1198, 1444, 1433, 1091, 990 and 1097 and S. F. Nos. 1003, 303, 345, 444, 498, 926, 1002 and 1510 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

May 3, 1979

The Honorable Rod Searle
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 1979 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 1979</i>	<i>Date Filed 1979</i>
57		57	May 3	May 3
61		58	May 3	May 3
340		59	May 3	May 3
361		60	May 3	May 3
384		61	May 3	May 3
493		62	May 3	May 3
728		63	May 3	May 3
	116	64	May 3	May 3
	299	65	May 3	May 3

384	66	May 3	May 3
610	67	May 3	May 3
768	68	May 3	May 3
1158	69	May 3	May 3

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

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

H. F. No. 143, A bill for an act relating to taxation; inheritance tax; clarifying certain deductions; amending Minnesota Statutes 1978, Section 291.07, Subdivision 2.

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 223, A bill for an act relating to education; providing for aids to education, aids to libraries, tax levies and the distribution of tax revenues; granting certain powers and duties to teachers, school bus drivers, school boards, school districts, educational cooperative service units, the Minnesota educational computing consortium, courts, the commissioner of education, the commissioner of health, the department of education, the state board of education and the state board for vocational education and other state agencies; creating a legislative school finance study commission; changing the method of computing foundation aid and levy limitations; providing aid for sparsely populated school districts, basic skills programs, new jobs programs and programs for gifted and talented students; changing procedures for decisions concerning the education of handicapped children; increasing tuition at area vocational-technical institutes; appropriating money; amending Minnesota Statutes 1978, Sections 3.9271, Subdivision 1, and by adding a subdivision; 3.9272; 16.93; 120.075; 120.17, Subdivisions 3b and 7a; 121.912, by adding a subdivision; 121.92, Subdivision 2; 123.34, Subdivision 8; 123.35, by adding a subdivision; 123.58, Subdivision 6, and by adding a subdivision; 123.702, Subdivision 1, and by adding a subdivision; 123.703, Subdivisions 1 and 3; 123.705;

123.741, Subdivision 1; 123.937; 124.01; 124.11, Subdivision 4; 124.17, Subdivision 1; 124.212, Subdivisions 1, 6c, 7c, 11, 20, and by adding subdivisions; 124.222, Subdivisions 1a, 1b, 2a, 2b and 6; 124.223; 124.245, Subdivisions 1 and 2; 124.26, Subdivision 3; 124.271, Subdivisions 2, 5, and by adding a subdivision; 124.32, Subdivisions 1, 1a, 5, 7 and 10; 124.561, Subdivision 3a; 124.562, Subdivisions 1 and 2; 124.563, Subdivision 1; 124.565, Subdivisions 3, 4, and by adding a subdivision; 124.572, Subdivision 2; 124.574, Subdivision 2; 124.646, Subdivision 1; 125.60, Subdivisions 1, 2, 3, 4, and by adding subdivisions; 125.61, Subdivisions 1, 2, 3, 4, and by adding subdivisions; 126.39, Subdivision 10; 126.40, Subdivision 3; 126.41, Subdivision 1; 126.52, Subdivision 10; 126.53, Subdivision 3; 126.54, Subdivision 1; 128A.02, Subdivision 6; 134.30, by adding a subdivision; 134.32, Subdivision 5; 134.33, Subdivision 1; 134.34, Subdivisions 1 and 2; 134.35, Subdivisions 1 and 2; 169.44, Subdivisions 1, 2, and by adding subdivisions; 275.125, Subdivisions 1, 2a, 2b, 8, 11a, and by adding subdivisions; 354.094, Subdivisions 3 and 6; 354.66, Subdivisions 1, 2, 3, 8, and by adding subdivisions; 354A.091, Subdivisions 1, 3, 6, and by adding a subdivision; 354A.22, Subdivisions 1, 2, 3, 8, and by adding subdivisions; 471.61, Subdivision 1b; and Chapters 124, by adding sections; and 134, by adding sections; repealing Minnesota Statutes 1978, Sections 120.171; 124.212, Subdivisions 6b and 7b; 124.241; 126.16; 126.18; 134.33, Subdivision 2; 169.44, Subdivisions 5 and 7; and 275.125, Subdivisions 6 and 7.

Reported the same back with the following amendments:

Page 73, line 1, after the period insert:

"For purposes of this computation, the following items contained in the post-secondary vocational-technical general fund balances as of June 30, 1978 and June 30, 1979 shall be excluded from these fund balances:

Funds for items which on March 1, 1979:

(a) *Have been approved for transfer by the legislature for an approved construction or remodeling project.*

(b) *Have been committed by action of local school district boards as the local share of construction or remodeling projects, which have been approved by the state board of education, and are now awaiting legislative approval.*

(c) *Have been committed by action of local school boards for locally funded remodeling and construction projects for projects not requiring legislative approval under Minnesota Statutes, Section 121.21, Subdivision 4.*

(d) *Have been committed by action of local school boards for expenses associated with moving into new or remodeled facilities*

previously approved by the state board of education or the legislature.

(e) Have been committed by local board action to major facility or equipment repair of an emergency nature.

(f) Represent non-cash items such as a house constructed in the AVTI carpentry class which has not been sold, or parts inventories used for instructional support."

Page 73, line 5, delete "May" and insert "March"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 296, A bill for an act relating to flood plain management; authorizing counties within the southern Minnesota river basin area II to levy an additional tax for flood control, improved water quality and erosion and sediment control; amending Minnesota Statutes 1978, Section 275.50, Subdivision 5.

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

The report was adopted.

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

H. F. No. 492, A bill for an act relating to aeronautics; clarifying the property tax status of municipal airport property leased to private persons or entities; amending Minnesota Statutes 1978, Section 360.035.

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. 860, A bill for an act relating to natural resources; eliminating the requirement of county board approval on the acquisition of wildlife lands by the commissioner of natural resources; amending Minnesota Statutes 1978, Section 97.481.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 97.481, is amended to read:

97.481 [ACQUISITION OF WILDLIFE LANDS.] *Subdivision 1.* The commissioner of natural resources is hereby authorized and empowered to acquire, in the name of the state, by gift, lease, purchase and transfer of state lands, any such wildlife lands, such as marsh or wetlands, and the margins thereof, including ponds, small lakes and stream bottom lands, which he finds desirable to acquire in the interests of water conservation relating to wildlife development programs, and, he may also acquire for this purpose from any state agency, itself included, lands now in state ownership or tax-forfeited which are suitable for wildlife purposes, and when such lands are so acquired, he is authorized to develop the same in the interest of wildlife, recreational or public hunting areas as he shall deem desirable. In the determination of which lands will be acquired as wildlife lands, the commissioner shall assign highest priority to parcels containing type 3 or 4 wetlands, as defined in U.S. Fish and Wildlife Service Circular No. 39 (1971 edition), which were previously determined to be public waters. (NO SUCH LANDS SHALL BE ACQUIRED UNTIL FIRST APPROVED FOR SUCH PURCHASE, OR LEASE, BY A MAJORITY OF THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS IN THE COUNTIES WHERE THE LAND TO BE PURCHASED, OR LEASED, IS LOCATED. IN THE COUNTIES IN WHICH A SOIL AND WATER CONSERVATION DISTRICT IS ORGANIZED THE SUPERVISORS WILL ACT AS COUNSELLORS TO THE BOARD OF COUNTY COMMISSIONERS REGARDING THE BEST UTILIZATION AND CAPABILITY OF THE LAND PROPOSED FOR PURCHASE, INCLUDING THE QUESTIONS OF DRAINAGE AND FLOOD CONTROL.) The commissioner in the purchase of such wetlands must recognize that when a majority of land owners, or owners of a majority of the land in the watershed, petition for a drainage outlet, that the state should not interfere, or unnecessarily delay such drainage proceedings when such proceedings are conducted according to the Minnesota Drainage Code. In no case should state lands, so purchased, or leased, be used to produce crops unless such crops are needed to sustain wildlife. No lands described herein shall be acquired unless there is acquired simultaneously therewith a right-of-way or easement from said lands to a public road so as to make entry upon said lands available to the public. The commissioner may designate lands or interests in lands acquired pursuant to this section as wildlife management areas for the purposes of the outdoor recreation system.

Subd. 2. Before the commissioner acquires lands by purchase or lease pursuant to this section, he shall proceed in accordance with this subdivision.

(a) *The commissioner shall notify the board of county commissioners in each county where land is to be acquired and shall furnish the board a description of the land to be acquired. The county board shall approve or disapprove the proposed acquisition within 60 days after the commissioner has notified the county board of the proposed acquisition and furnished the description of the land involved. An extension of time not to exceed 30 days may be given by the commissioner to a county board. In a county in which a soil and water conservation district is organized, the supervisors will act as counselors to the county board regarding the best utilization and capability of the land proposed for acquisition, including the questions of drainage and flood control.*

(b) *If the county board approves an acquisition within the 60-day period or extension thereof, the commissioner may proceed with the acquisition.*

(c) *If the county board disapproves an acquisition it shall, at the time of its decision, set forth valid reasons for disapproval. The landowner or the commissioner may appeal the county board's disapproval to the district court in the county in which any of the lands are situated. If the district court, or the supreme court on appeal, finds that the county board's disapproval is arbitrary or capricious or that the reasons stated for disapproval are invalid, or if the county board fails to give any reasons or fails to act to approve or disapprove of the acquisition within the 60-day period or extension thereof, the commissioner or the owner of the land which the commissioner seeks to acquire may submit the proposed acquisition to the land exchange board which shall consider the interests of the county, the state, and the landowner and determine whether the acquisition will be in the public interest.*

(d) *The land exchange board shall conduct a hearing upon each acquisition submitted to it after giving notice to all interested parties, including, but not limited to, the board of county commissioners in the county where the land to be acquired is located, the commissioner, and the owner of the land. The land exchange board shall hold its hearing and make its decision within 60 days after submission of the proposed acquisition to it.*

If a majority of the members of the land exchange board approves the acquisition, the commissioner may proceed with the acquisition, but if a majority of the members of the land exchange board disapproves the acquisition, the commissioner shall not acquire the property."

Delete the title in its entirety and insert:

"A bill for an act relating to natural resources; requiring county board or land exchange board approval on the acquisition

of wildlife lands by the commissioner of natural resources; amending Minnesota Statutes 1978, Section 97.481."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1123, A bill for an act relating to taxation; sales and use tax; clarifying the definition of a sale; specifying tax on food, meals, drinks, and lodging; providing methods of collecting unpaid taxes; providing requirements for refunds; imposing penalties; amending Minnesota Statutes 1978, Sections 297A.01, Subdivision 3; 297A.14; 297A.33, Subdivision 1, and by adding a subdivision; 297A.35, Subdivision 1, and by adding a subdivision; and 297A.39, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 23, delete "*packaged*"

Page 1, line 24, delete "*loaded into a*"

Page 1, delete line 25

Page 2, delete lines 1 to 6 and insert "*which dictate the function to be performed by data processing equipment and which are sold without adaptation to the specific requirements of the purchaser. Such computer software, whether contained on tape, discs, cards or other devices, shall be considered tangible personal property;*"

Pages 6 to 8, delete sections 5 to 7

Renumber the section in sequence

Amend the title as follows:

Page 1, lines 5 and 6, delete "providing requirements for refunds; imposing penalties;"

Page 1, line 9, delete the semicolon, delete all of line 10, and delete all of line 11 to the period

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1167, A bill for an act relating to taxation; lowering the excise tax on natural and artificial sparkling wines on a temporary basis.

Reported the same back with the following amendments:

Page 1, line 11, delete "27 cents" and insert "\$1.50"

Page 1, line 12, delete "seven" and insert "40"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1178, A bill for an act relating to waters; redefining public waters; defining wetlands; providing new procedures for the determination of public waters and wetlands; reappropriating money; amending Minnesota Statutes 1978, Sections 105.37, by adding subdivisions; 105.38; 105.39, Subdivision 3; 105.391, Subdivisions 1 and 3, and by adding subdivisions; 105.392, Subdivisions 2 and 5; repealing Minnesota Statutes 1978, Section 105.391, Subdivisions 2, and 4 to 8.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 105.37, is amended by adding a subdivision to read:

Subd. 13. "Public waters" includes and shall be limited to the following waters of the state:

(a) All water basins assigned a shoreland management classification by the commissioner pursuant to section 105.485, except wetlands less than 80 acres in size which are classified as natural environment lakes;

(b) All waters of the state which have been finally determined to be public waters or navigable waters by a court of competent jurisdiction;

(c) All meandered lakes, except for those which have been legally drained;

(d) All waterbasins previously designated by the commissioner for management for a specific purpose such as trout lakes and game lakes pursuant to applicable laws;

(e) All waterbasins designated as scientific and natural areas pursuant to section 84.033;

(f) All waterbasins located within and totally surrounded by publicly owned lands;

(g) All waterbasins where the state of Minnesota or the federal government holds title to any of the beds or shores, unless the owner declares that the water is not necessary for the purposes of the public ownership;

(h) All waterbasins where there is a publicly owned and controlled access which is intended to provide for public access to the water basin; and

(i) All natural and altered natural watercourses with a total drainage area greater than two square miles, except that trout streams officially designated by the commissioner shall be public waters regardless of the size of their drainage area.

The public character of water shall not be determined exclusively by the proprietorship of the underlying, overlying, or surrounding land or by whether it is a body or stream of water which was navigable in fact or susceptible of being used as a highway for commerce at the time this state was admitted to the union.

For the purposes of statutes other than sections 105.37, 105.38 and 105.391, the term "public waters" shall include "wetlands" unless the language or context clearly indicates another meaning.

Sec. 2. Minnesota Statutes 1978, Section 105.37, is amended by adding a subdivision to read:

Subd. 14. "Wetlands" includes, and shall be limited to all types 3, 4 and 5 wetlands, as defined in U. S. Fish and Wildlife Service Circular No. 39 (1971 edition), not included within the definition of public waters, which are ten or more acres in size in unincorporated areas or 2-1/2 or more acres in incorporated areas.

Sec. 3. Minnesota Statutes 1978, Section 105.37, is amended by adding a subdivision to read:

Subd. 15. "Ordinary high water level" means the boundary of public waters and wetlands, and shall be an elevation delineating the highest water level which has been maintained for

a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For water-courses, the ordinary high water level shall be the elevation of the top of the bank of the channel. For reservoirs and flowages the ordinary high water level shall be the operating elevation of the normal summer pool.

Sec. 4. Minnesota Statutes 1978, Section 105.38, is amended to read:

105.38 [DECLARATION OF POLICY.] In order to conserve and utilize the water resources of the state in the best interests of the people of the state, and for the purpose of promoting the public health, safety and welfare, it is hereby declared to be the policy of the state:

(1) Subject to existing rights all (WATERS OF THE STATE WHICH SERVE A MATERIAL BENEFICIAL PUBLIC PURPOSE ARE) public waters *and wetlands are* subject to the control of the state. (IN THE DETERMINATION OF WHETHER A BENEFICIAL PUBLIC PURPOSE EXISTS, SPECIFIC EVIDENCE OF THE PRESENT OR FUTURE BENEFICIAL PUBLIC PURPOSE SHALL BE EVALUATED IN ACCORDANCE WITH SECTION 105.37, SUBDIVISION 6, AND WITH REFERENCE TO THE EXISTING LAND USE OF THE AREA, THE SOIL TYPES SURROUNDING AND UNDERLYING THE WATER, THE OWNERSHIP OF THE LAND SURROUNDING THE WATER, THE RELATIVE AGRICULTURAL AND WILDLIFE PRODUCTIVITY OF THE AREA, AND RELEVANT PROVISIONS OF A COUNTY OR MUNICIPAL SHORELANDS ORDINANCE ENACTED PURSUANT TO SECTION 105.485. THE PUBLIC CHARACTER OF WATER SHALL NOT BE DETERMINED EXCLUSIVELY BY THE PROPRIETORSHIP OF THE UNDERLYING, OVERLYING, OR SURROUNDING LAND OR ON WHETHER IT IS A BODY OR STREAM OF WATER WHICH WAS NAVIGABLE IN FACT OR SUSCEPTIBLE OF BEING USED AS A HIGHWAY FOR COMMERCE AT THE TIME THIS STATE WAS ADMITTED TO THE UNION. THIS SECTION IS NOT INTENDED TO AFFECT DETERMINATION OF THE OWNERSHIP OF THE BEDS OF LAKES OR STREAMS.)

(2) The state, to the extent provided by law from time to time, shall control the appropriation and use of surface and underground waters of the state.

(3) The state shall control and supervise, so far as practicable, any activity which changes or which will change the course, current, or cross-section of public waters *or wetlands*, including but not limited to the construction, reconstruction, re-

pair, removal, abandonment, the making of any other change, or the transfer of ownership of dams, reservoirs, control structures, and waterway obstructions in any of the public waters or wetlands of the state.

Sec. 5. Minnesota Statutes 1978, Section 105.39, Subdivision 3, is amended to read:

Subd. 3. The commissioner shall have administration over the use, allocation and control of public waters *and wetlands*, the establishment, maintenance and control of lake levels and water storage reservoirs, and the determination of the (NATURAL) ordinary high water level of any public waters *and wetlands*.

Sec. 6. Minnesota Statutes 1978, Section 105.391, Subdivision 1, is amended to read:

105.391 [PUBLIC WATERS INVENTORY AND CLASSIFICATION.] Subdivision 1. On the basis of all information available to him and the criteria set forth in section 1, the commissioner shall inventory the (WATERBASINS) waters of each county and make a preliminary designation as to which constitute public waters *and wetlands*. The commissioner shall send (HIS PRELIMINARY DESIGNATION FOR) a list and map of the waters which he has preliminarily designated as public waters and wetlands in each county to the county board of that county for its review and comment. (THE DESIGNATION OF WATERS AS "PUBLIC WATERS" PURSUANT TO THIS SECTION SHALL NOT GRANT ANY ADDITIONAL OR GREATER RIGHT OF ACCESS TO THE PUBLIC TO THOSE WATERS. NOR IS THE COMMISSIONER REQUIRED TO ACQUIRE ACCESS TO THOSE WATERS UNDER SECTION 97.48, SUBDIVISION 15, NOR IS ANY RIGHT OF OWNERSHIP OR USAGE OF THE BEDS UNDERLYING THOSE WATERS DIMINISHED.) *The county board shall conduct at least one public informational meeting within the county regarding the commissioner's preliminary designation. After conducting the meetings and within 90 days after receipt of the list or maps, the county board shall present its recommendation to the commissioner, listing any waters regarding which the board disagrees with the commissioner's preliminary designation and stating with particularity the waters involved and the reasons for disagreement. The commissioner shall review the county board's response and, if he agrees with any of the board's recommendations, he shall revise the list and map to reflect the recommendations. Within 30 days after receiving the county board's recommendations, he shall also notify the county board as to which recommendations he accepts and rejects and the reasons for his decision. After the revision of the map and list, if any, or if no response is received from the county board within the 90 days review period, the commissioner shall file the revised list and map with the recorder of each county and shall cause the list and map to be published in the official newspaper of the county. The*

published notice shall also state that any person or any county may challenge the designation of specific waters as public waters or wetlands or may request the designation of additional waters as public waters or wetlands, by filing a petition for a hearing with the commissioner within 90 days following the date of publication. The petition shall state with particularity the waters for which the commissioner's designation is disputed and shall set forth the reasons for disputing the designation. If any designations are disputed by petition, the commissioner shall order a public hearing to be held within the county within 60 days following the 90 day period, notice of which shall be published in the state register and the official newspaper of the county. The hearings shall be conducted by a hearings unit composed of one person appointed by the commissioner, one person appointed by the affected county board, and one board member of the local soil and water conservation district or districts within the county who shall be selected by the other two members at least 20 days prior to the hearing date. The expenses of and per diem payments to any member of the hearings unit who is not a state employee shall be paid as provided for in section 15.059, subdivision 3, within the limits of funds available from grants to the county pursuant to section 15. In the event there is a watershed district whose boundaries include the waters involved, the district may provide the hearings unit with its recommendations. Within 60 days following completion of the hearing, the hearings unit shall issue its findings of fact, conclusions and an order, which shall be considered the decision of an agency in a contested case for purposes of judicial review pursuant to sections 15.0424 and 15.0425. The commissioner, the county or any person aggrieved by the decision of the hearings unit may appeal from the hearings unit's order. Upon receipt of the order of the hearings unit and after the appeal period has expired, or upon receipt of the final order of the court in the case of an appeal, the commissioner shall publish a list of the waters determined to be public waters and wetlands. The commissioner shall complete the public waters and wetlands inventory by December 31, 1982.

Sec. 7. Minnesota Statutes 1978, Section 105.391, Subdivision 3, is amended to read:

Subd. 3. (IF THERE IS NO DISAGREEMENT BETWEEN THE COMMISSIONER AND A COUNTY CONCERNING THE PRELIMINARY DESIGNATION OF WATERBASINS IN THAT COUNTY, THE COMMISSIONER BY RULE SHALL DESIGNATE AS PUBLIC WATERS THOSE WATERBASINS LISTED IN THE PRELIMINARY DESIGNATION. IN THE SAME RULE MAKING PROCEEDING THE COMMISSIONER MAY ALSO DESIGNATE AS PUBLIC WATERS ANY WATERCOURSES WHICH HAVE BEEN DETERMINED TO BE PUBLIC AND CLASSIFIED AS TO THE LEVEL OF REGULATION IN ACCORDANCE WITH THE

PROCEDURES OF THE COMMISSIONER'S INTERIM RULES. THE DESIGNATION OF WATERCOURSES AS PUBLIC WATERS PURSUANT TO THIS SUBDIVISION SHALL REMAIN IN EFFECT UNTIL CHANGED BY RULE OF THE COMMISSIONER FOLLOWING THE INVENTORY, DESIGNATION, AND CLASSIFICATION OF WATERCOURSES PRESCRIBED BY THIS SECTION. A HEARING ON PROPER DESIGNATION OF WATERBASINS OR WATERCOURSES SHALL BE HELD IN THE COUNTY IN WHICH THE WATERS TO BE DESIGNATED ARE LOCATED.) Except as provided below, no (WATERBASIN DESIGNATED) public (WATER MAY) *waters or wetlands* shall be drained, and no permit authorizing drainage of (A WATERBASIN CONTAINING) public (WATER MAY) *waters or wetlands* shall be issued, unless the public (WATER) *waters or wetlands* being drained (IS) *are* replaced by (A WATERBASIN) *public waters or wetlands* which will have equal or greater public value. However, after a state waterbank program has been established, (A WATERBASIN DESIGNATED PUBLIC WATER) *wetlands* which (IS) *are* eligible for inclusion in that program may be drained without a permit and without replacement of (A WATERBASIN) *wetlands* of equal or greater public value if the commissioner does not elect, within 60 days of the receipt of an application for a permit to drain the (WATERBASIN) *wetlands*, to either (1) place the (WATERBASIN) *wetlands* in the state waterbank program, or (2) acquire it pursuant to section 97.481, or (3) indemnify the landowner through any other appropriate means, including but not limited to conservation restrictions, easements, leases, or any applicable federal program. If the applicant is not offered his choice (OF ANY ONE OF ALL) of the above alternatives, he is entitled to drain the (WATERS) *wetlands* involved.

Sec. 8. Minnesota Statutes 1978, Section 105.391, is amended by adding a subdivision to read:

Subd. 9. In order to protect the public health or safety, local units of government may establish by ordinance restrictions upon public access to any wetlands from city, county or township roads which abut wetlands.

Sec. 9. Minnesota Statutes 1978, Section 105.391, is amended by adding a subdivision to read:

Subd. 10. Nothing in this chapter shall prevent a landowner from utilizing the bed of wetlands or public waters for pasture or cropland during periods of drought, provided there is no construction of dikes, ditches, tile lines or buildings, and the agricultural use does not result in the drainage of the wetlands or public waters.

Sec. 10. Minnesota Statutes 1978, Section 105.391, is amended by adding a subdivision to read:

Subd. 11. When the state owns wetlands on or adjacent to existing public drainage systems, the state shall give consideration to the utilization of the wetlands as part of the drainage system. If the wetlands interfere with or prevent the authorized functioning of the public drainage system, the state shall provide for any necessary work to allow the proper use and maintenance of the drainage system while still preserving the wetlands.

Sec. 11. Minnesota Statutes 1978, Section 105.391, is amended by adding a subdivision to read:

Subd. 12. The designation of waters as "public waters" or "wetlands" pursuant to this section shall not grant any additional or greater right of access to the public to those waters, nor is the commissioner required to acquire access to those waters under section 97.48, subdivision 15, nor is any right of ownership or usage of the beds underlying those waters diminished. Notwithstanding the designation of waters or lands as public waters or wetlands, all provisions of Minnesota law forbidding trespass upon private lands shall remain in full force and effect.

Sec. 12. Minnesota Statutes 1978, Section 105.392, Subdivision 2, is amended to read:

Subd. 2. The commissioner shall have authority to enter into agreements with landowners for the conservation of wetlands. These agreements shall be entered into for a period of ten years, with provision for renewal for additional ten year periods. The commissioner may re-examine the payment rates at the beginning of any ten year renewal period in the light of the then current land and crop values and make needed adjustments in rates for any renewal period.

Wetlands eligible for inclusion in the waterbank program shall have all the following characteristics as determined by the commissioner: (a) types 3, (OR) 4, or 5 as defined in U. S. Fish and Wildlife Service Circular No. 39 (1971 edition); (b) (LESS THAN 50 ACRES IN AREA; (C) DECLARED PUBLIC WATERS BECAUSE OF ITS BENEFICIAL PUBLIC VALUE AS WILDLIFE HABITAT; (D)) its drainage is lawful, feasible, and practical; and ((E)) (c) its drainage would provide high-quality cropland and that is the projected land use. *Waters which have the foregoing characteristics but are less than ten acres in size in unincorporated areas or less than two and one-half acres in size in incorporated areas shall also be eligible for inclusion in the waterbank program, at the discretion of the commissioner.*

Sec. 13. Minnesota Statutes 1978, Section 105.392, Subdivision 5, is amended to read:

Subd. 5. Any agreement may be renewed or extended at the end of the agreement period for an additional period of ten years by mutual agreement of the commissioner and the owner, subject

to any rate redetermination by the commissioner. If during the agreement period the owner sells or otherwise divests himself of the ownership or right of occupancy of the land, the new owner may continue such agreement under the same terms or conditions, or enter into a new agreement in accordance with the provisions of this section, including the provisions for renewal and adjustment of payment rates, or he may choose not to participate in the program, except any water (DECLARED PUBLIC WATERS) *designated as wetlands* shall not be drained.

Sec. 14. Minnesota Statutes 1978, Section 105.42, Subdivision 1, is amended to read:

105.42 [PERMITS; WORK IN PUBLIC WATERS AND WETLANDS.] Subdivision 1. It shall be unlawful for the state, any person, partnership, association, private or public corporation, county, municipality or other political subdivision of the state, to construct, reconstruct, remove, abandon, transfer ownership, or make any change in any reservoir, dam or waterway obstruction on any public (WATER) *waters or wetlands*; or in any manner, to change or diminish the course, current or cross-section of any public waters *or wetlands*, wholly or partly within the state, by any means, including but not limited to, filling, excavating, or placing of any materials in or on the beds of public waters *or wetlands*, without a written permit from the commissioner previously obtained. Application for such permit shall be in writing to the commissioner on forms prescribed by him. *No permit shall be required for work in legally altered natural watercourses which are part of drainage systems established pursuant to chapters 106 and 112 when the work in the waters is undertaken pursuant to those chapters.*

This section does not apply to any public drainage system lawfully established under the provisions of chapter 106 which does not substantially affect any (NATURAL WATERCOURSE OR ANY LAKE BASIN WHICH SERVES A BENEFICIAL) public (PURPOSE) *waters or wetlands*.

The commissioner, subject to the approval of the county board, shall have power to grant permits under such terms and conditions as he shall prescribe, to establish, construct, maintain and control wharfs, docks, piers, levees, breakwaters, basins, canals and hangers in or adjacent to public waters *or wetlands* of the state except within the corporate limits of cities.

Sec. 15. *Money appropriated by Laws 1976, Chapter 83, Section 27, to the commissioner of natural resources for grants to counties may be used for expenses incurred pursuant to section 6. The appropriation shall cancel December 31, 1982.*

Sec. 16. *Minnesota Statutes 1978, Sections 105.37, Subdivision 6; and 105.391, Subdivisions 2, 4, 5, 6, 7 and 8 are repealed."*

Further, delete the title and insert:

"A bill for an act relating to waters; redefining public waters; defining wetlands; providing new procedures for the determination of public waters and wetlands; reappropriating money; amending Minnesota Statutes 1978, Sections 105.37, by adding subdivisions; 105.38; 105.39, Subdivision 3; 105.391, Subdivisions 1 and 3, and by adding subdivisions; 105.392, Subdivisions 2 and 5; and 105.42, Subdivision 1; repealing Minnesota Statutes 1978, Sections 105.37, Subdivision 6; and 105.391, Subdivisions 2, and 4 to 8."

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

The report was adopted.

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

H. F. No. 1234, A bill for an act relating to newspapers; raising the fees for publishing legal notices; amending Minnesota Statutes 1978, Section 331.08.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1978, Section 331.08, is amended to read:

331.08 [FEES FOR PUBLICATION OF LEGAL NOTICES.] The *maximum* fee for publication of a legal notice in any legal newspaper in this state shall be (24) *25-1/2 cents in 1979 and 27 cents thereafter* per standard line for the first insertion and (16) *17 cents in 1979 and 18 cents thereafter* per standard line for each subsequent insertion of a notice. The *maximum* fees for the publication of the delinquent tax list shall be the same as now provided by section 279.07; provided that in all cases where a notice for publication contains tabular matter in whole or in part, or what is termed "price and one-half" or "double price" composition, an additional fee of (8) *8-1/2 cents in 1979 and 9 cents thereafter* per standard line shall be paid for all such price and one-half and double price composition matter for the first insertion of a notice; and in the publication of official ballots for elections in the counties and the state the same shall be measured as though the entire space occupied is that of solid brevier or eight-point type, and no additional fee shall be allowed on account of tabular matter.

Sec. 2. Minnesota Statutes 1978, Section 3.21, is amended to read:

3.21 [NOTICE.] At least four months preceding the election, the attorney general shall furnish to the secretary of state a statement of the purpose and effect of all amendments proposed showing clearly the form of the existing sections, and of the same as they will read if amended, except that when any section to which an amendment is proposed exceeds 150 words in length, the statement shall show that part of the section in which a change is proposed, both in its existing form and as it will read when amended, together with portions of the context as the attorney general deems necessary to an understanding of the proposed amendment. In the month of October prior to the election, the secretary of state shall give two weeks published notice of the statement in all legal newspapers of the state. The secretary of state shall furnish the statement to the newspapers in reproducible form approved by the secretary of state, set in seven and one-half point type on an eight point body. The maximum rate for publication shall be (16) *17 cents per standard line in 1979 and 18 cents per standard line thereafter* for the two publications. If any newspaper shall refuse the publication of the amendments, this refusal and failure of the publication shall have no effect on the validity of the amendments. The secretary of state shall also forward to each county auditor copies of the statement, in poster form, in quantities sufficient to supply each election district of his county with two copies thereof. The auditor shall cause two copies to be conspicuously posted at or near each polling place on election day. Willful or negligent failure by any official named to perform any duty imposed upon him by this section shall be deemed a misdemeanor.

Sec. 3. Minnesota Statutes 1978, Section 375.12, is amended to read:

375.12 [PUBLICATION OF PROCEEDINGS.] *Subdivision 1.* The county board shall cause the official proceedings of its sessions to be published in some qualified newspaper produced and published in its county, which publication shall be let annually by contract to the lowest bidder, at the first regular session of the board in January each year. In each county whose population exceeds 600,000, the proceedings shall be published in a daily newspaper. The board may reject any offer if, in its judgment, the public interests so require, and may thereupon designate a newspaper without regard to any rejected offer. In any county whose population exceeds 50,000, and is less than 250,000, the proceedings may be published in one daily and one weekly newspaper at their respective county seats. If the official newspaper of the county shall cease to exist for any reason, except by consolidation with another newspaper, the county board shall have authority to designate another newspaper for the remainder of the year. For the purpose of this section, a newspaper is produced and published in the county if it has in the county its known office of issue, as such term is defined in section 331.02, and if it does its typographic composition or presswork or both in the county.

Subd. 2. Individualized itemized accounts, claims or demands allowed by the county board pursuant to section 471.38, subdivision 1, need not be published pursuant to subdivision 1, provided that the amount allowed from each claim is \$100 or less. The official proceedings following the itemization of accounts required shall contain a statement showing the total number of claims that did not exceed \$100, and the total dollar amount of those claims.

Sec. 4. Minnesota Statutes 1978, Section 375.17 is amended to read:

375.17 [PUBLICATION OF FINANCIAL STATEMENTS.]
Annually, not later than the first Tuesday after the first Monday in March, the county board shall make a full and accurate statement of the receipts and expenditures of the preceding year, which shall contain a statement of the assets and liabilities, a summary of receipts, disbursements, and balances of all county funds together with a detailed statement of each fund account (TOGETHER WITH AN ITEMIZED ACCOUNT OF AMOUNTS PAID OUT, TO WHOM, AND FOR WHAT PURPOSE), under the form and style prescribed by and on file with the state auditor, which prescribed form and any changes or modifications thereof shall so far as practical be uniform for all counties and shall be approved by the attorney general and the state printer and within 30 days thereafter shall cause the same to be published for one issue in some newspaper within the county, which newspaper must be a duly qualified legal newspaper, as provided by law. The county board may also refrain from publishing an itemized account of amounts paid out, to whom and for what purpose to the extent that the published proceedings of the county board contain such information, provided that all disbursements aggregating (\$1,000) \$5,000 or more to any person are set forth in a schedule of major disbursements showing amounts paid out, to whom and for what purpose and are made a part of, and published with, the financial statement. The county board may refrain from publishing the names of persons receiving poor relief or direct relief and the amounts paid to each, but the totals of the disbursements for such purposes must be published. In addition to the publication thereof in the newspaper designated by the board as the official newspaper for publication of the financial statement, the same shall be published in one other newspaper of the county, if there be one located in a different municipality in the county than the official newspaper. The county board shall call for separate bids for each publication. At its meeting in July and January each year it shall examine and count all the funds in the treasury, examine the accounts and vouchers of the auditor and treasurer, and make a written certificate of the condition of the treasury, showing the amount, kind, and character of the funds therein, and all other matters in connection therewith and file the same with the auditor. Insofar as any provision of this section is inconsistent with the provisions of section 393.07, the provisions of that section shall prevail."

Delete the title in its entirety and insert:

"A bill for an act relating to newspapers; raising the fees for publishing legal notices; amending Minnesota Statutes 1978, Sections 3.21; 331.08; 375.12; and 375.17."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1236, A bill for an act relating to the town of Forest Lake; exempting it from certain tax levy limitations.

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

The report was adopted.

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

H. F. No. 1465, A bill for an act relating to taxation; extending the time for claiming credits against the tax on taconite and iron sulphides; amending Minnesota Statutes 1978, Section 298.24, Subdivision 3.

Reported the same back with the following amendments:

Page 2, line 7, delete "1982" and insert "1983"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 27, A bill for an act relating to financial institutions; defining reverse mortgage loans; authorizing investments in reverse mortgage loans by certain financial institutions and insurance companies; providing tax deductions for accrued interest on reverse mortgage loans; allowing lenders to include accrued earned interest on such loans in their yearly earned income under certain circumstances; amending Minnesota Statutes 1978, Section 290.09, Subdivision 3; and Chapters 47, by adding a section; and 290, by adding a section.

Reported the same back with the following amendments:

Page 2, line 18, after "*interest*" insert "*in severalty or*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 58, A bill for an act relating to no-fault automobile insurance; increasing basic economic loss benefits; clarifying legislative intent concerning stacking of insurance policies; amending Minnesota Statutes 1978, Sections 65B.44, Subdivision 1; 65B.47, by adding a subdivision; and 65B.49, Subdivisions 4 and 6.

Reported the same back with the following amendments:

Pages 2, 3, and 4, delete sections 3 and 4.

Renumber remaining section

Amend the title as follows:

Page 1, line 6, after the semicolon insert "and"

Page 1, lines 7 and 8, delete "; and 65B.49, Subdivisions 4 and 6"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 59, A bill for an act relating to no-fault automobile insurance; modifying indemnification rights on certain commercial vehicles; coordinating benefits with medicare; providing penalties for failure to provide security on motorcycles and motor vehicles; requiring evidence of insurance; authorizing the commissioner of insurance to limit coverage variations; increasing the interest rate on unpaid insurance benefits; amending Minnesota Statutes 1978, Sections 65B.53, Subdivision 1; 65B.54, Subdivision 2; 65B.61; 65B.67; 65B.68, by adding a subdivision; and Chapter 65B, by adding a section.

Reported the same back with the following amendments:

Page 1, after line 16 insert:

"Section 1. Minnesota Statutes 1978, Section 65B.43, Subdivision 4, is amended to read:

Subd. 4. "Owner" means a person, *other than a lienholder or secured party, who owns or holds legal title to a motor vehicle (, OR IN THE EVENT THAT A MOTOR VEHICLE IS THE SUBJECT OF A SECURITY AGREEMENT OR LEASE WITH OPTION TO PURCHASE AND THE DEBTOR OR LESSEE IS ENTITLED TO THE IMMEDIATE USE OR POSSESSION OF THE VEHICLE, THEN THE DEBTOR OR LESSEE) or is entitled to the use and possession of a motor vehicle subject to a security interest held by another person. If a motor vehicle is the subject of a lease having an initial term of six months or longer, the lessee shall be deemed the owner for the purposes of sections 65B.41 to 65B.71, and 170.54, notwithstanding the fact that the lessor retains title to the vehicle and notwithstanding the fact that the lessee may be the owner for the purposes of chapter 168A.*"

Pages 2 and 3, delete section 3.

Page 3, after line 7, insert:

"Sec. 4. Minnesota Statutes 1978, Section 65B.64, Subdivision 3, is amended to read:

Subd. 3. A person shall not be entitled to basic economic loss benefits through the assigned claims plan with respect to injury which was sustained if at the time of such injury the injured person was the owner of a private passenger motor vehicle for which security is required under sections 65B.41 to 65B.71 and he failed to have such security in effect. (PERSONS CLAIMING BENEFITS AS A RESULT OF INJURY TO) Members of the owner's household *other than minor children* shall also be disqualified from benefits (IF THOSE MEMBERS KNEW OR REASONABLY SHOULD HAVE KNOWN THAT SECURITY COVERING THE VEHICLE WAS NOT PROVIDED AS REQUIRED BY SECTIONS 65B.41 TO 65B.71) *through the assigned claims plan.*"

Page 6, after line 5, insert:

"Sec. 8. *The provisions of section 1 are a restatement and clarification of the legislative intent of section 65B.43, subdivision 4, and shall not be construed as a modification of existing law.*"

Page 6, line 6, delete "4 and 5" and insert "2, 5, 6 and 7"

Page 6, line 9, delete "1" and insert "2"

Page 6, line 11, after the period insert: "*Section 4 is effective for all claims arising on or after the day following final enactment of this act.*"

Renumber the sections in sequence.

Further, amend the title:

Page 1, line 2, after the semicolon insert "clarifying certain ambiguous provisions in the Minnesota no-fault automobile insurance act relating to ownership of leased vehicles;"

Page 1, lines 4 and 5, after the semicolon delete "coordinating benefits with medicare" and insert "clarifying eligibility to participate in the assigned claims plan"

Page 1, line 11, after "Sections" insert "65B.43, Subdivision 4;"

Page 1, line 12, delete "65B.61;" and insert "65B.64, Subdivision 3;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

S. F. No. 130, A bill for an act relating to courts; criminal procedure; conforming certain statutory provisions to the rules of criminal procedure, and eliminating certain other statutory provisions which have been superseded by the rules; amending Minnesota Statutes 1978, Sections 169.89, Subdivision 2; 357.32; 484.30; 487.25, Subdivisions 1 and 2; 487.28; 487.29; 487.40, Subdivisions 1 and 2; 488A.08; 488A.10, Subdivisions 1 and 2; 488A.25; 488A.27, Subdivisions 1, 2, 3, 4, and 5; 542.16; 546.11; 546.12; 609.115, Subdivisions 1 and 4; 611.06; 627.01; 628.01; 628.02; 628.18; 628.54; 628.57; 628.63; 628.68; 629.47; 629.48; 629.49; 629.58; 629.61; 629.64; 630.18; 631.05; and Chapter 388, by adding a section; repealing Minnesota Statutes 1978, Sections 388.05; 487.25, Subdivisions 3, 4, 5, and 8; 488A.10, Subdivisions 3, 4, 5, and 9; 488A.27, Subdivision 9; 611.04; 611.08; 627.03 to 627.10; 627.13; 627.14; 628.03 to 628.08; 628.11; 628.14; 628.19; 628.29 to 628.33; 628.55; 628.58; 628.59; 628.64; 629.42; 629.43; 629.46; 629.50 to 629.52; 629.57; 630.01 to

630.11; 630.13 to 630.16; 630.19 to 630.30; 630.34; 631.01; 631.015; 631.03; 631.08; 631.10; 631.11; 631.16; 631.18; 631.19; 631.23 to 631.32; 631.34; 631.35; 631.37 to 631.39; 632.01 to 632.13.

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

The report was adopted.

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

S. F. No. 144, A bill for an act relating to taxation; repealing obsolete references to a tax on money and credits; repealing Minnesota Statutes 1978, Chapter 285.

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

The report was adopted.

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

S. F. No. 273, A bill for an act relating to commerce; providing a floating usury rate for contracts for deed on residential property; amending Minnesota Statutes 1978, Section 47.20, Subdivisions 2 and 4, and by adding a subdivision.

Reported the same back with the following amendments:

Page 7, after line 30, insert:

"Sec. 4. Minnesota Statutes 1978, Section 559.21, is amended to read:

559.21 [TERMINATION OF CONTRACT OF SALE; NOTICE, SERVICE AND RETURN, COSTS, REINSTATEMENT.] *Except as otherwise provided in section 5 of this act, when default is made in the conditions of any contract for the conveyance of real estate or any interest therein, whereby the vendor has a right to terminate the same, he may do so by serving upon the purchaser, his personal representatives or assigns, either within or without the state, a notice specifying the conditions in which default has been made, and stating that (SUCH) the contract will terminate, subject to the provisions of section 6 of this act, (1) 30 days after the service of (SUCH) the notice if the purchaser has paid less than 30 percent of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, (2) 45 days after service of (SUCH) the notice if the purchaser has*

paid 30 percent, or more, but less than 50 percent of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, (3) 60 days after service of (SUCH) *the* notice if the (VENDEE) *purchaser* has paid 50 percent, or more, of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, unless prior thereto the purchaser shall comply with (SUCH) *the* conditions and pay the costs of service, the mortgage registration tax, if actually paid by the vendor, together with an amount to apply on attorneys' fees actually expended or incurred, of \$75 when the amount in default is less than \$750, and of \$200 when the amount in default is \$750 or more; provided, however, that no amount shall be required to be paid for attorneys' fees as provided hereunder, unless some part of the conditions of default shall have existed at least 45 days prior to the date of service of (SAID) *the* notice. (SUCH) *The* notice must be given notwithstanding any provisions in the contract to the contrary, and shall be served within the state in the same manner as a summons in the district court, without the state, in the same manner, and without securing any sheriff's return of not found, making any preliminary affidavit, mailing a copy of (SAID) *the* notice or doing any other preliminary act or thing whatsoever. Service of the notice without the state may be proved by the affidavit of the person making the same, made before an authorized officer having a seal, and within the state by such an affidavit or by the return of the sheriff of any county therein.

Three weeks published notice, and if the premises described in the contract are actually occupied, then in addition thereto, the personal service of a copy of the notice within ten days after the first date of publication of the notice, and in like manner as the service of a summons in a civil action in the district court upon the person in possession of the premises, shall have the same effect as the personal service of the notice upon the purchaser, his personal representatives or assigns, either within or without the state as herein provided for. In case of (SUCH) service by publication, as herein provided, the notice shall specify the conditions in which default has been made and state that (SUCH) *the* contract will terminate, *subject to the provisions of section 6 of this act*, 90 days after the first date of publication of the notice, unless prior thereto the purchaser (COMPLY) *complies* with (SUCH) *the* conditions and (PAY) *pays* the costs of service and attorneys' fees as provided herein, and the purchaser, his personal representatives or assigns, shall be allowed 90 days from and after the first date of publication of the notice to comply with the conditions of (SUCH) *the* contract.

If, within the time mentioned, the person served complies with (SUCH) *the* conditions and pays the costs of service and attorneys' fees as provided herein, the contract shall be thereby reinstated; but otherwise shall terminate, *subject to the provisions of section 6 of this act*. In the event that (SUCH) *the* notice was

not signed by an attorney for the vendor and the vendor is not present in the state, or cannot be found therein, then compliance with the conditions specified in the notice may be made by paying to the clerk of the district court in the county wherein the real estate or any part thereof is situated any money due and filing proof of compliance with other defaults specified, and the clerk of the district court shall be deemed the agent of the vendor for such purposes. A copy of the notice with proof of service thereof, and the affidavit of the vendor, his agent or attorney, showing that the purchaser has not complied with the terms of the notice, may be recorded with the county recorder, and shall be prima facie evidence of the facts therein stated; but this section shall in no case be held to apply to contracts for the sale or conveyance of lands situated in another state or in a foreign country.

Sec. 5. Minnesota Statutes 1978, Chapter 559, is amended by adding a section to read:

[559.211] [TERMINATION OF CONTRACT OF SALE; PROTECTED PURCHASER; NOTICE; SERVICE AND RETURN; COSTS; REINSTATEMENT.] *Subdivision 1. [DEFINITIONS.] For purposes of this section, the terms in this subdivision have the meanings given them.*

(a) "Protected purchaser" means a natural person, or his personal representatives or assigns, who is purchasing residential real estate pursuant to a contract for the conveyance of real estate or any interest therein and who is occupying the real estate as a place of residence as of the date that a notice is served or first published pursuant to the provisions of subdivision 2 of this section.

(b) "Residential real estate" means real estate consisting of less than 10 acres and containing at least one but not more than four dwelling units.

(c) "Notice" means a writing stating the name, address and telephone number of the vendor or of an attorney authorized by the vendor to accept payments pursuant to the notice and the fact that the person named is authorized to receive the payments, and including the following information in 12 point or larger bold type or in large legible handwritten letters:

THIS NOTICE IS TO INFORM YOU THAT BY THIS NOTICE THE SELLER HAS BEGUN PROCEEDINGS UNDER MINNESOTA STATUTES, SECTION 559.211, TO TERMINATE YOUR CONTRACT FOR DEED FOR THE REASONS SPECIFIED IN THIS NOTICE. THE CONTRACT WILL TERMINATE DAYS AFTER [SERVICE OF THIS NO-

TICE UPON YOU] [THE FIRST DAY OF PUBLICATION OF THIS NOTICE] UNLESS BEFORE THEN THE PERSON AUTHORIZED IN THIS NOTICE TO RECEIVE PAYMENTS RECEIVES FROM YOU THE AMOUNT THIS NOTICE SAYS YOU OWE PLUS THE COSTS OF SERVICE OF THIS NOTICE TOGETHER WITH THE MORTGAGE REGISTRATION TAX OF \$ AND \$ TO APPLY TO ATTORNEYS' FEES ACTUALLY EXPENDED OR INCURRED; OR UNLESS BEFORE THEN YOU INITIATE A GOOD FAITH CLAIM OR DEFENSE ARISING UNDER OR IN RELATION TO THE CONTRACT, ITS TERMINATION OR YOUR ALLEGED DEFAULT THEREUNDER, BY FILING A COMPLAINT WITH THE DISTRICT COURT, IF YOU INITIATE A CLAIM OR DEFENSE YOU MAY REQUEST THE COURT TO ORDER THAT THE TERMINATION OF THE CONTRACT BE SUSPENDED UNTIL YOUR CLAIMS OR DEFENSES ARE FINALLY DISPOSED OF BY TRIAL, HEARING OR SETTLEMENT. YOUR COMPLAINT MUST SPECIFICALLY STATE THOSE FACTS AND GROUNDS THAT DEMONSTRATE YOUR GOOD FAITH CLAIM OR DEFENSE. IF YOU DO NOT DO ONE OR THE OTHER OF THE ABOVE THINGS WITHIN THE TIME PERIOD SPECIFIED IN THIS NOTICE, THIS CONTRACT WILL FINALLY TERMINATE AS STATED ABOVE AND YOU MAY LOSE ALL MONEY YOU HAVE PAID ON THE CONTRACT; YOU MAY LOSE YOUR RIGHT TO POSSESSION OF THE PROPERTY; YOU MAY LOSE YOUR RIGHT TO ASSERT ANY CLAIMS OR DEFENSES YOU HAVE; AND YOU MAY BE EVICTED. IF YOU HAVE ANY QUESTIONS ABOUT THIS NOTICE, CONTACT AN ATTORNEY IMMEDIATELY.

Subd. 2. [TERMINATION OF CONTRACT OF SALE; PROTECTED PURCHASER; NOTICE; SERVICE AND RETURN; COSTS; REINSTATEMENT.] When default is made in the conditions of a contract for the conveyance of residential real estate or any interest therein, whereby the vendor has a right to terminate the same, he may do so by serving upon the protected purchaser, his personal representatives or assigns, either within or without the state, a notice specifying the conditions in which default has been made, and stating that the contract will terminate, subject to the provisions of section 6 of this act, (1) 30 days after the service of the notice if the protected purchaser has paid less than 20 percent of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the protected purchaser, (2) 120 days after service of the notice if the protected purchaser has paid 20 percent, or more, but less than 50 percent of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the protected purchaser, (3) 180 days after service of the notice if the protected purchaser has paid 50 percent, or more, of the purchase price, exclusive of interest thereon, and any mortgages or prior

contracts for deed which are assumed by the protected purchaser, unless prior thereto the protected purchaser shall comply with the conditions and pay the costs of service, the mortgage registration tax, if actually paid by the vendor, together with an amount to apply on attorneys' fees actually expended or incurred, of \$75 when the amount in default is less than \$750, and of \$200 when the amount in default is \$750 or more; provided, however, that no amount shall be required to be paid for attorneys' fees as provided hereunder, unless some part of the conditions of default shall have existed at least 45 days prior to the date of service of the notice. The notice must be given notwithstanding any provisions in the contract to the contrary, and shall be served within the state in the same manner as a summons in the district court, without the state, in the same manner, and without securing any sheriff's return of not found, making any preliminary affidavit, mailing a copy of the notice or doing any other preliminary act or thing whatsoever. Service of the notice without the state may be proved by the affidavit of the person making the same, made before an authorized officer having a seal, and within the state by such an affidavit or by the return of the sheriff of any county therein.

Three weeks published notice, and if the premises described in the contract are actually occupied, then in addition thereto, the personal service of a copy of the notice within ten days after the first date of publication of the notice, and in like manner as the service of a summons in a civil action in the district court upon the person in possession of the premises, shall have the same effect as the personal service of the notice upon the protected purchaser, his personal representatives or assigns, either within or without the state as herein provided for. In case of service by publication, the contract will terminate, subject to the provisions of section 6 of this act, 90 days after the first date of publication of the notice or upon the expiration after the first date of publication of the appropriate period prescribed by this subdivision, whichever date occurs later.

If, within the time mentioned, the person served complies with the conditions and pays the costs of service and attorneys' fees as provided herein, the contract shall be thereby reinstated; but otherwise shall terminate, subject to the provisions of section 6 of this act. In the event that the notice was not signed by an attorney for the vendor and the vendor is not present in the state, or cannot be found therein, then compliance with the conditions specified in the notice may be made by paying to the clerk of the district court in the county wherein the real estate or any part thereof is situated any money due and filing proof of compliance with other defaults specified, and the clerk of the district court shall be deemed the agent of the vendor for such purposes. A copy of the notice with proof of service thereof, and the affidavit of the vendor, his agent or attorney, showing that the protected purchaser has not complied with the terms of the notice, may be recorded with the county recorder, and shall be prima facie evidence of the facts therein stated; but this section shall in no case

be held to apply to contracts for the sale or conveyance of lands situated in another state or in a foreign country.

Subd. 3. [INAPPLICABILITY OF PREPAYMENT PROHIBITION OR PENALTY.] *During the period of time commencing on the date on which a notice is served or first published pursuant to subdivision 2 of this section and ending on the date that the contract will terminate, any clause of the contract or of any other agreement between the vendor and the protected purchaser prohibiting the protected purchaser from prepaying the unpaid balance of the purchase price or assessing a penalty in the event of pre-payment of the unpaid balance of the purchase price shall be of no force or effect.*

Sec. 6. Minnesota Statutes 1978, Chapter 559, is amended by adding a section to read:

[559.212] [SUSPENSION OR SETTING ASIDE OF NOTICE OF TERMINATION OF CONTRACT OF SALE.] **Subdivision 1. [AUTHORITY OF DISTRICT COURT.]** *Notwithstanding the service or publication pursuant to the provisions of section 4 or 5 of this act of a notice of termination of a contract for the conveyance of real estate, in any action arising under or in relation to the contract the district court shall have the authority at any time prior to the effective date of termination of the contract to order that the notice of termination be suspended or set aside and that the contract not be terminated thereby.*

Subd. 2. [ORDER SUSPENDING NOTICE OF TERMINATION; SECURITY.] *If it appears from the verified complaint or separate affidavit of the purchaser or his personal representatives or assigns that there is a good faith claim or defense arising under or in relation to the contract, and if the relief requested will be foreclosed by the termination of the contract, the court shall, upon written application and pending further order of the court or final disposition of the action, enter an order suspending the notice of termination. Subject to the provisions of subdivision 3 of this section and notwithstanding any rule of court to the contrary, the court shall have the discretion to condition the entry of the order upon the tender to the court of installments or other periodic payments as they become due and owing under the contract or upon the giving of other security in such sum as the court deems proper.*

Subd. 3. [EX PARTE ORDER SUSPENDING NOTICE OF TERMINATION.] *If there is not sufficient time to hold a hearing upon notice prior to the effective date of the termination of the contract, upon written application for an order suspending the notice of termination the court shall, without requiring the posting of any security or undertaking and subject to such provisions for service of the order and subsequent notice and hearing as it deems appropriate, immediately enter an ex parte*

order suspending the notice of termination pending further order of the court.

Subd. 4. [REMEDIES ADDITIONAL.] The remedies provided in this section are in addition to and shall not limit other rights or remedies available to purchasers of real estate."

Renumber remaining section

Page 7, line 31, delete "*the day following its*"

Page 7, line 32, delete "*final enactment*" and insert "*July 1, 1980*"

Further, delete the title and insert:

"A bill for an act relating to commerce; providing a floating usury rate for contracts for deed on residential property; adding provisions regarding termination of contracts for deed executed by protected purchasers; providing an additional remedy for contract for deed purchasers; amending Minnesota Statutes 1978, Sections 47.20, Subdivisions 2 and 4, and by adding a subdivision; 559.21; and Chapter 559, by adding sections."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 436, A bill for an act relating to financial institutions; permitting graduated payment home mortgages; amending Minnesota Statutes 1978, Chapters 47, by adding a section; and 52, by adding a section.

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

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

S. F. No. 528, A bill for an act relating to courts; conforming civil fees collected by the Hennepin county municipal court with the district court; amending Minnesota Statutes 1978, Section 488A.03, Subdivision 11.

Reported the same back with the following amendments:

Page 1, line 8, after the enacting clause insert:

"Section 1. Minnesota Statutes 1978, Section 484.70, Subdivision 3, is amended to read:

Subd. 3. (NO) *A full-time referee sitting in juvenile court may hear a contested trial (ON ANY PETITION), hearing, or (ANY) motion (MADE PURSUANT TO SECTION 260.125) unless either party or his attorney objects orally on the record or in writing prior to or at the time of commencement of the trial, hearing, or motion.*"

Renumber the remaining section.

Delete the title and insert:

"A bill for an act relating to courts; authorizing juvenile court referees to hear contested trials, hearings, or motions unless objection is made; conforming civil fees collected by the Hennepin county municipal court with the district court; amending Minnesota Statutes 1978, Sections 484.70, Subdivision 3; and 488A.03, Subdivision 11."

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

The report was adopted.

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

S. F. No. 600, A bill for an act relating to natural resources; exempting track racing snowmobiles from registration requirements; amending Minnesota Statutes 1978, Section 84.82, Subdivision 6.

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

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

S. F. No. 660, A bill for an act relating to corporations; altering quorum requirements; permitting loans and other transactions with officers and employees; empowering corporations to engage in certain transactions; amending Minnesota Statutes 1978, Sections 301.25, Subdivision 7, and by adding a subdivision; 301.32; and 301.36.

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

The report was adopted.

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

S. F. No. 681, A bill for an act relating to game and fish; providing for the licensing and regulation of commercial fishing in inland waters; contracts for removal of rough fish; amending Minnesota Statutes 1978, Section 98.46, by adding a subdivision; and Chapter 102, by adding a section; repealing Minnesota Statutes 1978, Section 97.4861.

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

The report was adopted.

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

S. F. No. 687, A bill for an act relating to banks and banking; regulating interest rates charged by state banks; amending Minnesota Statutes 1978, Chapter 48, by adding a section.

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:

S. F. No. 708, A bill for an act relating to natural resources; providing for regulation of the harvest and sale of ginseng; amending Minnesota Statutes 1978, Sections 84.028, Subdivision 1; 97.48, by adding a subdivision; and 98.46, Subdivision 3.

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

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

S. F. No. 712, A bill for an act relating to Indians; providing for use of the nomenclature "American Indians" in Minnesota Statutes; amending Minnesota Statutes 1978, Sections 145.922,

Subdivision 2; 152.02, Subdivision 2; 254A.02, Subdivision 11; 254A.03; 254A.031; 254A.07, Subdivision 2; 462A.07, Subdivisions 13, 14, and 15; 462A.21, Subdivisions 4c and 4d; and 517.-18, Subdivision 4.

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:

S. F. No. 732, A bill for an act relating to game and fish; modifying the definitions of rough fish and minnows; amending Minnesota Statutes 1978, Section 97.40, Subdivisions 11 and 12.

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:

S. F. No. 799, A bill for an act relating to game and fish; revocation of and ineligibility for game and fish licenses upon conviction for game and fish law violations; amending Minnesota Statutes 1978, Section 98.52, Subdivision 1.

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

The report was adopted.

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

S. F. No. 947, A bill for an act relating to the city of Duluth; fixing the expiration of a city sales tax; removing a report requirement; amending Laws 1977, Chapter 438, Section 2; repealing Laws 1977, Chapter 438, Section 1, Subdivision 3.

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

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

S. F. No. 980, A bill for an act relating to courts; Hennepin and Ramsey county municipal courts; providing for removal of certain actions to district court; amending Minnesota Statutes 1978, Sections 488A.01, by adding a subdivision; and 488A.18, by adding a subdivision.

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. 143, 223, 296, 492, 860, 1123, 1167, 1234, 1236 and 1465 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 27, 58, 59, 130, 144, 273, 436, 528, 600, 660, 681, 687, 708, 712, 732, 799, 947 and 980 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Nelson, M.; Battaglia; Begich; Berkelman and Jaros introduced:

H. F. No. 1571, A bill for an act relating to eminent domain; specifying certain duties of the court and commissioners; allowing an owner certain reasonable costs and expenses; amending Minnesota Statutes 1978, Sections 117.085; and 117.175, Subdivision 2.

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

Valan introduced:

H. F. No. 1572, A bill for an act relating to state lands; directing the conveyance of certain lands in the county of Clay.

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

Reif introduced:

H. F. No. 1573, A bill for an act relating to tuberculosis; closing the Glen Lake State Sanatorium; requiring the treatment of tuberculosis; allocating costs of tuberculosis treatment for persons in the welfare system; amending Minnesota Statutes 1978, Sections 144.422, Subdivisions 6 and 9; 144.424, Subdivisions 8 and 11; 144.425; 197.01; 251.043, Subdivision 1; 251.053; and 256.01, Subdivision 2; repealing Minnesota Statutes 1978, Sections 246.014, Subdivision 8; 251.01; 251.011, Subdivisions 2 and 5; 251.02; 251.03; and 251.11.

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

Fritz and Rice introduced:

H. F. No. 1574, A bill for an act relating to labor; providing special benefits for employees of certain businesses closed by order of federal or state courts or federal agencies; appropriating money.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Waldorf and Wynia introduced:

H. F. No. 1575, A bill for an act relating to welfare; defining purposes for which funds appropriated for the Lake Owasso Children's Home may be spent.

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

Jude, Clark, Byrne and Onnen introduced:

H. F. No. 1576, A bill for an act relating to public welfare; establishing a code describing certain rights of recipients of mental health and developmental disabilities services; directing the commissioner of public welfare to promulgate rules to implement the code; amending Minnesota Statutes 1978, Section 246.15, Subdivision 1; repealing Minnesota Statutes 1978, Sections 253A.05; and 253A.17.

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

Carlson, D., introduced:

H. F. No. 1577, A bill for an act relating to real property; empowering the commissioner of banks to clear certain title defects involving a defunct state agency.

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

McCarron, Valan and Den Ouden introduced:

H. F. No. 1578, A bill for an act relating to claims against the state; appropriating money for the payment thereof.

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

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Anderson, I., from the Committee on Rules and Legislative Administration, pursuant to rule 1.9, designated the following bills as a Special Order to be acted upon immediately following the Special Orders for today, Monday, May 7, 1979:

H. F. Nos. 305, 311, 536, 1165, 489, 567, 970, 1379, 863, 1119 and 907.

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 Senate File, herewith transmitted:

S. F. No. 1295.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 134 and 888.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 998.

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. 482 and 1209.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 1260.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 1510.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1295, A bill for an act relating to contracts; making certain contracts unenforceable unless in writing.

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

S. F. No. 134, A bill for an act relating to public welfare; providing pre-trial proceedings and hearings to determine paternity of illegitimate children; revising Minnesota Statutes to conform with the uniform parentage act; amending Minnesota Statutes 1978, Sections 62A.041; 62C.14, Subdivision 5a; 64A.22, Sub-

division 1; 144.215, Subdivision 3; 257.025; 257.175; 257.28; 257.33; 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivision 1; 259.29, Subdivision 1; and 260.231, Subdivision 3; repealing Minnesota Statutes 1978, Sections 257.251; 257.252; 257.253; 257.254; 257.255; 257.256; 257.257; 257.258; 257.259; 257.261; 257.262; 257.263; 257.264; 257.27; 257.29; 257.30; 257.31; and 517.19.

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

S. F. No. 888, A bill for an act relating to tuberculosis; closing the Glen Lake State Sanatorium; requiring the treatment of tuberculosis; allocating costs of tuberculosis treatment for persons in the welfare system; amending Minnesota Statutes 1978, Sections 144.422, Subdivisions 6 and 9; 144.424, Subdivisions 8 and 11; 144.425; 197.01; 246.014; 251.043, Subdivision 1; 251.053; and 256.01, Subdivision 2; repealing Minnesota Statutes 1978, Sections 246.014, Subdivision 8; 251.01; 251.011, Subdivisions 2 and 5; 251.02; 251.03; and 251.11.

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

S. F. No. 998, A bill for an act relating to insurance; providing for cancellation of life insurance contracts providing benefits on a variable basis; amending Minnesota Statutes 1978, Sections 72A.51, Subdivision 3; and 72A.52.

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

S. F. No. 482, A bill for an act relating to corporations; authorizing purchase of insurance to provide indemnification of certain persons for certain liabilities and expenses; amending Minnesota Statutes 1978, Sections 300.082, Subdivisions 4 and 5; and 301.095, Subdivisions 4 and 5.

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

S. F. No. 1209, A bill for an act relating to state credit unions; clarifying borrowing limitations; amending Minnesota Statutes 1978, Sections 52.09, Subdivision 2; and 52.15.

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

S. F. No. 1260, A bill for an act relating to banks; clarifying that certain branch banks may establish detached facilities; amending Minnesota Statutes 1978, Section 47.51.

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

S. F. No. 1510, A bill for an act relating to the organization and operation of state government; appropriating money for the general administrative and judicial expenses of state government with certain conditions; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; amending Minnesota Statutes 1978, Sections 4.12, by adding a subdivision; 4.26, Subdivision 1; 10.31; 16.02, by adding a subdivision; 16.97, Subdivision 1; 16A.126; 43.067, Subdivision 1; 85A.02, Subdivision 12; 116E.03, Subdivision 4; 179.04; 180.03, Subdivision 2; 197.16; 198.31; 299C.07; 361.12, by adding a subdivision; 362.20; 362.40, Subdivisions 9, 10 and 11; 546.27; Chapters 86, by adding a section; and 299C, by adding a section.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Norton and Anderson, D., moved that the rule therein be suspended and an urgency be declared so that S. F. No. 1510 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Norton and Anderson, D., moved that the rules of the House be so far suspended that S. F. No. 1510 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 1510 was read for the second time.

S. F. No. 1510 was reported to the House.

Norton and Anderson, D.; moved to amend S. F. No. 1510 as follows:

Strike everything after the enacting clause and insert:

"Section 1. [STATE DEPARTMENTS; APPROPRIATIONS.] The sums set forth in the columns designated "APPROPRIATIONS" are appropriated from the general fund, or any other fund designated, to the agencies and for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1979", "1980", and "1981", wherever used in this act, mean that the appropriation or appropriations listed thereunder are available for the year ending June 30, 1979, June 30, 1980, or June 30, 1981, respectively.

SUMMARY BY FUND

	1979	1980	1981	TOTAL
General	\$ 2,181,700	\$323,414,700	\$326,818,400	\$652,414,800
Special		1,330,000	1,330,000	2,660,000
Airports		32,500	32,500	65,000
G & F	375,000	17,050,600	17,064,400	34,490,000
Tr. Hwy.		30,841,600	32,108,500	62,950,100
Hwy. Ustr.		7,686,400	7,736,200	15,422,600
Federal		7,253,800	7,250,700	14,504,500
	\$ 2,556,700	\$387,609,600	\$392,340,700	\$782,507,000

APPROPRIATIONS
Available for the year
Ending June 30,

	1980	1981
\$		\$

Sec. 2. LEGISLATURE

Subdivision 1. House of Representatives	9,613,500	11,010,800
Subd. 2. Senate	6,666,600	7,287,700
Subd. 3. Legislative Coordinating Commission	2,020,000	1,993,400

The amounts that may be expended
from this appropriation for each activ-
ity are as follows:

Legislative Reference Library

1980	1981
\$393,100	\$354,600

Revisor of Statutes

\$1,382,500	\$1,425,500
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	1980	1981
	\$	\$

Joint Legislative Committee on Solid
and Hazardous Waste

\$145,000	\$134,000
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The Joint Committee on Solid and Hazardous Waste, established pursuant to Minnesota Laws 1978, Chapter 728, Section 2, Subdivision 2, shall be extended until June 30, 1981 with the following changes in composition and staffing.

The Joint Committee shall be reduced to six members from the House of Representatives appointed by the Speaker, and six members of the Senate appointed by the Committee on Committees.

Of this appropriation, \$38,700 in fiscal year 1980 and \$41,200 in fiscal year 1981 shall be for the salaries and expenses of such staff as the Joint committee deems appropriate to provide staff support. The staff positions shall be hired and supervised for the joint Committee through the House of Representatives research department. The research department shall maintain liaison with the Senate research department.

The Joint Committee may contract with individuals and regional, state and federal agencies to perform work which it deems necessary to carry out its duties.

Advisory Council on the Economic
Status of Women

\$74,500	\$79,300
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Study Commission on Governmental
Regulations

\$25,000

A study commission is created to review and report to the governor and

	1980	1981
	\$	\$

legislature on the economic impact of governmental regulations on Minnesota business and industry. The commission consists of 13 members: three members of the house of representatives; three members of the senate; two members appointed by the governor representing the business community and two members representing the labor community; the commissioner of commerce, the commissioner of economic development and the commissioner of labor and industry, or their designees.

Any balance remaining on June 30, 1980 shall not cancel, but is available for the second year.

The commission shall expire not later than March 15, 1981.

Subd. 4. Legislative Commission on Pensions and Retirement	119,300	128,900
Subd. 5. Legislative Commission to Review Administrative Rules	61,900	65,600
Subd. 6. Legislative Audit Commission	1,965,300	1,981,700

The amounts that may be expended from this appropriation for each activity are as follows:

Legislative Audit Commission

\$15,000	\$15,000
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Legislative Auditor

\$1,950,300	\$1,966,700
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Subd. 7. Tax Study Commission	139,300	154,700
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Subd. 8. Legislative Commission on Science and Technology	109,400	115,300
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Subd. 9. Mississippi River Parkway Commission	20,000	20,000
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	1980	1981
	\$	\$

This appropriation is from the trunk highway fund.

Sec. 3. SUPREME COURT

General Operations and Management	4,137,400	4,125,400
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The amounts that may expended from this appropriation for each program are as follows:

Supreme Court Operations

\$2,594,300	\$2,607,900
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Judicial Council

\$55,300	\$53,200
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State Court Administrator

\$1,177,100	\$1,143,900
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If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

State Law Library

\$310,700	\$320,400
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Sec. 4. STATE COURTS

General Operations and Management	10,472,500	10,472,500
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The amounts that may be expended from this appropriation for each program are as follows:

District and County Court Judges

\$10,058,300	\$10,058,300
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District Court Administrators

\$414,200	\$414,200
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	1980	1981
\$		\$

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Sec. 5. BOARD ON JUDICIAL STANDARDS	122,500	124,900
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Approved Complement—2

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Sec. 6. PUBLIC DEFENDER

General Operations and Management	693,500	693,500
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Approved Complement—25

The amounts that may be expended from this appropriation for each program are as follows:

Public Defender Operations

\$515,000	\$515,000
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Legal Assistance to Minnesota Prisoners

\$109,700	\$109,700
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Legal assistance to Minnesota prisoners shall serve the civil legal needs of persons confined to state institutions. None of these funds shall be used to pay for lawsuits against public agencies or public officials to change social or public policy.

Legal Advocacy Project

\$68,800	\$68,800
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Sec. 7. TAX COURT OF APPEALS	254,100	254,100
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Approved Complement—5

	1980	1981
	\$	\$
Sec. 8. CONTINGENT ACCOUNTS	15,190,300	19,774,300

The amounts that may be expended from this appropriation are more specifically described in the following subdivisions of this section.

Subdivision 1. The appropriations in this section shall be expended with the approval of the governor after consultation with the legislative advisory commission pursuant to section 3.30.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Subd. 2 General	4,000,000	4,000,000
Subd. 3. Postage	300,000	300,000

For postage rate increases during the biennium ending June 30, 1981, where sufficient appropriations are not available.

Of the above amount \$100,000 each year is appropriated from the highway user tax distribution fund to meet the needs of the motor vehicle section of the department of public safety.

Subd. 4. Crime Control Planning Board	1,002,600
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1981

Approved Complement—20

This appropriation is available to pay the costs of general operations and management of the crime control planning board as necessary in the light of amendments to the federal crime control acts.

Subd. 5. Criminal Justice	2,625,300	2,341,100
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	1980	1981
	\$	\$

This appropriation is available to the crime control planning board for grants.

Of this appropriation \$395,300 for the first year and \$111,100 for the second year is from the general fund. \$2,230,000 each year is from the money allocated to Minnesota under the safe streets and omnibus crime control act of 1968, as amended.

At least 30 days before action by the legislative advisory commission, the crime control planning board shall submit to the finance and appropriation committees summaries of the individual requests recommended for funding.

Subd. 6. Fuel and Utilities	4,000,000	9,000,000
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For increased costs due to increased prices for fuel and utilities purchased by state agencies.

Of this appropriation, \$1,000,000 the first year and \$2,200,000 the second year is from the trunk highway fund.

Subd. 7. Grain Inspection	2,200,000	
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This appropriation is available to pay the costs of grain inspection when fees collected exceed the amount of the direct appropriation to the department of agriculture for grain inspection.

Subd. 8. Game and Fish	75,000	75,000
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This appropriation is from the game and fish fund.

Subd. 9. Traffic Safety	75,000	75,000
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This appropriation is from the trunk highway fund for the purpose of supplementing any requirements of the department of public safety for traffic safety programs.

	1980	1981
	\$	\$
Subd. 10. Motor Vehicle	75,000	75,000

This appropriation is from the highway user tax distribution fund for the purpose of supplementing any requirements of the department of public safety, motor vehicle services section, for salaries, supplies, and expenses.

Subd. 11. State Planning Agency	1,250,000	1,250,000
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For special environmental studies.

Subd. 12. Department of Natural Resources	500,000	1,385,000
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For the trails program.

Subd. 13. Water Resources Board		90,600
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1981

Approved Complement—3

Subd. 14. Industrial Hygienists	90,000	180,000
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For the state share of the addition to the OSHA program of six industrial hygienists in the first year and six in the second year.

Sec. 9. GOVERNOR

General Operations and Management	1,330,900	1,333,400
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The amounts that may be expended from this appropriation for each program are as follows:

Executive Operations

\$1,065,200 \$1,067,700

If the commissioner of public safety assigns a highway patrol officer as a

	1980	1981
\$		\$

personal aide to the governor below the rank of sergeant, the officer shall receive the rank and pay of a sergeant while on the assignment.

Of this appropriation, \$15,000 each year is for personal expenses connected with the office.

\$2,500 the second year is for the official governor's portrait.

Interstate Representation and Cooperation

\$180,000	\$180,000
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\$24,800 each year is for the National Governors Conference.

\$71,000 each year is for the Upper Great Lakes Regional Commission—State Share.

\$22,300 each year is for the Great Lakes Basin Commission—State Share.

\$45,000 each year is for the Upper Mississippi River Basin Commission—State Share.

\$16,900 each year is for the Missouri River Basin Commission—State Share.

Committees and Task Forces

\$85,700	\$85,700
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\$15,000 each year is for the committee on appointments.

\$70,700 each year is for the Governor's Task Force on Educational Policy.

Sec. 10. LIEUTENANT GOVERNOR

General Operations and Management	207,600	207,600
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	\$	1980	\$	1981
Approved Complement—7				
Sec. 11. SECRETARY OF STATE				
General Operations and Management		736,500		1,059,600
Approved Complement—31				
Sec. 12. STATE AUDITOR		217,400		217,400
Approved Complement—111				
General—8				
Revolving—103				
Sec. 13. STATE TREASURER ..		792,100		776,500
Approved Complement—28				

The amounts that may be expended from this appropriation for each activity are as follows:

Treasury Management

\$492,700 \$494,400

Property and Escheat Claims

\$299,400 \$282,100

Sec. 14. ATTORNEY GENERAL

	1980	1981
Approved Complement—286	278	
General—283	275	
Federal— 3	3	
General Operations and Management	8,808,300	9,403,500
For 1979—\$95,000		

1980

1981

\$

\$

Of this appropriation, \$25,000 each year is for a special account, not to be available for paying the costs of special, legal, accounting, and investigative personnel retained in cases arising under Minnesota Statutes, Section 501.12, hereafter filed, unless the attorney general decides in a case that all the beneficiaries are not adequately represented, or that there is a likelihood that the purpose of the trust may be frustrated without his intervention and that the state has a substantial interest in carrying out the purpose of the trust. If the appropriation for either year is insufficient, the appropriation for the other years is available for it.

\$268,800 the first year and \$283,600 the second year is for costs and expenses incurred by the attorney general in enforcing and making claims under state and federal antitrust laws. The attorney general shall report the purposes for which this money is utilized. The reports shall be made to the committee on finance of the senate and the committee on appropriations of the house of representatives at the end of each fiscal year. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Prior to July 1, 1980 the attorney general shall develop a programmatic budget structure based on the various functions and services of the office and submit it to the chairman of the house appropriations committee and the chairman of the senate finance committee. The budget submitted to the 1981 legislature shall follow this structure.

Sec. 15. ETHICAL PRACTICES BOARD

153,700

156,700

	1980	1981
	\$	\$
Sec. 16. INVESTMENT BOARD	922,900	922,900

Approved Complement—30

Sec. 17. STATE PLANNING AGENCY

Subdivision 1. General Operations and Management	5,917,500	5,621,500
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Approved Complement—132

General—108

Federal—22

Revolving—2

The amounts that may be expended from this appropriation for each program are more specifically described in the following subdivisions of this section.

Subd. 2. State Planning and Development	372,900	388,900
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The state planning agency shall evaluate whether the limitations of local financial institutions result in hardships to intermediate sized businesses and make recommendations to the legislature of methods to improve the situation if the study finds such hardships.

\$60,000 has been placed in the general contingent account to develop state and regional growth plans and recommend a policy for economic alternatives in Minnesota. This money shall be authorized for use by the governor, upon recommendation of the legislative advisory commission.

Subd. 3. Functional Area Planning	2,862,700	2,650,700
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	1980	1981
	\$	\$

The amounts that may be expended from this appropriation for each activity are as follows:

Health Planning

\$100,900	\$100,900
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Developmental Disabilities

\$56,100	\$56,100
----------	----------

Environmental Systems Planning

\$591,600	\$611,600
-----------	-----------

Of this amount, \$101,000 each year is for a grant to the environmental conservation library.

Environmental Quality Board

\$406,300	\$406,300
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Critical Areas Planning

\$313,100	\$81,100
-----------	----------

Of this appropriation, \$232,000 in fiscal 1980 is for financial aid to local governments within critical areas. Any unencumbered balance remaining in the first year shall not cancel but is available for the second year of the biennium.

Power Plant Studies

\$852,000	\$852,000
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Land Use Planning

\$204,400	\$204,400
-----------	-----------

Human Resources Planning

\$338,300	\$338,300
-----------	-----------

	1980	1981
\$		\$

\$62,500 each year is available to any county as grants for improving management and planning for the delivery of human services.

Applications shall be on forms approved by the state planning agency director and no grant shall exceed \$4,000. Top priority shall be given to counties which have not previously received grants.

Subd. 4. Technical Assistance	2,355,300	2,255,300
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The amounts that may be expended from this appropriation for each activity are as follows:

Technical Assistance

\$1,285,300	\$1,185,300
-------------	-------------

\$717,600 in fiscal 1980 and \$617,600 in fiscal 1981 is for land use planning grants to local governments.

Planning Assistance Grants

\$969,000	\$969,000
-----------	-----------

This appropriation is for regional planning assistance grants.

Fiscal Studies

\$101,000	\$101,000
-----------	-----------

Subd. 5. General Administration . . .	326,600	326,600
---------------------------------------	---------	---------

The director of the state planning agency with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose or for grants among the above programs and activities. All transfers shall be reported forthwith to the committee on finance in the senate and the committee on ap-

	1980	1981
	\$	\$
propriations in the house of representa- tives.		
Sec. 18. OFFICE OF HEARING EXAMINER	40,000	40,000

Approved Complement—25

Revolving—25

Sec. 19 ADMINISTRATION

General Operations and Management	15,364,600	15,624,000
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Approved Complement—958

General—487

Special—11

Federal—7

Revolving—453

The amounts that may be expended
from this appropriation for each pro-
gram are as follows:

Management Services

\$3,311,200 \$3,493,400

The commissioner of administration shall transfer two positions from management analysis to records management to allow the department to meet its statutory responsibilities for records management. These positions may revert to management analysis when they are no longer needed to meet those responsibilities.

Real Property Management

\$7,832,300 \$7,809,000

1980

1981

\$

\$

The commissioner of administration shall charge the department of transportation and the iron range resources and rehabilitation board for engineering services performed on behalf of these agencies.

The unencumbered balance in appropriation accounts 16078:14-11 and 16072:14-11 shall be cancelled on July 1, 1979.

State Agency Services

\$1,224,400 \$1,222,000

For 1979—\$169,200

\$169,200 is available as an advance from the general fund to the surplus property revolving fund. Of this amount, \$67,700 is immediately available for payment of outstanding obligations, \$40,000 is immediately available as working capital, and \$61,500 is available for the reduction of obligations incurred between March 1, 1979, and February 29, 1980.

The commisisoner of administration shall provide a monthly report to the commissioner of finance consisting of: an operations statement, a balance sheet, an analysis of changes in retained earnings, and a source and use of funds statement. The commissioner of finance is responsible for approving the allotment of the \$61,500 portion of the advance and shall give his approval when potential deficiencies are forecast. If it appears that the \$61,500 portion of the advance will be exhausted prior to January 15, 1980, the commissioner of finance shall promptly notify the governor and the legislative advisory commission of the need for an additional advance.

	1980	1981
\$		\$

The commissioner of administration shall by January 15, 1980, provide copies of all monthly reports through the period ending December 31, 1979, to the senate finance committee and the house appropriations committee. The commissioner of finance shall by January 15, 1980, recommend the continuance or discontinuance of the federal surplus property activity to the committee on finance in the senate and the committee on appropriations of the house of representatives.

The advance of \$169,200 shall be returned in full or in increments to the general fund from the surplus property revolving fund when the commissioner of finance determines that retained earnings are in excess of the working capital requirements of the surplus property revolving fund. In the event the surplus property revolving fund is discontinued, any portion of the advance of \$169,200 that has not been returned to the general fund shall, immediately upon liquidation of assets, be paid to the general fund.

Public Services

\$1,748,900	\$2,053,400
-------------	-------------

\$36,950 for fiscal year 1980 and \$40,650 for fiscal year 1981 is for the state contribution to the National Conference of State Legislatures.

\$43,900 each year is for the state contribution to the Council of State Governments.

\$6,500 each year is for the expenses of the Interstate Cooperation Commission.

\$5,000 each year is for the Minnesota state employees band.

	1980	1981
	\$	\$
General Support		
\$1,047,800	\$1,046,300	
Micrographics Acceleration Account		
\$200,000		

This appropriation is available for the biennium ending June 30, 1981.

The commissioner of administration is not authorized to expend these funds until he has presented a work program to the chairman of the house appropriations committee and the chairman of the senate finance committee and the chairmen have made their recommendations thereon. The recommendations shall be advisory only.

The commissioner of administration with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 20. CAPITOL AREA
ARCHITECTURAL AND
PLANNING BOARD

57,400

57,400

Approved Complement—2

The Capitol Area Architectural and Planning Board shall study the parking needs of the capitol area and shall prepare alternatives which guarantee public parking in the capitol area. This study shall be completed by January 1, 1980.

Projects that are within the area under the jurisdiction of the Capitol Area Architectural and Planning

1980

1981

\$

\$

Board and are funded in total with federal funds shall not be approved by the governor until a recommendation is received from the legislative advisory commission.

Sec. 21. FINANCE

General Operations and Management	4,631,000	4,672,400
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Approved Complement—122

The amounts that may be expended from this appropriation for each program are as follows:

Financial Operations

\$2,896,500	\$2,889,100
-------------	-------------

Financial Management

\$915,500	\$977,400
-----------	-----------

General Support

\$801,400	\$805,900
-----------	-----------

Employee athletic leave of absence per section 15.62

\$17,600

Any balance remaining on June 30, 1980 shall not cancel, but is available for the second year.

The commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 22. PERSONNEL

	\$ 1980	\$ 1981
General Operations and Management	2,707,300	2,657,400

Approved Complement—114**General—103****Federal—4****Revolving—7**

The amounts that may be expended from this appropriation for each program are as follows:

Personnel Technical Services

\$978,900 \$979,000

Human Resource Planning, Research and Development

\$554,800 \$554,800

Each state department shall have a plan approved by the commissioner of personnel to use 50 percent of its training money, or the same percentage of its training money that its schedule "C" civil service employees are of its total number of departmental employees, whichever is less, for special career training programs for schedule "C" civil service employees. The money shall be used only for this purpose.

The commissioner of personnel shall create and distribute a handbook identifying existing career advancement opportunities within the state civil service system with particular emphasis on those available to schedule "C" employees.

Labor Relations

\$232,400 \$232,400

1980

1981

\$

\$

Administration and Special Services

\$941,200

\$891,200

Of this appropriation, \$50,000 the first year is for the social security revolving fund as paid in capital.

The commissioner of personnel with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

In the case of state departments, agencies, and institutions that are financed in whole or in part with federal money, the portion of the cost of collecting social security contributions that is chargeable to federal money shall be reimbursed from federal money, and the amount necessary is appropriated from federal money for that purpose.

The cost of collecting employees' social security contributions and the state's matching share for reimbursement to the U.S. Secretary of the Treasury for state departments, agencies, and institutions whose salaries are provided by open, standing, continuing, or revolving appropriations or so called dedicated receipt accounts shall be reimbursed to the state agency revolving fund from those appropriations or dedicated receipt accounts, and the amount necessary is appropriated from those appropriations and accounts for that purpose.

Sec. 23. PERSONNEL BOARD

The Personnel Board is abolished. Notwithstanding any law to the contrary, the salary setting authority of

1980 1981
\$ \$

the board is transferred to the Commissioner of Personnel. The board's authority to grant achievement awards is transferred to the Governor. The board's authority to hear and resolve the appeals of permanent employees who are removed, discharged, suspended without pay, or reduced in pay or position is transferred to the Office of Hearing Examiners.

Sec. 24. REVENUE

General Operations and Management	23,367,900	23,389,800
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1980 1981

Approved Complement—914 911

The department of revenue may establish 30 unfunded state complement positions for the fiscal years 1980 and 1981 as long as expenditures do not exceed state appropriations.

The amounts that may be expended from this appropriation for each program are as follows:

Revenue Management

\$6,485,500 \$6,464,100

Income, Sales, and Use Tax Management

\$12,610,900 \$12,638,900

Property and Special Taxes Management

\$4,164,300 \$4,179,600

Assessors Board

\$107,200 \$107,200

	1980	1981
\$		\$

The commissioner of revenue with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 25. AGRICULTURE

General Operations and Management	21,893,700	19,722,700
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Approved Complement—493

General—439

Special—49

Federal—5

The amounts that may be expended from this appropriation for each program are as follows:

Development and Protection of Agricultural Resources

\$17,828,800	\$14,788,900
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Food and Family Farm Protection

\$2,802,100	\$3,602,100
-------------	-------------

General Support

\$1,262,800	\$1,331,700
-------------	-------------

The appropriation for General Support includes the following amounts for grants to agricultural societies and associations.

Aid to County and District Agricultural Societies

\$314,500	\$314,500
-----------	-----------

	1980	1981
	\$	\$

The amount appropriated shall be disbursed according to Minnesota Statutes, Section 38.02.

Sec. 26. LIVESTOCK SANITARY BOARD

General Operations and Management	1,238,500	1,237,200
---	-----------	-----------

Approved Complement—42

This appropriation includes \$75,000 each year for payment of indemnities. If the appropriation for indemnities for either year is insufficient, the appropriation for the other year is available for it. Indemnities of less than \$1 shall not be paid.

Sec. 27. NATURAL RESOURCES

General Operations and Management	51,192,600	50,614,000
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Approved Complement—1387

General—845

Game and Fish—497

Federal—25

Special—10

Revolving—8

Agency—2

Of this appropriation, \$32,887,000 for the first year and \$32,294,600 for the second year are from the general fund; \$1,330,000 each year is from the special revenue fund; and \$16,975,600 for the first year and \$16,989,400 for the second year are from the game and fish fund, including \$526,600 the first year and \$533,400 the second year pur-

	1980	1981
	\$	\$

suant to Minnesota Statutes, Section 296.421, Subdivision 4.

The amounts that may be expended from this appropriation for each program are as follows:

Administrative Management
Services

\$4,272,100	\$4,272,100
-------------	-------------

Of this appropriation, \$171,400 each year is appropriated from the game and fish fund for the purchase of legal services from or through the attorney general on behalf of game and fish activities. Of this amount, \$252,900 each year is for the environmental education board.

Youth Conservation Corps

\$450,000	\$450,000
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The department shall insure that youths in all parts of the state shall have an equal opportunity for employment. The youth conservation corps shall provide service for the various DNR disciplines including parks, forestry and stream improvement.

Public Access and Lake
Improvements

\$526,600	\$533,400
-----------	-----------

Regional Administration

\$2,724,500	\$2,724,500
-------------	-------------

It shall be legislative policy to support coordination between different DNR disciplines within the regions.

Notwithstanding the provisions of Laws 1978, Chapter 792, Section 6, Par-

1980

1981

\$

\$

agraph (b), no amount of appropriations under that paragraph shall be expended unless the designated building is equipped with a wood burning heating plant.

Field Services Support

\$3,683,600 \$3,683,500

Water Resources Management

\$2,565,000 \$2,562,900

In conjunction with dam safety inspections the department shall utilize a survey form prepared by staff of the Minnesota Energy Agency to record pertinent information to determine the potential feasibility of hydroelectric power generation at dams located throughout the state.

Mineral Resources Management

\$1,907,000 \$1,907,000

\$216,900 each year is for mineland reclamation.

\$350,000 in fiscal 1980 and \$350,000 in fiscal 1981 is for peat inventory or studies.

It is a condition of acceptance of the appropriations made by this paragraph that the agency or entity receiving the appropriation shall submit work programs and semi-annual progress reports in the form determined by the legislative commission on Minnesota resources. None of the moneys provided in this paragraph may be expended unless the commission has approved the pertinent work program.

Forest Management

\$7,898,500 \$7,898,500

	1980	1981
	\$	\$

\$500,000 each year is from the consolidated conservation areas account.

\$215,000 each year is from the iron range resources and rehabilitation account.

\$750,000 each year and an increased complement of 22 is to replace loss of timber due to Boundary Water legislation and available only on the appropriation of federal funds on a 80 percent federal, 20 percent state match.

\$200,000 each year is for emergency fire fighting. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. Except on an emergency basis no part of this appropriation shall be expended for air tanker or helicopter support without requesting the use of national guard personnel and equipment to supply this need.

\$100,000 each year is additional funding for forest campground maintenance and development.

Fish Management

\$5,188,600	\$5,188,600
-------------	-------------

Supervision costs for rough fish contracts shall not exceed contract receipts. Special attention for stream maintenance and improvement shall be given to northeastern and southeastern Minnesota trout streams.

Wildlife Management

\$5,416,600	\$5,423,600
-------------	-------------

\$615,000 each year is from the wildlife acquisition account for the acquisition of wildlife management areas.

1980

1981

\$

\$

\$300,000 each year is for deer habitat improvement.

\$156,000 in the first year and \$163,000 the second year is from the game and fish fund for payments to counties in lieu of taxes.

Ecological Services

\$603,900

\$603,900

Parks and Recreation Management

\$7,030,600

\$6,440,400

\$197,000 in fiscal 1980, and \$197,000 in fiscal 1981 is for development and maintenance of canoe and boating routes.

\$125,000 each year is for the program to employ needy elderly persons in the maintenance and operation of state parks.

\$500,000 in 1980 represents unfunded gas taxes paid for snowmobiles and shall be used for acquisition, development and maintenance of recreational trails and for related purposes.

Notwithstanding any other law to the contrary money appropriated for trails may be used to fence snowmobile trails to protect private property.

\$66,000 the first year and \$24,000 the second year is for payments in lieu of taxes on lands in Voyageurs national park and St. Croix Wild River State Park. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Soil and Water Conservation Board

\$3,264,600

\$3,264,600

1980

1981

\$

\$

\$425,000 each year is for grants in aid to soil and water conservation districts.

\$327,900 each year is for flood plain management in the southern Minnesota river basin study area II, of which \$300,800 each year is for grants to watershed districts and other local units of government.

\$2,000,000 each year is for soil and erosion control of which \$1,935,200 is for grants to soil and water conservation districts.

\$250,000 each year is for grants to soil and water conservation districts for erosion and sediment control.

\$92,000 each year is for grants to soil and water conservation districts for review and comment on water permits.

The commissioner of natural resources shall develop a grant plan that incorporates flood plain management and soil and erosion control into an integrated statewide system for flood and soil and erosion control.

Enforcement of Natural Resources Laws and Rules

\$5,124,000 \$5,124,000

\$75,000 each year is for reservation conservation law enforcement. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$20,000 each year is for the purpose of controlling smelt fishing activities on the north shore, including development of parking facilities, traffic control, coordination of regulatory agen-

	1980	1981
	\$	\$

cies, control of trespass and vandalism, control of littering and sanitation, and public information and education. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Planning and Research

\$537,000	\$537,000
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The commissioner of natural resources with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 28. ZOOLOGICAL BOARD

General Operations and Management	5,045,600	4,828,200
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Approved Complement—164

General—162

Special—2

The amounts that may be expended from this appropriation for each program are as follows:

Visitor Services

\$1,203,700	\$1,200,700
-------------	-------------

The legislature concurs with the governor's recommendation regarding the monorail activity. This recommendation can be found on pages E-5413 and E-5414 in the biennial budget documents. All operating revenues from the mono-

1980

1981

\$

\$

rail shall be reappropriated for costs associated with its operation.

Plant and Animal Sciences

\$1,147,400 \$1,133,000

General Support

\$365,400 \$365,400

Information and Education Services

\$402,900 \$402,900

Planning and Operations

\$1,926,200 \$1,726,200

\$200,000 in fiscal year 1980 is for a major maintenance reserve fund. Any unencumbered balance remaining in the first year shall not cancel but is available for the second year of the biennium.

The director of the Minnesota zoological garden with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

The fee structure for the Minnesota zoological garden shall not exceed \$2.50 for adults, age 17 and over, \$1.25 for children, ages 6-16, and free for children 5 and under.

Sec. 29. WATER RESOURCES BOARD

90,600

-0-

1980

Approved Complement—3

	1980	1981
	\$	\$

All hearings of the water resources board shall be solely in the performance of expressed statutory duties.

Up to \$8,000 of salaries in fiscal year 1980 may be used for field training of an employee who is a graduate of an engineering college, which sum shall be matched by watershed districts providing training experience through contractual agreements with the board.

Sec. 30. POLLUTION CONTROL AGENCY

General Operations and Management	4,585,100	4,514,900
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Approved Complement—264

General—156

Federal—108

The amounts that may be expended from this appropriation for each program are as follows:

The amounts that may be expended from this appropriation for each activity are as follows:

Water Pollution Control

\$1,606,200	\$1,605,600
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Air Pollution Control

\$604,100	\$578,300
-----------	-----------

\$50,000 the first year and \$25,000 the second year is for special studies. The agency shall negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or obtaining any grants of assistance in the completion of these studies. Any unexpended bal-

	1980	1981
	\$	\$

ance remaining in the first year shall not cancel but is available for the second year of the biennium.

Solid Waste Pollution Control

\$482,100	\$481,700
-----------	-----------

\$40,000 each year is for automobile recycling. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Regional Support

\$458,800	\$460,500
-----------	-----------

General Support

\$1,433,900	\$1,388,800
-------------	-------------

\$204,800 the first year and \$159,800 the second year is for functions relating to the Reserve Mining project. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

\$60,000 each year is for costs related to the preparation of environmental impact statements on projects not subject to assessment for reimbursement. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

The pollution control agency may establish 12 unfunded state complement positions for the fiscal years 1980 and 1981 as long as expenditures do not exceed state appropriations.

The director of the pollution control agency with the approval of the commissioner of finance may transfer unencumbered balances among the above activities. Transfers shall be reported

	1980	1981
	\$	\$

forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

The health department shall continue to render such staff services as the agency may require from time to time through health's division of environmental health. The health department shall be reimbursed from this appropriation for the cost thereof.

Sec. 31. ENERGY

General Operations and Management	1,306,300	1,267,400
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Approved Complement—78

General—38

Federal—40

The amounts that may be expended from this appropriation for each program are as follows:

Conservation

\$411,500	\$372,600
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For 1979—\$10,300

The appropriation for 1979 is for the fuel allocation program. The appropriation for 1979 shall not cancel on June 30, 1979 but shall be available until June 30, 1980.

Alternative Energy Development

\$93,300	\$93,300
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Data and Analysis

\$565,900	\$570,000
-----------	-----------

	1980	1981
	\$	\$
General Support		
\$235,600	\$231,500	

The director of the energy agency with the approval of the commissioner of finance may transfer unencumbered balances among the above programs.

Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 32. NATURAL RESOURCES ACCELERATION

Subdivision 1. General Operations and Management	15,576,900	14,774,900
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Approved Complement—1980 1981

115 105

The amounts that may be expended from this appropriation for each activity are more specifically described in the following subdivisions of this section.

For all appropriations in this section, except as otherwise specifically provided, if the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 2. Legislative Commission on Minnesota Resources	224,900	224,900
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The commission shall during the 1979-81 biennium review the work programs and progress reports required under subdivision 12 of this section and report its findings and recommendations to the committee on finance of the senate, committee on appropriations of the house of representatives and other

	1980	1981
	\$	\$

appropriate committees. The commission shall establish oversight committees to continue review of a variety of natural resource subject areas as it deems necessary to carry out its legislative charge.

Subd. 3. State Planning Agency	4,632,500	4,232,500
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Approved complement—12

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Computer Work Station

\$250,000	\$0
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For purchase of a mini-computer to augment the Minnesota land management information system analysis techniques and service capability.

(b) Geographic Information System

\$50,000	\$50,000
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To develop improved capabilities for information organization and analysis and develop interface with other natural resource data systems. One staff complement is authorized.

(c) Aerial Photography

\$150,000	\$0
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To finish purchase of statewide high altitude aerial photographs.

(d) Land Use Change Analysis

\$75,000	\$75,000
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To develop rapid and inexpensive techniques to collect and analyze land

	1980	1981
	\$	\$

use change for use in updating land use information. Two staff complement are authorized.

(e) Satellite Data Analysis

\$35,000	\$35,000
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To develop technical and computer capabilities at the state level for enhanced use of LANDSAT information and technology. One staff complement is authorized.

(f) Automated Reference Index

\$40,000	\$40,000
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To provide a centralized source index for natural resource information including information gathered by the copper-nickel project. Two staff complement are authorized.

(g) Local Recreation and Natural Areas Contingent Account

\$2,000,000	\$2,000,000
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This appropriation is available to pay up to 50 percent of the total cost or 50 percent of the local share if federal matching funds are used, of long term lease, acquisition and development for recreational projects for the purposes described in Laws 1965, Chapter 810, Section 23, as amended by Laws 1969, Chapter 1139, Section 48, Subdivision 7, Paragraph g, except that no lake improvement grants are authorized under this subdivision and the per project limit for state grants is \$200,000.

\$1,000,000 of this appropriation each year is reserved for projects outside the metropolitan area as defined in Minnesota Statutes, Section 473.121, Subdivision 2.

1980

1981

\$

\$

The state planning agency shall administer the natural resources and land and water conservation fund grants-in-aid to local units of government. Notwithstanding any other law to the contrary these grants are not contingent upon the matching of federal grants.

This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding such expenditures.

(h) Regional Recreation and
Natural Areas Contingent Account

\$2,000,000

\$2,000,000

This appropriation is available to pay up to 50 percent of the total cost or 50 percent of the local share if federal matching funds are used, for long term lease, acquisition and major development for recreation projects, natural areas and open space serving a regional need to counties, local units of government and special units of government authorized to acquire, maintain and operate recreational and natural areas.

\$2,000,000 of this appropriation shall be reserved for projects outside the metropolitan area as defined in Minnesota Statutes, Section 473.121, Subdivision 2. Priorities for the use of funds provided in this subdivision will be given to projects eligible for federal funding and which are consistent with priorities established by regional recreation and open space plans.

The amount needed but not to exceed \$1,000,000 in fiscal year 1980 and \$1,000,000 in fiscal year 1981, from this appropriation shall be transferred to the metropolitan council to pay princi-

1980

1981

\$

\$

pal and interest coming due in the respective fiscal years on bonds issued pursuant to Laws 1974, Chapter 563, Section 7, Subdivision 2; none of this amount may be expended for professional services.

The state planning agency shall administer the natural resources and land and water grants-in-aid program.

This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding such expenditures.

(i) Recreation and Natural Areas
Contingent Account Administration

Of the amounts appropriated in paragraphs (g) and (h) of this subdivision, up to \$313,000 is available for administration. Five staff complement are authorized.

(j) Outdoor Recreation Act Review

\$32,500

\$32,500

To provide one staff complement for the agency review process required in Minnesota Statutes, Chapter 86A.

(k) Copper Nickel Study Review

The state planning agency is directed to make its final report to the committee on environment and natural resources in the house of representatives and the committee on agriculture and natural resources in the senate no later than June 30, 1979. If the legislative committees require additional expert testimony and review after June 30, 1979, such expertise shall be funded from ap-

	1980	1981
\$	\$	

propriations to the legislature. The state planning agency is further directed to deliver data and reports to the state agencies and ECOL, whichever the SPA determines appropriate. Information presented to ECOL shall be indexed for reference by the SPA before presentation.

Subd. 4. Department of Natural Resources	6,864,200	6,670,800
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Approved complement—87

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Water Use Data System

\$41,000	\$41,000
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Update and expand a water appropriations data base on withdrawals, use and discharge. The system shall be useable by all water resource managers in identifying withdrawal, use and discharge. The information shall be collected in a format consistent and compatible with the Minnesota land management information system. One staff complement is authorized.

(b) Floodwater Retention Assistance

\$531,400	\$531,400
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To assist the lower Red River watershed management board in providing up to 50 percent of the non-federal share of the cost of projects approved by the board for floodwater retention in the jurisdiction of the board. All available local, state, federal and private sources shall be requested to provide financial assistance. Of this amount, up to \$62,800 is available for

	1980	1981
	\$	\$

the biennium to the department for one staff and essential equipment.

(c) Iron Range Information Analysis

\$50,000	\$0
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In addition to the \$25,000 in the regular budget for this purpose, this appropriation is for continued development and implementation of a system for pertinent information. Existing and prospective data shall be organized in a format consistent and compatible with the Minnesota land management information system and provided to that system. Money necessary for this project after March, 1980 shall be requested from the iron range resources and rehabilitation board.

(d) Heavy Metals Release Study

\$37,500	\$0
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To develop techniques to control release of heavy metals from gabbro materials. The department shall propose relevant policies for gabbro development as a result of this study. One staff complement is authorized. Money necessary for this project after March, 1980 shall be requested from the iron range resources and rehabilitation board.

(e) Uranium Information

\$25,000	\$0
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To prepare and publish a report by July 1, 1980 which summarizes and reviews available information on uranium mining and processing including geology, technology, leasing considerations, and environmental impacts.

(f) Accelerate Private Forest Management

	1980	1981
	\$	\$
\$251,000	\$251,000	

To provide increased technical management assistance to private non-industrial forest land owners throughout the state, and, in cooperation with the soil and water conservation board, encourage landowners to apply for available federal cost sharing assistance for implementation of practices. Of this amount, \$100,000 is available for a pilot project in the seven counties within the Richard J. Dorer memorial hardwood forest to provide up to 50 percent of the non-federal share of the costs of implementing forestry practices which are eligible for federal cost sharing assistance. After October 1, 1980, the unused portion for the pilot project may also be used for cost sharing assistance in other areas of the state as indicated by landowner interest and request. Ten staff complement are authorized.

(g) Fire Management Analysis

\$81,200	\$81,200
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To conduct a system analysis of fire management in the department's northwest number one and northeast number two regions. The results shall show the cost effective levels of protection in those areas and the method of analysis most applicable to the central, metropolitan and southern regions. Three complement are authorized.

(h) Wildlife Management Area Inventory

\$29,300	\$29,300
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To begin a four year inventory of physical facilities and resource characteristics on approximately 200 units and prepare data processing programs for storage, retrieval and analysis. The information shall be collected in a format

1980

1981

\$

\$

consistent and compatible with the Minnesota land management information system. One staff complement is authorized.

(i) Outdoor Recreation Act
Implementation

\$643,300

\$562,400

For the master planning and other activities required by Minnesota Statutes 1978, Chapter 86A. Of this amount, \$600,000 and 14 staff complement are for parks, \$80,900 and five staff are for wildlife, through March 1980, \$455,000 and 11 staff are for wild, scenic and recreational rivers and \$69,800 and one staff for scientific and natural areas.

(j) Public Access to Metropolitan
Area Lakes

\$250,000

\$250,000

For acquisition and development of access to lakes in the metropolitan area as defined in Minnesota Statutes 1978, Section 473.121, Subdivision 2. Expenditures for development shall not exceed 25 percent of the amount appropriated herein. Priorities shall be developed in conjunction with the metropolitan council and local units of government, so that free and indiscriminate access is available throughout the area. The department shall make every effort to maximize the use of local effort and finances in the program.

(k) Resource User Information

\$25,000

\$25,000

For development of management information tools and processes which will provide current information needed for recreation policy and planning, and which will eliminate the need for future

1980

1981

\$

\$

large scale appropriations for preparation of a statewide comprehensive outdoor recreation plan. Any expenditure necessary to maintain or update the processes developed herein shall be incorporated in the regular budget. One staff complement is authorized.

(l) State Park & Recreation

Area Development

\$4,657,000 \$4,657,000

To be expended in accordance with Minnesota Statutes, Chapter 86A. Of this amount, \$2,400,000 is appropriated from the state parks development account. At least 80 percent of the appropriation shall be spent only upon projects eligible for at least 50 percent federal match or reimbursement. Up to \$2,700,000 of the appropriation may be used for major rehabilitation. The department shall obtain great river road federal funding in all feasible projects. Up to \$1,328,960 of the appropriation is available for professional services. 29 staff complement are authorized.

(m) Long Range Plan

\$173,800 \$173,800

To continue development of a long range plan which lays out interdisciplinary goals, objectives, policies and an ongoing planning process to guide resource management in Minnesota. Data shall be collected in a format consistent and compatible with the Minnesota land management information system. Four staff complement are authorized.

(n) Stream Inventory and Data Retrieval Systems

\$68,700 \$68,700

	1980	1981
	\$	\$

For development of standardized stream location and river mile indexing systems which will enhance the water management information system and be compatible with the Minnesota land management information system. One staff complement is authorized.

(o) Game Lake Management, Heron Lake Jackson County

The department shall submit a current work program for the project authorized by Laws 1977, Chapter 455, Section 28, before spending any more of the appropriation.

Subd. 5. Water Planning Board	288,000	
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Approved complement—10

For continued operation of the board created in Minnesota Laws 1977, Chapter 446 through June 30, 1980, to provide for communication and evaluation of the frame work water plan and to coordinate continued development of the water management information system.

The water planning board is extended from June 30, 1979 through June 30, 1980.

Subd. 6. Pollution Control Agency	600,300	686,000
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Approved complement—2

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Lake improvement grants-in-aid

\$527,400	\$527,400
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	1980	1981
	\$	\$

The agency shall administer this appropriation to provide grants-in-aid to local units of government including lake improvement districts. Only grant proposals eligible for aid from the federal clean lakes act, 33 U.S.C.A. Section 1324, shall be eligible under this program. State grants shall be available to provide up to 50 percent of the non-federal share of each project and available only to projects with an approved federal grant. This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding the expenditures. Two staff complement are authorized. Of the appropriation, up to \$69,000 is available for administration.

(b) Lake Classification

\$42,900	\$128,600
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The agency shall classify publicly owned lakes in accordance with 33 U.S.C.A. Section 1324, Paragraph (a). \$42,857 of this appropriation shall be used to match available federal moneys for phase I. \$128,571 of this appropriation shall be used to match available federal money for phase II. Federal match money is appropriated. Four federal complement are anticipated.

(c) Feasibility Studies
Grants-In-Aid

\$30,000	\$30,000
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The agency shall administer this appropriation to provide grants-in-aid to local units of government including lake improvement districts. Only grant proposals eligible for aid for feasibility studies under 33 U.S.C.A. Section 1324 shall be eligible for this program. State

	1980	1981
	\$	\$
grants shall be available up to 50 per- cent of the non-federal share.		
Subd. 7. Energy Agency	164,200	229,200
Approved complement—3		

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Solar Technical Assistance

\$96,600 \$96,600

To increase the technical assistance to current and potential solar users in conjunction with the state solar office operation; evaluate passive solar retrofit techniques; prepare and publish manuals for adapting passive solar techniques and the economics of solar water heaters; and develop a media presentation on solar energy. Two staff complement are authorized.

(b) Timber and Wood Residue

\$52,600 \$52,600

To develop a plan for waste wood utilization and prepare a list of potential wood energy demonstration sites; develop engineering studies for wood utilization. One staff complement is authorized.

(c) Hydropower Development

\$5,000 \$5,000

To prepare feasibility studies on potential hydropower sites. All available federal funding shall be requested.

(d) Ice Air Conditioning
Commercialization

\$10,000 \$75,000

	1980	1981
	\$	\$

For evaluation of ice air conditioning for commercial application.

Subd. 8. Regents of the university of Minnesota	1,515,600	1,444,200
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The amounts that may be expended from this appropriation for each activity are as follows:

(a) Accelerated Detailed Soil Survey

\$772,700	\$772,700
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To the agricultural experiment station to continue the 12 year program begun in 1977 to provide detailed county soil surveys. Program costs shall be shared among local, state and federal governments on a prorata basis depending upon land ownership pattern.

(b) Geology of Southeast Minnesota

\$38,000	\$38,000
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To the Minnesota geologic survey for continued analysis of the karst geology to determine subsurface drainage and hydrology.

(c) Aeromagnetic mapping

\$375,000	\$375,000
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To the Minnesota geologic survey for airborne electronic measurement of statewide geology. If federal match money becomes available, it is appropriated along with this amount.

(d) Engineering Geology

\$50,000	\$50,000
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To the Minnesota geologic survey for expanded mapping and data collection

	1980	1981
	\$	\$

on the subsurface geology in part of the twin cities metropolitan area and preparation of the information for planning the use of underground space. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(e) Subsurface Geology Data

\$90,000	\$90,000
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To the Minnesota geologic survey to complete evaluation of existing well logs for geologic and hydrologic purposes, as initiated in Minnesota Laws 1977, Chapter 446. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system and the water management information system as appropriate.

(f) Underground Commercial Facility Design Study

\$61,000	\$61,000
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To the civil and mineral engineering school underground space center to develop and publish the design criteria applicable to potential commercial construction in underground space.

(g) Multiple Residence Earth Sheltered Design Study

\$51,400	\$0
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To the civil and mineral engineering school underground space center to develop and publish the design criteria applicable to multiple residential developments.

	1980	1981
	\$	\$
(h) Non-Ferrous Minerals Directory		
	\$20,000	\$0

To the civil and mineral engineering school mineral resources research center for initial publication of a directory which addresses non-ferrous mineral activity. Future publication shall be requested in the regular budget.

(i) Direct Reduction Technology Evaluation

\$57,500 \$57,500

To the civil and mineral engineering school mineral resources research center for analysis of innovative approaches to cost effective reduction of minerals aimed toward creating higher value concentrate at production facilities within the state.

Subd. 9. Minnesota Historical Society	75,000	75,000
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Approved complement—4

For the second and final biennium of the program to develop an archeologic data base which is compatible with the Minnesota land management information system. The society shall publish a report on the location, characteristics and significance for preservation of archeologic sites which will serve to eliminate the delays in environmental assessments and impact statements. Confidentiality and disclosure requirements shall be observed concerning publication of this report.

Subd. 10. Department of Health	12,200	12,300
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Approved complement—1

	1980	1981
	\$	\$

For completion of the development of a water well data system containing water quality information by geographic reference compatible with the water management information system.

Subd. 11. Department of Transportation	200,000	200,000
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The department of transportation shall administer this appropriation to provide grants-in-aid to local units of government that qualify for funding of amenity projects under the federal great river road program. State grants shall be available to provide up to 50 percent of the non-federal share of each project.

Subd. 12. Work Programs

It is a condition of acceptance of the appropriations made by this section that the agency or entity receiving the appropriation shall submit work programs and semi-annual progress reports in the form determined by the legislative commission on Minnesota resources. None of the moneys provided in this section may be expended unless the commission has approved the pertinent work program.

Subd. 13. Complement Temporary

Persons employed by a state agency and paid by an appropriation in this section are in the unclassified civil service and their continued employment is contingent upon the availability of money from the appropriation. When the appropriation has been expended, their positions shall be cancelled and the approved complement of the agency reduced accordingly.

Subd. 14. Natural Resources Federal Reimbursement Account	1,000,000	1,000,000
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	1980	1981
	\$	\$

This appropriation is from the natural resources federal reimbursement account.

At least \$1,000,000 of this appropriation shall be used only for forestry matters deemed necessary by the legislative commission on Minnesota resources, including but not limited to a forestry study.

Sec. 33. COMMERCE

General Operations and Management	5,301,300	5,279,400
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Approved Complement—226

The amounts that may be expended from this appropriation for each program are as follows:

Supervision of State Chartered Financial Institutions

\$1,823,900	\$1,819,000
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Investment Protection

\$723,600	\$723,600
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Consumer Services

\$588,300	\$588,300
-----------	-----------

Regulation of Insurance Companies

\$1,329,100	\$1,329,100
-------------	-------------

General Support

\$836,400	\$819,400
-----------	-----------

The commission with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee

	1980	1981
	\$	\$

on appropriations in the house of representatives.

Sec. 34. NON-HEALTH RELATED BOARDS

Subdivision 1. BOARD OF ABSTRACTORS	3,600	3,600
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Subd. 2. BOARD OF ACCOUNTANCY	150,400	150,400
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Approved Complement—3

Subd. 3. BOARD OF ARCHITECTURE, ENGINEERING AND LAND SURVEYING	200,800	205,800
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Approved Complement—6

Subd. 4. BOARD OF BARBER EXAMINERS	80,700	80,700
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Approved Complement—3

Subd. 5. BOARD OF BOXING ..	17,500	17,500
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Approved Complement—1

Subd. 6. BOARD OF COSMETOLOGY	301,700	301,700
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Approved Complement—13

Subd. 7. BOARD OF ELECTRICITY	2,136,200	2,238,200
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Approved Complement—18

For 1979—\$135,000

Subd. 8. BOARD OF PEACE OFFICER STANDARDS AND TRAINING

General Operations and Management	386,300	285,100
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	1980	1981
\$		\$

Approved Complement—7

Of this appropriation \$200,000 in the first year and \$100,000 in the second year is for reimbursements to local governments for costs of substitute local protection while officers attend regular training courses. Reimbursement shall be for basic training only and not for in-service training.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 9. BOARD OF EXAMINERS IN WATCHMAKING	5,700	5,700
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Sec. 35. LABOR AND INDUSTRY

General Operations and Management	5,397,000	5,413,500
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1980	1981
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Approved Complement—249	250
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General—210	211
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Federal— 39	39
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The amounts that may be expended from this appropriation for each program are as follows:

Employment Standards

\$648,700	\$667,600
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Workers' Compensation

\$2,751,900	\$2,749,500
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\$200,000 each year is for payment of peace officer survivor benefits pursuant to section 352E.04. If the appropriation for either year is insuf-

1980

1981

\$

\$

ficient the, appropriation for the other year is available for it.

Code Enforcement

\$604,200 \$604,200

OSHA

\$823,100 \$823,100

General Support

\$569,100 \$569,100

The commissioner of labor and industry with the approval of the commissioner of finance may transfer unencumbered balances among the above programs—transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 36. MEDIATION SERVICES

General Operations and Management 762,200 768,100

Approved Complement—25

Sec. 37. PUBLIC EMPLOYMENT RELATIONS BOARD

General Operations and Management 44,300 44,300

Approved Complement—1

Sec. 38. PUBLIC SERVICE

General Operations and Management 3,557,500 3,529,000

Approved Complement—137

General—127

Federal—10

	1980	1981
	\$	\$

Notwithstanding any law to the contrary the commission support staff shall include two additional unclassified positions. One position each shall be available for assignment by the commission majority and minority.

The amounts that may be expended from this appropriation for each program are as follows:

Utility Regulation

\$862,100	\$862,100
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Warehouse Regulation

\$106,800	\$106,800
-----------	-----------

Weights and Measures

\$1,200,200	\$1,171,700
-------------	-------------

General Support

\$423,100	\$423,100
-----------	-----------

Commission Support

\$966,600	\$966,600
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The public service department with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations in the house of representatives.

Sec. 39. ECONOMIC DEVELOPMENT

General Operations and Management	2,922,500	2,946,500
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Approved Complement—60

	1980	1981
	\$	\$

General—51

Federal—9

The amounts that may be expended from this appropriation for each program are as follows:

Finance and Business Development

\$653,900	\$653,900
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Of this appropriation, \$90,000 in fiscal 1980 and \$90,000 in fiscal 1981 is for a grant to the Port Authority of Duluth.

Economic Development Assistance

\$445,600	\$445,600
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Of this amount \$250,000 in fiscal year 1980 and \$250,000 in fiscal year 1981 is for community development corporations. No more than ten percent of this amount shall be expended for administrative costs. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. At least one-half of the grant moneys for the community development corporations shall be for venture capital.

Of this amount, \$60,000 each year is for technical assistance in the area redevelopment administration program.

Small Business Development

\$134,000	\$154,800
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Tourism Services

\$1,071,500	\$1,071,500
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\$228,000 the first year and \$228,000 the second year is for tourism grants.

1980

1981

\$

\$

The commissioner of economic development may enter into project agreements with organizations or corporations for the purpose of developing the tourism potential of the state. If in the judgment of the commissioner a project will make a meaningful contribution to the tourism development of the state, he may enter into local or regional agreements. No agreement shall be for more than 50 percent of the total annual project cost.

No funds may be expended for the computerization of the processing of informational requests without the concurrence of the commissioner of Administration and an agreement that any arrangement is compatible with a total state information services plan.

Administration Services

\$617,500

\$620,700

The commissioner of economic development with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 40. MILITARY AFFAIRS

General Operations and
Management

3,646,700

3,646,700

Approved Complement—184

General—137

Federal—47

Plus additional personnel as may be financed entirely from federal money

	1980	1981
	\$	\$

for the period federal money is available.

The amounts that may be expended from this appropriation for each program are as follows:

Maintenance of Military Training Facilities

\$2,715,500	\$2,715,500
-------------	-------------

General Support

\$931,200	\$931,200
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\$150,000 each year is for expenses of military forces ordered to active duty pursuant to chapter 192. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

The adjutant general with the approval of the commissioner of finance may transfer unencumbered balances between the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Notwithstanding any other provision of this act or any other law, the portion of appropriations made in this section that relate to facility maintenance and repairs shall be available for allotment, encumbrance and expenditure upon passage of this act, for the purpose of financing federal reimbursement contracts.

Sec. 41. VETERANS AFFAIRS

General Operations and Management	3,077,300	2,938,300
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Approved Complement—281

1980

1981

\$

\$

The amounts that may be expended from this appropriation for each program are as follows:

Veterans Benefits

\$1,126,900 \$1,126,900

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Of this appropriation, \$40,000 each year is for war veterans and war orphans education aid, to be expended pursuant to Minnesota Statutes, Section 197.75.

Veterans Services

\$809,100 \$809,100

Veterans Home—Minneapolis

\$529,100 \$529,100

Of the amounts appropriated for the veterans home, including any additional federal money and dedicated receipts that are available for maintenance and repair, not to exceed \$1,914,500 is for salaries for the year ending June 30, 1980, and \$1,914,500 is for salaries for the year ending June 30, 1981, but may be augmented by money appropriated for salary increases by the 1979 legislature.

Federal aid, compensation, or reimbursement from the federal government or otherwise received by the Minnesota veterans home, and all receipts from maintenance charges are reappropriated to be used for the purpose of supplementing this appropriation; however, any income in excess of \$2,706,000 for fiscal year 1980, and \$3,360,900 for fiscal year 1981 shall reduce the general fund appropriation by a like amount.

	1980	1981
\$		\$

No portion of the money appropriated for salaries shall be used to pay merit increases to employees in the unclassified service.

Veterans Home—Hastings

\$596,100	\$596,100
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Big Island Veterans Camp

\$16,100	\$16,100
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The commissioner of veterans affairs with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 42. PUBLIC SAFETY

Subdivision 1. General Operations and Management	50,388,000	50,452,800
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	1980	1981
Approved Complement—1715		1711
General—	416	414
Trunk Highway—	1003	1003
Highway User—	213	213
Federal—	83	81

The above approved complement includes 504 for all unclassified patrol officers and supervisors of the highway patrol. This complement shall not be exceeded during the biennium, except that 20 additional unclassified patrol officers for this biennium only may be employed and paid with federal money. Nothing in this provision is intended

1980

1981

\$

\$

to limit the authority of the commissioner of public safety to transfer personnel, with the approval of the commissioner of finance, among the various units and divisions within this section provided that the above complement shall be reduced accordingly.

No new highway patrol supervisory positions shall be established, with the exception of special duty assigned ranks for the length of assignment only.

Of this appropriation, \$12,831,200 for the first year and \$12,823,200 for the second year are from the general fund.

Of this appropriation, \$32,500 each year is from the state airports fund for the civil air patrol; \$30,256,500 for the first year and \$30,329,500 for the second year are from the trunk highway fund for traffic safety programs. The commissioner of finance shall transfer on a quarterly basis the appropriation made from the trunk highway fund in this section. \$7,217,800 for the first year and \$7,267,600 for the second year are from the highway user tax distribution fund for the administration of motor vehicle laws.

The amounts that may be expended from this appropriation for each program are as follows:

Administration and Related Services

\$1,620,300 \$1,640,400

Emergency Services

\$403,900 \$403,900

Criminal Apprehension

\$6,951,200 \$6,914,600

1980

1981

\$

\$

Of this appropriation, \$306,000 is for the cooperative investigation of cross jurisdictional criminal activity. Any unencumbered balance remaining in the first year shall not cancel but is available for the second year of the biennium.

\$50,000 each year is for the bureau of criminal apprehension to continue to provide in-service training for peace officers on a regional basis.

\$38,000 each year is for reimbursing political subdivisions for training peace officers and firefighters in the conduct of arson investigations.

\$26,500 each year is for the expenses of the Private Detective and Protective Agency Licensing Board.

Fire Safety

\$885,600 \$886,600

State Patrol

\$20,554,200 \$20,758,700

This appropriation provides sufficient money to operate the mobile truck weighing program on a 12 month basis.

Capitol Security

\$910,800 \$920,200

Driver and Vehicle Licensing

\$17,882,800 \$17,799,200

The primary computer development effort of the department shall be to functionally integrate the motor vehicle, driver license, and traffic records information systems of the department. Projects currently planned or underway

	1980	1981
	\$	\$

that would redesign these record systems shall be terminated. To the extent they are consistent with a functionally integrated information system, the objectives of any terminated project shall be incorporated in the objectives of the record integration project.

Liquor Licensing

\$447,200	\$447,200
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Ancillary Services

\$174,800	\$174,800
-----------	-----------

Of this appropriation \$32,500 each year is from the state airports fund for the civil air patrol.

Crime Victims Reparations Board

\$507,200	\$507,200
-----------	-----------

For 1979—\$125,000

The commissioner of public safety with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Subd. 2. Reimbursement. The sums of \$216,300 for the first year and \$222,400 for the second year are appropriated from the general fund for transfer by the commissioner of finance to the trunk highway fund on January 1, 1980 and January 1, 1981 respectively, in order to reimburse the trunk highway fund for expenses not related to the fund. These represent amounts appropriated out of the trunk highway fund for general fund purposes in the administration and related services program.

	1980	1981
\$	\$	

The sums of \$293,600 for the first year and \$293,600 for the second year are appropriated from the highway user fund for transfer by the commissioner of finance to the trunk highway fund on January 1, 1980 and January 1, 1981 respectively, in order to reimburse the trunk highway fund for expenses not related to the fund. These represent amounts appropriated out of the trunk highway user purposes in the administration and related services program.

**Sec. 43. CRIME CONTROL
PLANNING BOARD**

6,435,600	5,360,700
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1980	1981
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Approved Complement—57	33
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General—24	
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Federal—33	33
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The amounts that may be expended from this appropriation for each program are as follows:

Planning, Research and Evaluation

\$800,500	\$446,400
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Administration

\$626,700	\$422,600
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Law Enforcement Assistance

\$5,008,300	\$4,491,700
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Of the federal moneys received by the Crime Control and Planning Board for law enforcement and criminal justice purposes in fiscal year 1980 and 1981, \$446,400 each year is for criminal justice planning, research and evaluation; \$425,700 in fiscal year 1980 and \$422,600 in fiscal year 1981 is for ad-

	1980	1981
	\$	\$

ministration; and \$4,151,700 each year is for law enforcement assistance. If additional federal money is received by the board in fiscal year 1980 for state project grants, that amount and all federal money received by any state department or agency for law enforcement and criminal justice purposes is appropriated to the criminal justice contingent account. If additional federal money is received by the board for local project grants, that amount is appropriated to the board.

The appropriation to law enforcement assistance includes the following sums to assist in the provision of criminal and juvenile defense to indigent individuals:

St. Paul-Neighborhood Justice Center, Inc.

For cases arising in Ramsey county.

\$55,000	\$55,000
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Minneapolis-Legal Rights Center, Inc.

For cases arising in Hennepin county.

\$95,000	\$95,000
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Duluth-Duluth Indian Legal Assistance Program For cases arising in St. Louis and Mille Lacs counties.

\$85,000	\$85,000
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Cass Lake-Leech Lake Reservation Criminal and Juvenile Defense Corp.

For cases arising in Cass, Itasca, Hubbard, and Beltrami counties.

\$52,500	\$52,500
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	1980	1981
	\$	\$

White Earth-White Earth Reservation Criminal and Juvenile Defense Corp.

For cases arising in Mahnomen, Becker, and Clearwater counties.

\$52,500	\$52,500
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During the biennium ending June 30, 1981, all of the duties and responsibilities of the commissioner of administration set forth in Minnesota Statutes 1978, Section 16.97, shall be exercised by the executive director of the crime control planning board.

These sums shall be administered in compliance with guidelines established for all grants administered by the crime control planning board.

Sec. 44. INDIAN AFFAIRS INTERTRIBAL BOARD	171,500	171,500
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Approved Complement—7

Sec. 45. COUNCIL FOR THE HANDICAPPED	223,100	225,100
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Approved Complement—7

Sec. 46. HUMAN RIGHTS

General Operations and Management	913,700	913,700
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Approved Complement—50

General—38

Federal—12

The amounts that may be expended from this appropriation for each program are as follows:

Human Rights Enforcement

	1980	1981
	\$	\$
\$549,400	\$549,400	

Management, Planning and
Information Service

\$364,300	\$364,300
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The commissioner of human rights with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 47. COUNCIL ON AFFAIRS OF SPANISH SPEAKING PEOPLE	78,600	78,600
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Approved Complement—3

Sec. 48. MINNESOTA MUNICIPAL BOARD	147,100	147,100
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Approved Complement—4

Sec. 49. HOUSING FINANCE
AGENCY

Approved Complement—99

The spending limit on cost of general administration of agency programs shall not exceed \$2,235,100 in fiscal year 1980 and \$2,235,100 for fiscal year 1981.

Sec. 50. TORT CLAIMS	750,000	750,000
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To be disbursed by the commissioner of finance.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

	1980	1981
	\$	\$
Sec. 51. DEBT SERVICE	78,947,400	85,084,500

To be disbursed by the commissioner of finance.

Sale expenses and principal and interest on the bonds and certificates of indebtedness for which an appropriation is made in this section shall be paid from these appropriations rather than from a statutory open appropriation for the same purpose. If any of these appropriations is insufficient to make all payments due during the period for which it is made, the commissioner of finance shall certify the amount of the deficiency to the committee on finance of the senate and the committee on appropriations of the house of representatives and shall then make payment pursuant to the statutory open appropriation.

Sec. 52. WORKERS' COMPENSATION

For 1979—\$380,600

To be transferred by the commissioner of finance to the department of labor and industry, state compensation revolving fund in payment of obligations incurred by the following agencies in the amounts as indicated:

Natural Resources	380,600
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Of the amount appropriated, \$77,500 is from the game and fish fund.

The appropriations in this act for the operation of each state department or agency, except the department of natural resources, in fiscal 1980 and 1981 include amounts needed to pay workers' compensation obligations to the state compensation revolving fund. It is the intent of the legislature not to appropriate additional money at any

	1980	1981
	\$	\$

future time to pay workers' compensation obligations for fiscal 1980 and 1981, except for the department of natural resources or as may be required by an increase in the statutory level of workers' compensation benefits.

Sec. 53. UNEMPLOYMENT COMPENSATION

For 1979—\$1,641,600

To the commissioner of finance for transfer to the unemployment compensation fund in reimbursement for unemployment compensation benefits paid to former employees of the following agencies in the amounts as indicated:

Natural Resources	1,641,300
Bicentennial Commission	300

Of the amount appropriated, \$297,500 is from the game and fish fund.

The appropriations in this act for the operation of each state department or agency, except the department of natural resources, in fiscal 1980 and 1981 include amounts needed to pay unemployment compensation obligations to the unemployment compensation fund. It is the intent of the legislature not to appropriate additional money at any future time to pay unemployment compensation obligations for fiscal 1980 and 1981, except for the department of natural resources or as may be required by an increase in the statutory level of unemployment compensation benefits.

Sec. 54. [TRANSFERS.] Subdivision 1. The commissioner of finance shall make the transfers provided for in this section.

Subd. 2. The commissioner shall transfer the sum of \$93,872.49 from

	1980	1981
\$		\$

the general fund to the highway user tax distribution fund to correct an overestimate in the cost of collecting the tax on gasoline and gasoline substitutes during the 1975-77 biennium.

Subd. 3. The commissioner shall transfer the sum of \$1,656,211.51 from the highway user tax distribution fund to the general fund to reimburse the general fund for the cost of collecting the tax on gasoline and gasoline substitutes and the cost of bond premiums during the 1977-79 biennium.

Sec. 55. [DETAILS.] *The staffs of the senate finance committee and the house appropriations committee shall, at the request of agencies receiving appropriations in this act and the commissioner of finance, provide wherever available detailed information on the activities and objects of expenditures that go into the appropriation totals.*

Sec. 56. [OPEN APPROPRIATION FOR COST OF LIVING ADJUSTMENTS.] *The cost of living increases covered by this section are those paid to classified employees pursuant to sections 43.12, subdivision 10 and 43.127, those paid to unclassified employees who are paid salaries comparable to employees in the classified service, and those paid to unclassified employees in the executive, legislative, and judicial branches of state government, and to employees of the Minnesota historical society and nonacademic employees of the university of Minnesota who are paid from state appropriations, if the increases are authorized by law during the 1979 session of the legislature or by appropriate resolutions for employees of the legislature. The amounts necessary to pay cost of living increases covered by this section are appropriated from the various funds in the state treasury from which their salaries are paid to the commissioner of finance for the fiscal years ending June 30, 1980, and June 30, 1981. It is estimated that the amounts necessary will not exceed \$..... for the biennium, allocated as follows:*

\$..... from the general fund,

\$..... from the trunk highway fund,

\$..... from the state airports fund,

\$..... from the highway user tax distribution fund,

\$ from the game and fish fund, and

\$ from other funds.

Subd. 2. [OPEN APPROPRIATION FOR BASIC LIFE INSURANCE AND HEALTH BENEFIT PREMIUM INCREASES.] *The amounts necessary to pay increased premium rates for basic life insurance and basic health benefit coverage authorized for eligible state employees and their dependents, in the event that these rates are increased over the rates in existence at the time of the passage of this act, are appropriated from the various funds in the state treasury from which these premiums are paid to the commissioner of finance for the fiscal years ending June 30, 1980 and June 30, 1981. It is estimated that the amounts necessary will not exceed \$, for the biennium, allocated as follows:*

\$ from the general fund,

\$ from the trunk highway fund,

\$ from the state airport fund,

\$ from the highway user tax distribution fund,

\$ from the game and fish fund, and

\$ from other funds.

Subd. 3. [TRANSFERS; NOTICE.] *The commissioner shall transfer the necessary amounts to the proper accounts and shall promptly notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the amount transferred to each appropriation account.*

Subd. 4. [CERTIFICATION.] *Money certified as needed by the university of Minnesota and transferred to it under this section shall be used only for the purpose certified. Any amount transferred that exceeds the actual amount of cost of living increases or insurance premium increases paid to or for university employees until June 30, 1981 shall be returned to the general fund.*

Sec. 57. [HIBBING TANKER BASE FUNDING.] *Notwithstanding the provisions of Laws 1978, Chapter 791, Section 3, the unencumbered balance of the appropriation for project (k) of that section, the Hibbing tanker base, is cancelled.*

Sec. 58. [REVOLVING FUNDS; WORKING CAPITAL; CANCELLATIONS AND REAPPROPRIATIONS.] *Subdivision 1. (a) Notwithstanding any other law to the contrary,*

the paid in capital for the accounts and funds listed shall be in the following authorized amounts:

Fund 90 Services Fund	\$212,000
<i>State Register</i>	<i>\$188,000</i>
MCAR	24,000
Fund 91 Central Motor Pool	300,000
<i>Central Motor Pool</i>	<i>252,000</i>
<i>Commuter Vans</i>	<i>2,000</i>
<i>Delivery Services</i>	<i>46,000</i>
Fund 97 Computer Services	2,267,000
<i>Computer Services</i>	<i>2,156,000</i>
<i>Micrographics</i>	<i>111,000</i>
Fund 98 General Services	2,726,000
<i>Central Maintenance</i>	<i>37,000</i>
<i>Central Stores</i>	<i>691,000</i>
<i>Central Mail</i>	<i>627,000</i>
<i>Documents</i>	<i>307,000</i>
<i>Office Equipment</i>	<i>134,000</i>
<i>Printing</i>	<i>573,000</i>
<i>Telecommunications</i>	<i>342,000</i>
<i>Space Management</i>	<i>15,000</i>

(b) The June 30, 1979, non-cash asset inventory including furniture and equipment but excluding equipment being acquired through a lease-purchase agreement or equipment of the Central Motor Pool or Commuter Van Accounts is estimated to be:

Fund 90 Services Fund	\$ 22,000
<i>State Register</i>	<i>\$ 19,000</i>

MCAR	3,000	
Fund 91 Central Motor Pool		56,000
Central Motor Pool	30,000	
Delivery Services	26,000	
Fund 97 Computer Services		499,000
Computer Services	450,000	
Micrographics	49,000	
Fund 98 General Services		1,287,000
Central Stores	530,000	
Central Mail	19,000	
Documents	252,000	
Office Equipment	91,000	
Printing	375,000	
Telecommunications	20,000	

(c) There is appropriated, as of July 1, 1979, from the general fund to the accounts and funds listed herein the amounts necessary to establish the paid in capital set forth in paragraph (a) less the amount of the non-cash inventory listed in paragraph (b). It is estimated the amount required from the general fund will be \$3,641,000. The amount necessary for each of the funds and accounts is estimated to be:

Fund 90 Service Fund		\$190,000
State Register	\$169,000	
MCAR	21,000	
Fund 91 Central Motor Pool		244,000
Central Motor Pool	222,000	
Commuter Vans	2,000	
Delivery Services	20,000	

<i>Fund 97 Computer Services</i>	1,768,000
<i>Computer Services</i>	1,706,000
<i>Micrographics</i>	62,000
<i>Fund 98 General Services</i>	1,439,000
<i>Central Maintenance</i>	37,000
<i>Central Stores</i>	161,000
<i>Central Mail</i>	608,000
<i>Documents</i>	55,000
<i>Office Equipment</i>	43,000
<i>Printing</i>	198,000
<i>Telecommunications</i>	322,000
<i>Space Management</i>	15,000

Subd. 2. The commissioner of finance shall cancel all retained earnings balances in the funds and accounts listed in subdivision 1, as represented by cash, as of the closing of the books for fiscal year 1979. The cancellations shall not be less than the amounts appropriated in subdivision 1 (c).

Subd. 3. There is appropriated from the general fund to the micrographics account in the computer services revolving fund the sum of \$206,900. This appropriation is immediately available.

This appropriation is for the purpose of repaying to the computer services account the amounts advanced and the book value of assets being used for the micrographics account. This appropriation shall immediately be used for this purpose. Upon receiving this repayment, the computer services account shall forthwith cancel the amount of \$206,875 to the general fund.

Sec. 59. An amount as is necessary to meet the commissioner's rebate obligations under Minnesota Statutes, Section 16.866, subdivision 1 is appropriated to the commissioner from the unappropriated balance of the general fund.

Sec. 60. Minnesota Statutes 1978, Chapter 3, is amended by adding a section to read:

[3.99] [LEGISLATIVE COMMISSION ON SCIENCE AND TECHNOLOGY.] *A legislative commission on science and*

technology is hereby established to provide scientific and technical information to the legislature. The commission shall consist of five senators appointed by the committee on committees of the senate and five representatives appointed by the speaker of the house of representatives. The commission shall elect a chairperson, and other officers as it may find necessary, and shall meet at the call of its chair or upon a call of a majority of its members. The members shall serve without compensation but shall be reimbursed for their reasonable expenses as members of the legislature.

The commission may employ staff, fix staff compensation, incur and pay expenses, and contract for research as the commission deems necessary to accomplish its purposes. The commission may establish and pay expenses of a resource council consisting of persons with scientific and technical experience.

Sec. 61. Minnesota Statutes 1978, Section 4.12, is amended by adding a subdivision to read:

Subd. 8. The state planning officer may charge a fee to each user of the Minnesota land management information system.

Sec. 62. Minnesota Statutes 1978, Section 4.26, Subdivision 1, is amended to read:

4.26 [LOCAL LAND USE PLANNING; GRANTS.]
Subdivision 1. In order to improve the land use decision-making capability of local government, the state planning agency shall make grants to the metropolitan council pursuant to section 4.30, and to towns, counties (AND), municipalities, and Indian reservations. The state planning agency shall give priority when granting funds to those areas that show a special need according to the provisions of clauses (a) and (b). The grants may be used to employ staff or contract with other units of government or qualified consultants for the following purposes:

(a) To prepare and implement plans which are required for certain areas by law or by designation as a critical area under chapter 116G.

(b) To prepare and implement plans which the unit of government is authorized by law to undertake for the management of problems resulting from (1) rapid population or economic growth or decline; (2) potential development in environmentally sensitive areas including but not limited to flood plains, wild and scenic rivers, and shorelands; and (3) the addition or elimination of a major state or federal facility;

(c) To assist neighborhood organizations in cities of the first class to do land use and related planning by making grants to the municipality;

(d) To analyze and prepare plans to preserve and protect agricultural land as defined in Minnesota Statutes 1974, Section 500.24.

Sec. 63. Minnesota Statutes 1978, Section 5.08, Subdivision 2, is amended to read:

Subd. 2. [DISTRIBUTION.] 15,000 copies of the legislative manual shall be printed and distributed as follows:

(1) (50) 25 copies shall be available to each member of the legislature on request;

(2) 50 copies to the state historical society;

(3) 25 copies to the state university;

(4) 60 copies to the state library;

(5) Two copies each to the library of Congress, the Minnesota veterans home, the state universities, the state high schools, the public academies, seminaries, and colleges of the state, and the free public libraries of the state;

(6) One copy each to the state institutions not hereinbefore mentioned, the elective state officials, the appointed heads of departments, the officers and employees of the legislature, the justices of the supreme court, the judges of the district court, the senators and representatives in Congress from this state, and the county auditors;

(7) One copy to each public school, to be distributed through the superintendent of each school district; and

(8) The remainder may be disposed of as the secretary of state deems best.

Sec. 64. Minnesota Statutes 1978, Section 15.015, Subdivision 1, is amended to read:

15.015 [TRANSFER OF FUNCTIONS UNDER GOVERNMENT REORGANIZATION ACT OF 1969, EFFECT.] Subdivision 1. Any department or other administrative agency to which the functions, powers, and duties of a previously existing department or other agency are by Laws 1969, Chapter 1129 assigned and transferred shall be deemed and held to constitute a continuation of the former department or agency as to matters within the jurisdiction of the former department or agency, and not a new authority for the purpose of succession to all rights, powers, duties and obligations of the former department or agency as constituted at the time of such assignment or transfer ex-

cept as otherwise provided by Laws 1969, Chapter 1129, with the same force and effect as if such functions, powers and duties had not been assigned or transferred. (PROVIDED, HOWEVER, ALL PORTIONS OF THE DEPARTMENT OF PUBLIC SAFETY'S BUDGET WHICH INCORPORATES EXPENDITURES FROM THE HIGHWAY USER TAX DISTRIBUTION FUND SHALL BE SUBJECT TO THE APPROVAL OF THE COMMISSIONER OF TRANSPORTATION PRIOR TO THE SUBMISSION OF SUCH BUDGET TO THE COMMISSIONER OF ADMINISTRATION.)

Sec. 65. Minnesota Statutes 1978, Section 15.191, Subdivision 1, is amended to read:

15.191 [IMPREST CASH FUNDS.] Subdivision 1. [EMERGENCY DISBURSEMENTS.] Imprest cash funds for the purpose of making minor disbursements, (AND) providing for change, and providing employees with a portion or all of their payroll warrant where the warrant has not been received through the payroll system, may be established by state departments or agencies from existing appropriations in the manner prescribed by this section.

Sec. 66. Minnesota Statutes 1978, Section 16.02, is amended by adding a subdivision to read:

Subd. 27. To provide micrographics services and products to meet the needs of state agencies. Within available resources, the commissioner may also provide micrographic services to political subdivisions. All state agency plans and programs for micrographics shall be submitted to and receive the approval of the commissioner prior to implementation. Upon the commissioner's approval, subsidiary or independent microfilm operations may be implemented in other state agencies. The commissioner may direct that copies of official state documents be distributed to official state depositories on microfilm.

Sec. 67. Minnesota Statutes 1978, Section 16.822, Subdivision 3, is amended to read:

Subd. 3. "Architect" means an architect or landscape architect registered to practice under sections 326.02 to 326.16.

Sec. 68. Minnesota Statutes 1978, Section 16.825, Subdivision 1, is amended to read:

16.825 [REQUEST FOR DESIGNER.] Subdivision 1. Upon undertaking a project with an estimated cost greater than (\$250,000) \$400,000, or a planning project with estimated fees greater than (\$20,000) \$35,000 every user agency, except the capitol area architectural and planning board, shall submit a written request for a primary designer or designers for its proj-

ect to the commissioner of administration who shall forward (SUCH) *the* request to the board.

If a project for which a designer has been selected by the board becomes inactive, lapses or changes as a result of project phasing, insufficient appropriations or other reason, the commissioner of administration of the University of Minnesota may, if the project is reactivated, retain the same designer to complete the project.

If a project initially estimated to be below the cost and planning fee limits of this subdivision has its cost or planning fees revised so that the foregoing limits are exceeded, the project shall be referred to the board for designer selection even if a primary designer had been previously selected. In this event, the board may, without conducting interviews, elect to retain the previously selected designer if it determines that the interests of the state are best served thereby and shall notify the commissioner of administration of its determination.

Sec. 69. Minnesota Statutes 1978, Section 16.826, Subdivision 4, is amended to read:

Subd. 4. In the event the board receives a request for a primary designer on a project, the estimated cost of which is less than (\$250,000) *the limit established by section 16.825, subdivision 1*, or a planning project with estimated fees of less than (\$20,000) *the limit established by section 16.825, subdivision 1*, the board may submit (SUCH) *the* request to the commissioner of administration, with or without recommendations, and the commissioner shall thereupon select the primary designer for the project.

Sec. 70. Minnesota Statutes 1978, Section 16.97, is amended to read:

16.97 [CRIMINAL AND JUVENILE DEFENSE GRANTS.] Subdivision 1. Money appropriated for the provision of criminal and juvenile defense to indigent individuals shall be distributed by the commissioner of administration in consultation with the attorney general to the non-profit criminal and juvenile defense corporations designated by law. Money may not be disbursed to a corporation in the Leech Lake reservation area or the White Earth reservation area without prior approval by the respective reservation business committee. Within its geographic area of responsibility each corporation shall accept cases involving felony, gross misdemeanor, and misdemeanor charges, and juvenile cases, where financial eligibility standards are met, unless there is a legal reason for rejecting a case. A corporation may accept cases arising outside of its geographic area of responsibility, as it deems appropriate. *Each corporation, in order to insure broad support, shall provide matching money re-*

ceived from nonstate sources, which may include money from federal agencies, local governments, private agencies, and community groups, equal to ten percent of its state appropriation. The commissioner of administration shall give notice 30 days in advance and conduct a hearing if he has reasonable grounds to believe money appropriated for this purpose is being improperly used, or if, in consultation with the attorney general, he has reasonable cause to believe criminal and juvenile defense of proper quality is not being supplied. Payment shall cease from the date of notice until either the commissioner determines that the money appropriated will be properly handled, or the commissioner, in consultation with the attorney general, determines that criminal and juvenile defense of proper quality will be provided. A participating corporation may give notice at any time of its withdrawal from this program of financial assistance.

Subd. 2. An employee, administrator, or officer of a recipient of the money provided by this section who discriminates on the basis of sex, race, color, national origin, religion, or creed is guilty of a gross misdemeanor.

Sec. 71. [16.98] [COMPUTER SYSTEM DEVELOPMENT.] *A state agency, not including the University of Minnesota, shall not undertake development of any new electronic data processing system or an enhancement of an existing system unless the project is evaluated according to the PRIDE system. Development shall not proceed beyond PRIDE phase 1 for a new system or phase 8a for an enhancement until the project has been reviewed and approved by the commissioners of administration and finance. If a project is rejected, the commissioner of finance shall cancel the unencumbered balance of the appropriation allotted for development of the project. If a project is approved by the commissioners of administration and finance, they shall submit to the legislature a concise narrative explanation of the project and a request for any appropriation necessary to complete development or enhancement of the system. No agency shall enter into non negotiable contracts for computer services until after the completion of a PRIDE phase 2.*

Sec. 72. Minnesota Statutes 1978, Section 16A.126, is amended to read:

16A.126 [COMMISSIONER TO APPROVE BILLING RATES FOR REVOLVING FUNDS.] The commissioner of finance shall approve the rates at which services are billed state departments or agencies by any revolving fund. In order to reduce revolving fund reserves maintained for unforeseen needs and thereby reduce the rates which using agencies must pay, the commissioner may transfer moneys not otherwise appropriated in the general fund to a revolving fund if, in the commissioner's judgment, a bona fide, immediate expenditure is necessary and if there are insufficient moneys in the revolving fund to meet

the expenditure. Any moneys so transferred (,) shall be repaid to the general fund *on a schedule established by the commissioner of finance but within (TWO CALENDAR) a period not to exceed five years. (FROM THE REVOLVING FUND CHARGES PAID BY BENEFITED STATE DEPARTMENTS AND AGENCIES.*

Sec. 73. Minnesota Statutes 1978, Section 21.115, is amended to read:

21.115 [FEES; SEED POTATO INSPECTION FUND.] The commissioner shall fix the fees for all inspections and certifications in such amounts as from time to time may be found necessary to pay the expenses of carrying out and enforcing the purposes of sections 21.111 to 21.122, with a reasonable reserve, and shall require the same to be paid before such inspections or certifications are made. All moneys collected as fees or as penalties for violations of any of the provisions of such sections shall be paid into the state treasury and therein credited to the (SEED POTATO INSPECTION) *general* fund (OF THE COMMISSIONER, WHICH FUND IS HEREBY CREATED AND APPROPRIATED FOR CARRYING OUT THE PURPOSES OF SUCH SECTIONS. INTEREST, IF ANY, RECEIVED ON DEPOSITS OF THESE MONEYS SHALL BE CREDITED TO SUCH FUND, AND THERE SHALL BE PAID INTO THIS FUND ANY SUM PROVIDED BY THE LEGISLATURE FOR THE PURPOSE OF CARRYING OUT THE PROVISIONS OF SUCH SECTIONS).

Sec. 74. Minnesota Statutes 1978, Section 21.116, is amended to read:

21.116 [EXPENSES.] All necessary expenses incurred in carrying out the provisions of sections 21.111 to 21.122 and the compensation of officers, inspectors, and employees appointed, designated, or employed by the commissioner, as provided in such sections, together with their necessary traveling expenses, together with the traveling expenses of the members of the advisory seed potato certification committee, and other expenses necessary in attending committee meetings, shall be paid from (, AND ONLY FROM, THE SEED POTATO INSPECTION FUND, ON ORDER OF THE COMMISSIONER AND COMMISSIONER OF FINANCE'S VOUCHER WARRANT) *appropriations made to the commissioner for this purpose.*

Sec. 75. Minnesota Statutes 1978, Section 21.55, is amended to read:

21.55 [SEED ACT ACCOUNT.] All fees collected in the seed laboratory under section 21.51, subdivision 7, from the sale of seed sale tags and stamps or from permits issued under section 21.53, and from hybrid seed corn registrations and renewals

under section 21.54, subdivision 2, and any other fees and income received in the administration of sections 21.47 to 21.58 shall be deposited in the state treasury (AS OTHER DEPARTMENTAL RECEIPTS ARE DEPOSITED, BUT SHALL CONSTITUTE A SEPARATE ACCOUNT KNOWN AS THE SEED ACT ACCOUNT WHICH IS HEREBY CREATED AND SET ASIDE AND APPROPRIATED FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF ADMINISTERING AND ENFORCING SUCH SECTIONS) *and credited to the general fund.*

Sec. 76. Minnesota Statutes 1978, Section 43.067, Subdivision 1, is amended to read:

43.067 [SALARY LIMITS.] Subdivision 1. [AGENCY HEADS AND DEPUTIES.] The base salary of the head of any state department or other agency in the executive branch shall serve as the upper limit of compensation in the agency. The base salary of the chancellor of the state university system is the upper limit of compensation of state university presidents. *The base salary of the commissioner of labor and industry is the upper limit of compensation of employees in the bureau of mediation services.* Within the agency, no person other than the agency head shall be paid more than the base salary that is or would be paid a deputy agency head pursuant to section 15A.081 whether or not there is a deputy agency head position for that agency.

Sec. 77. Minnesota Statutes 1978, Section 85A.03, Subdivision 4, is amended to read:

Subd. 4. As directed by the board, the director may:

(a) Establish a schedule of charges for admission to or the use of the Minnesota zoological garden or any related facility.

(b) Provide for the purchase, reproduction, and sale of gifts, souvenirs, publications, informational materials, food and beverages, and grant concessions for the sale of such items. Revenues received from the sale of gifts, souvenirs, publications, informational materials, food and beverages shall be deposited to the credit of the (MINNESOTA ZOOLOGICAL GARDEN) general (ACCOUNT) *fund.* The purchase of materials and commodities for resale and the granting of any concessions relative to food, beverages, and transit shall not be subject to the competitive bidding procedures of sections 16.06, 16.07, and 16.28 but shall remain subject to all other provisions of chapter 16. In other areas of concessions the commissioner of administration may determine that it is not feasible and not in the public interest to award a contract for the operation of such concession to the highest responsible bidder.

Sec. 78. Minnesota Statutes 1978, Section 85A.03, Subdivision 5, is amended to read:

Subd. 5. In order to encourage and permit the use of and access to the Minnesota zoological garden, the board shall establish an admissions policy providing for free admission to the Minnesota zoological garden for all visitors on certain days (DISTRIBUTED THROUGHOUT EACH YEAR).

Sec. 79. Minnesota Statutes 1978, Section 85A.04, Subdivision 1, is amended to read:

85A.04 [ZOOLOGICAL GARDEN ACCOUNTS OPERATING RECEIPTS.] Subdivision 1. (A MINNESOTA ZOOLOGICAL GARDEN GENERAL ACCOUNT IS CREATED IN THE GENERAL FUND.) All receipts from the operation of the Minnesota zoological garden shall be deposited to the credit of (SUCH ACCOUNT) *the general fund*. (MONEY IN THIS ACCOUNT MAY BE EXPENDED AS APPROPRIATED BIENNIALY FOR OPERATION, CAPITAL IMPROVEMENTS, AND EQUIPMENT OF THE MINNESOTA ZOOLOGICAL GARDEN, INCLUDING LEASE RENTALS AND FOR ACQUISITION OF WILD AND DOMESTIC ANIMALS THEREFOR AND FOR PAYMENT OF THE PRINCIPAL OF AN INTEREST ON MINNESOTA STATE ZOOLOGICAL GARDEN BONDS.)

Sec. 80. Minnesota Statutes 1978, Section 85A.04, Subdivision 2, is amended to read:

Subd. 2. [MINNESOTA ZOOLOGICAL GARDEN BUILDING ACCOUNT.] A Minnesota zoological garden building account is (ALSO) created in the (GENERAL) *state building fund*, for the purpose of providing money to the state zoological board for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the Minnesota zoological garden; including but not limited to interest to accrue during the period of the construction thereof on money borrowed by the state for such construction. On November 1 in each year prior to the completion of the Minnesota zoological garden and related facilities the balance, if any, on hand in this account in excess of the amount determined by the board to be needed for the payment of claims then due and payable, encumbrances, and projected expenditures for necessary expenses of such completion shall be transferred to the state zoological garden bond account in the state bond fund, to the amount required for compliance with section 85A.05, subdivision 4. Proceeds of state bonds and income from investment of that money credited to this fund are appropriated for land acquisition, animal acquisition, construction, and other permanent improvement and shall be available until the purposes for which the appropriation was made have been accomplished or abandoned, and none of such money shall be canceled. Income from investment of such money shall be credited to this account in each fiscal year. When the purpose of any such appropriation has been accomplished or abandoned, the state zoological board shall so certify to the

commissioner of finance. Thereupon the unexpended balance of such appropriation, unless transferred under authority of the appropriation act to another purpose therein designated, shall be transferred and credited to the state bond fund. Amounts so transferred and credited are appropriated for the purpose of reducing the amount of tax otherwise required to be levied for the state bond fund by Article 11, Section 7, of the Constitution, or for reimbursing the bond fund for amounts previously transferred to the state zoological garden bond account so as to eliminate any prior deficiency covered by the state bond fund, the general fund in the state treasury, or through a tax levy.

Sec. 81. Minnesota Statutes 1978, Section 85A.05, Subdivision 3, is amended to read:

Subd. 3. [EXPENSES.] All expenses incidental to the sale, execution, delivery and other expenses of bonds pursuant to this section, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the Minnesota zoological garden building account (IN THE GENERAL FUND), and the amounts necessary therefor are appropriated from that account; provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be limited to the amount so appropriated.

Sec. 82. Minnesota Statutes 1978, Section 85A.05, Subdivision 4, is amended to read:

Subd. 4. [MINNESOTA STATE ZOOLOGICAL GARDEN BOND ACCOUNT IN THE STATE BOND FUND.] The commissioner of finance shall maintain in the state bond fund a separate bookkeeping account which shall be designated as the state zoological garden bond account, to record receipts and disbursements of money transferred to the fund to pay Minnesota zoological garden bonds and income from the investment of such money, which income shall be credited to the account in each fiscal year. The amounts directed by section 85A.04, (SUBDIVISIONS 1B AND) *subdivision 2* to be transferred annually to this bond account are appropriated thereto, and the legislature may also appropriate to the bond account any other money in the state treasury not otherwise appropriated. On November 1 of each year there shall be transferred to the bond account all of the money then available under any such appropriation or such lesser sum as will be sufficient, with all money previously transferred to the account and all income from the investment of such money, to pay all principal and interest then and theretofore due and all principal and interest to become due to and including July 1 in the second ensuing year on Minnesota zoological garden bonds. All money so transferred and all income from the investment thereof shall be available for the payment of such bonds and interest thereon, and so much thereof as may be necessary

is appropriated for such payments. The state auditor and treasurer are directed to make the appropriate entries in the accounts of the respective funds.

Sec. 83. Minnesota Statutes 1978, Section 85A.05, Subdivision 6, is amended to read:

Subd. 6. [BOND AUTHORIZATION AND APPROPRIATIONS.] For the purpose of providing money for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the Minnesota zoological garden in accordance with the comprehensive plan of the state zoological board adopted in accordance with section 85A.02, subdivision 2, the commissioner of finance is directed to sell and issue Minnesota zoological garden bonds in the amount of \$23,025,000 in the manner and upon the conditions provided in subdivisions 1 to 5. The commissioner of finance may sell or issue an additional \$2,350,000 of bonds, but no part thereof shall be expended unless equally matched by other than state appropriations. Any gifts, grants, or contributions accepted pursuant to section 85A.02, subdivision 5, other than contribution of lands by governmental entities, for the establishment or operation of the Minnesota zoological garden, whether in cash or in kind, shall be considered as matching funds. Non-cash items shall be tangible real or personal property and shall be attributed as matching funds according to their fair market value at the time of receipt. The bonds may include a sum representing interest to accrue on the bonds from and after its date of issue through the anticipated period of construction and development of the zoological garden, which sum is needed for the payment and security of the interest payments during that period, but in no event shall the bonds exceed the maximum amount stated above. The bonds shall be sold, issued, and secured as provided in subdivisions 1 to 5 and in Article 11, Section 7, of the Constitution, except that none of the bonds of any series issued pursuant to this authorization shall mature earlier than one year after the date of completion of the Minnesota zoological garden and related facilities as estimated by the state zoological board at the time of the issuance of such series. The proceeds of the bonds, except premium and accrued interest, are appropriated to the Minnesota zoological garden building account (IN THE GENERAL FUND,) for expenditure by the state zoological board for the purpose for which the bonds are authorized in accordance with the provisions of section 85A.04, subdivision 2. In order to reduce the amount of taxes otherwise required by the Constitution to be levied for the payment of interest and principal on the bonds, there is also appropriated annually to the Minnesota state zoological bond account in the state bond fund from the general fund a sum of money sufficient in amount, when added to the balance on hand on November 1 in each year in the bond account, to pay all principal and interest due and to become due on the bonds to and including July 1 in the second ensuing year. The money received and on hand pursuant to this annual appropriation is available in the state bond fund prior to the levy of the tax in any year re-

quired by the Constitution and by subdivision 5 and shall be used to reduce the amount of the tax otherwise required to be levied.

Sec. 84. Minnesota Statutes 1978, Chapter 86, is amended by adding a section to read:

[86.76] [NATURAL RESOURCES FEDERAL REIMBURSEMENT ACCOUNT.] *Subdivision 1. Except as otherwise specifically provided, federal reimbursements and match money received for the purposes described in chapter 86, regardless of the source of state match, credit or value used to earn the reimbursement or match, other than the federal match for state money appropriated to the local recreation and natural areas grant-in-aid account, shall in the first instance be credited to a federal receipt account by the state agency receiving the reimbursement or match. Any state department or agency, including the Minnesota historical society and the university of Minnesota, which receives reimbursements or matching moneys as described above shall transfer those amounts to the natural resources federal reimbursement account.*

Subd. 2. Money appropriated from the account shall be expended for state land acquisition and development that is part of a natural resources acceleration activity, when the acquisition and development is deemed to be of an emergency or critical nature. In addition this money is available for studies initiated by the legislative commission on Minnesota resources that are found to be proper in order for the commission to carry out its legislative charge.

Subd. 3. Requests for allocation from the account for acquisition or development shall be accompanied by a certificate signed jointly by the director of the state planning agency and commissioner of natural resources, showing a review of the application against Minnesota Statutes, Chapter 86A. Copies of the certification shall be submitted to the appropriate legislative committees and commissions. Appropriations from the account shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding the expenditures.

Subd. 4. Any land and water conservation fund moneys received over and above the normal state apportionment from that fund are appropriated for the purposes of the reimbursement account. This appropriation is in addition to any amounts appropriated from the account as direct appropriations.

Sec. 85. Minnesota Statutes 1978, Section 168.54, Subdivision 4, is amended to read:

Subd. 4. (THERE IS HEREBY IMPOSED) A fee of \$2 *shall be imposed* upon every transfer of ownership by the commissioner of public safety of any motor vehicle for which a registration certificate has heretofore been issued under this chapter, except vehicles sold for the purposes of salvage or dismantling or permanent removal from the state.

Sec. 86. Minnesota Statutes 1978, Section 168.54, Subdivision 5, is amended to read:

Subd. 5. The proceeds of the fee imposed under the provisions of this section shall be collected by the commissioner of public safety and paid into (SAID REVOLVING) *the general fund*.

Sec. 87. Minnesota Statutes 1978, Section 179.04, is amended to read:

179.04 [EXPENSES; FEES.] *Subdivision 1.* The director of mediation services and his employees, or any special mediator, shall be paid their actual and necessary traveling and other expenses incurred in the performance of their duties. Vouchers for such expenses shall be itemized and sworn to by the person incurring the expense.

Subd. 2. The director shall charge a fee to each participant at a labor relations education seminar or workshop so that all expenditures except salaries of bureau employees are reimbursed at least 100 percent. Receipts shall be credited to the general fund.

Sec. 88. Minnesota Statutes 1978, Section 179.72, Subdivision 1, is amended to read:

179.72 [PUBLIC EMPLOYMENT RELATIONS BOARD; POWERS AND DUTIES; ARBITRATION.] *Subdivision 1.* There is hereby established a public employment relations board with the powers and duties assigned to it by this section. The board shall consist of five members appointed by the governor of the state of Minnesota with the advice and consent of the senate. Two members shall be representative of public employees; two shall be representative of public employers; and one shall be representative of the public at large. Public employers and employee organizations representing public employees may submit for consideration names of persons representing their interests to serve as members of the board. The board shall select one of its members to serve as chairman for a term beginning May 1 each year. (THE DIRECTOR OF MEDIATION SERVICES SHALL PROVIDE SECRETARIAL AND ADMINISTRATIVE SERVICES TO THE BOARD.)

Sec. 89. Minnesota Statutes 1978, Section 197.16, is amended to read:

197.16 [COMMISSIONER TO MANAGE APPROPRIATION.] The commissioner of veterans affairs shall have the management and control of all state appropriations made for the use and benefit of such recreation and recuperation camp, and all expenditures made from such appropriations. The commissioner of veterans affairs shall make requests for such appropriations from the legislature as may be deemed necessary with which to make appropriate improvements on the tract of land to be used for such camp, and with which properly to carry out the purposes of sections 197.13 to 197.17 and shall appear before the proper committee of the legislature to explain the requests. The commissioner of veterans affairs is hereby empowered to accept such donations, contributions, gifts, and bequests of real or personal property as may be made to it in order to further the purposes of sections 197.13 to 197.17, and to carry out such trusts thereby created as may not be inconsistent with the purposes of sections 197.13 to 197.17. *The commissioner may establish and collect fees for use of the facilities of the Big Island Veterans Camp, the proceeds of which are appropriated to the commissioner for the general operation and maintenance of the camp.*

Sec. 90. Minnesota Statutes 1976, Section 270.051, Subdivision 2, is amended to read:

Subd. 2. The commissioner of revenue shall collect five percent of the gross receipts from admission to every *wrestling*, boxing and sparring exhibition other than an amateur *wrestling*, boxing and sparring exhibition held within the state, and five percent of the gross receipts from the lease or sale of radio, motion picture and television rights therein. All complimentary tickets for a *wrestling*, boxing and sparring exhibition other than an amateur *wrestling*, boxing and sparring exhibition presented at any entrance gate shall likewise be assessed for the tax herein provided five percent of the value thereof.

Each person issued a license in accordance with section 341.05, subdivision 2, shall also, within 24 hours after the termination of the telecast or subscription television program, pay to the commissioner five percent of the gross receipts from the sale of tickets of admission or money received from subscription for the showing or exhibiting of the telecast or program. If the *wrestling*, boxing or sparring match, exhibition, or performance shown or exhibited is wholly amateur no payment is due.

Sec. 91. [198.075] *No commissary privileges including food, laundry service, janitorial service, and household supplies shall be furnished to any employee of the Minnesota veterans home.*

Sec. 92. Minnesota Statutes 1978, Section 271.06, Subdivision 4, is amended to read:

Subd. 4. [APPEAL FEE.] At the time of filing the notice of appeal the appellant shall pay to the clerk of the tax court an appeal fee of (\$10) \$25; provided, that no appeal fee shall be required of the commissioner of revenue, the attorney general, the state or any of its political subdivisions. In small claims division, the appeal fee shall be \$2. The provisions of chapter 563, providing for proceedings in forma pauperis, shall also apply for appeals to the tax court.

Sec. 93. Minnesota Statutes 1978, Section 341.10, is amended to read:

341.10 [LICENSE FEES.] The board shall have authority to collect and require the payment of a license fee in an amount set by the board from the owners of franchises or licenses. The board shall require the payment of the fee at the time of the issuance of the license or franchise to the owner. The moneys so derived shall be collected by the board and paid to the state treasurer. The board shall have authority to license all *professional wrestlers*, boxers, managers, seconds, referees and judges and may require them to pay a license fee. All moneys collected by the board from such licenses shall be paid to the state treasurer.

Sec. 94. Minnesota Statutes 1978, Section 362.20, is amended to read:

362.20 [SALE OF PAMPHLETS AND PUBLICATIONS; FEES; ADVERTISING.] *Subdivision 1.* The commissioner (SHALL HAVE AUTHORITY TO) *may sell (, AT THEIR APPROXIMATE COST TO THE STATE, SUCH) reports, publications, or related publicity or promotional material of the department (AS) that in his judgment should not be supplied gratis to those who wish to employ them in the conduct of their business.*

Subd. 2. *The commissioner shall recommend a schedule of fees pursuant to section 16A.128 to be charged for these materials and for services rendered by the department in furnishing them. The fees prescribed by the commissioner shall be commensurate with the distribution objective of the department for the material produced or with the cost of furnishing the services. All fees for materials and services shall be deposited in the general fund.*

Subd. 3. *Department publications may contain advertising and may receive advertising revenue from profit and nonprofit organizations, associations, individuals and corporations, and other state, federal or local government agencies. Advertising revenues shall be deposited in the general fund. The commissioner shall set advertising rates and fees commensurate with services rendered and distribution objectives.*

Sec. 95. Minnesota Statutes 1978, Section 403.11, Subdivision 3, is amended to read:

Subd. 3. [METHOD OF PAYMENT; CERTIFICATION.] A public utility incurring reimbursable costs under subdivision 1 or 2 (FOR A YEAR ENDING JUNE 30, 1978, OR ANY JUNE 30 THEREAFTER,) shall certify those costs to the commissioner of administration (NO LATER THAN THE FOLLOWING AUGUST 31). The certification shall be in a form as prescribed by the commissioner after consultation with the public service commission. If the commissioner and the commission approve the certified costs as appropriate and accurate, the commissioner shall (SO ADVISE THE COMMISSIONER OF FINANCE NO LATER THAN THE FOLLOWING OCTOBER 31. IF THE COSTS ARE CERTIFIED AND APPROVED IN AN EVEN NUMBERED YEAR, THE GOVERNOR AND THE COMMISSIONER OF FINANCE SHALL INCLUDE THE CERTIFIED COSTS IN THE REGULAR BUDGET SUBMITTED TO THE LEGISLATURE. IF THE COSTS ARE CERTIFIED AND APPROVED IN AN ODD NUMBERED YEAR, THEY SHALL BE SUBMITTED IN A SPECIAL MESSAGE TO THE APPROPRIATIONS COMMITTEES OF THE LEGISLATURE NO LATER THAN NOVEMBER 30 OF EACH ODD NUMBERED YEAR) *pay the certified costs from money appropriated for that purpose within 90 days following receipt by the commissioner of the certified costs. The commissioner of administration shall estimate the amount required to reimburse public utilities for the state's obligations under subdivisions 1 and 2 of this section and the governor shall include the estimated amount in the biennial budget request.*

Sec. 96. Minnesota Statutes 1978, Section 472.11, Subdivision 9, is amended to read:

Subd. 9. The state agency is empowered to provide technical assistance (GRANTS OR) loans from the development revolving fund for the development and planning of redevelopment projects. The technical assistance (GRANTS OR) loans may be provided through the payment of funds to: (a) other state agencies or departments; (b) the employment of private individuals; (c) the employment of public, private, or nonprofit firms; (d) state, area, district, or local organizations; or (e) other nonprofit institutions. Funds awarded pursuant to clauses (b) and (c) shall be in the form of loans and shall be repaid unless the project is deemed unfeasible by the state agency. The state agency (MAY) *shall* require the repayment of some or all technical assistance funds and shall prescribe the terms and conditions of the repayment. The amount of technical assistance (GRANTS OR) loans is limited to an aggregate of ten percent of the funds available in the development revolving fund. The technical assistance (GRANTS OR) loans shall not be included when computing the 20 percent limitation provided in section 472.125. The state agency may (GRANT OR) loan technical assistance

funds in cooperation with the technical assistance grant programs of any agency of the federal government. The state agency may prescribe rules to carry out the purposes of this subdivision.

Sec. 97. Minnesota Statutes 1978, Section 484.54, Subdivision 1, is amended to read:

484.54 [EXPENSES OF JUDGES.] Subdivision 1. Except as provided in subdivision 2, judges shall be compensated for travel and subsistence expenses in the same manner and amount as state employees. Additionally, judges of the district court shall be reimbursed for all sums, not reimbursed by counties, they shall necessarily hereafter pay out for only the following purposes: telephone tolls, postage, expressage, stationery, including printed letterheads and envelopes for official business; (MEMBERSHIP DUES IN THE STATE BAR ASSOCIATION AND AFFILIATED LOCAL DISTRICT ASSOCIATIONS, AND STATE AND LOCAL DISTRICT JUDGES ASSOCIATION; AND REGISTRATION FEES.) tuition, travel and subsistence for attending educational programs *except that no expense shall be paid to satisfy continuing legal education requirements*, attendance at which is approved by the supreme court.

Sec. 98. Minnesota Statutes 1978, Section 546.27, is amended to read:

546.27 [DECISION BY THE COURT.] *Subdivision 1.* When an issue of fact has been tried by the court, the decision shall be in writing, the facts found and the conclusion of law shall be separately stated, and judgment shall be entered accordingly. All questions of fact and law, and all motions and matters submitted to a judge for his decision, shall be disposed of and his decision filed with the clerk within 90 days after such submission, unless sickness or casualty shall prevent, or the time be extended by written consent of the parties. No part of the salary of any judge shall be paid unless the voucher therefor be accompanied by a certificate of the judge that he has fully complied with the requirements of this section.

Subd. 2. The board on judicial standards shall annually review the compliance of each district, county, municipal, or probate judge with the provisions of subdivision 1. The board shall notify the state court administrator of each judge not in compliance. If the board finds that a judge has compelling reasons for noncompliance, it may decide not to issue the notice. Upon notification that a judge is not in compliance, the commissioner of finance shall not pay the judge his salary. The board may cancel a notice of noncompliance upon finding that a judge has returned his status to compliance, but in no event shall a judge be paid his salary for the period in which the notification of non-compliance was in effect.

Sec. 99. Laws 1976, Chapter 233, Section 14, is amended to read:

Sec. 14. Section 5 of this act is effective January 1, 1977, and the remainder of the act is effective the day following final enactment. (SECTIONS 1 TO 4 OF THIS ACT SHALL EXPIRE JUNE 30, 1979.)

Sec. 100. [REPEALER.] *Minnesota Statutes 1978, Sections 85A.02, Subdivision 12, 85A.04, Subdivisions 1a and 1b, 168.54, Subdivisions 2 and 3, and 345.48, Subdivision 2, are repealed.*"

Further amend by striking the title and inserting:

"A bill for an act relating to the organization and operation of state government; appropriating money for the general administrative and judicial expenses of state government with certain conditions; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; cancelling certain appropriations; amending Minnesota Statutes 1978, Sections 4.12, by adding a subdivision; 4.26, Subdivision 1; 5.08, Subdivision 2; 15.015, Subdivision 1; 15.191, Subdivision 1; 16.02, by adding a subdivision; 16.822, Subdivision 3; 16.825, Subdivision 1; 16.826, Subdivision 4; 16.97; 16A.126; 21.115; 21.116; 21.55; 43.067, Subdivision 1; 85A.03, Subdivisions 4 and 5; 85A.04, Subdivisions 1 and 2; 85A.05, Subdivisions 3, 4 and 6; 168.54, Subdivisions 4 and 5; 179.04; 179.72, Subdivision 1; 197.16; 270.051, Subdivision 2; 271.06, Subdivision 4; 341.10; 362.20; 403.11, Subdivision 3; 472.11, Subdivision 9; 484.54, Subdivision 1; 546.27; Chapters 3, by adding a section; and 86, by adding a section; and Laws 1976, Chapter 233, Section 14; repealing Minnesota Statutes 1978, Sections 85A.02, Subdivision 12; 85A.04, Subdivisions 1a and 1b; 168.54, Subdivisions 2 and 3; and 345.48, Subdivision 2."

The motion prevailed and the amendment was adopted.

S. F. No. 1510, A bill for an act relating to the organization and operation of state government; appropriating money for the general administrative and judicial expenses of state government with certain conditions; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; amending Minnesota Statutes 1978, Sections 4.12, by adding a subdivision; 4.26, Subdivision 1; 10.31; 16.02, by adding a subdivision; 16.97, Subdivision 1; 16A.126; 43.067, Subdivision 1; 65A.02, Subdivision 12; 116E.03, Subdivision 4; 179.04; 180.03, Subdivision 2; 197.16; 198.31; 299C.07; 361.12, by adding a subdivision; 362.20; 362.40, Subdivisions 9, 10 and 11; 546.27; Chapters 86, by adding a section; and 299C, by adding a section.

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

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggunn
Battaglia	Faricy	Kvam	Osthoft	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Rose	Zubay
Dean	Jennings	Munger	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

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

CONSENT CALENDAR

S. F. No. 276 was reported to the House.

Anderson, R., moved to amend S. F. No. 276, the unofficial engrossment, as follows:

Page 2, line 10, strike "subdivision 1" and insert "*subdivision 2*"

The motion prevailed and the amendment was adopted.

There being no objection, S. F. No. 276, as amended, was continued on the Consent Calendar one day.

H. F. No. 1091 was reported to the House.

Kalis moved to amend H. F. No. 1091, as follows:

Page 2, line 16, delete “, forest”

The motion prevailed and the amendment was adopted.

Nelson, B., and Kalis moved to amend H. F. No. 1091, as follows:

Page 2, line 33, after “paid” delete the balance of the line and insert: “from the legislative expense fund of their respective body upon approval of the chairman of the joint committee”

Page 3, line 1, delete “chosen”

The motion prevailed and the amendment was adopted.

H. F. No. 1091, A bill for an act relating to natural resources; providing a public policy directed to preservation of agricultural lands; establishing a temporary joint legislative committee on agricultural land preservation; requiring studies and reports by the state planning agency; providing for staffing of the joint legislative committee.

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

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Adams	Elioff	Jude	Nelson	Searles
Anderson, B.	Ellingson	Kahn	Niehaus	Sherwood
Anderson, G.	Enebo	Kaley	Norman	Sieben, H.
Anderson, I.	Erickson	Kalis	Norton	Sieben, M.
Anderson, R.	Esau	Kelly	Novak	Simoneau
Battaglia	Evans	Kempe	Nysether	Stadum
Begich	Ewald	Kostohryz	Olsen	Stoa
Berglin	Faricy	Kroening	Onnen	Stowell
Berkelman	Fjoslien	Kvam	Osthoff	Sviggum
Biersdorf	Forsythe	Laidig	Otis	Swanson
Blatz	Friedrich	Lehto	Patton	Tomlinson
Brinkman	Fudro	Levi	Pavlak	Valan
Byrne	Greenfield	Long	Pehler	Vanasek
Carlson, D.	Halberg	Luknic	Piepho	Voss
Carlson, L.	Haukoos	Mann	Pleasant	Waldorf
Casserly	Heap	McCarron	Prahl	Weaver
Clark	Heinitz	McEachern	Redalen	Welch
Clawson	Hoberg	Mehrkens	Reding	Wenzel
Corbid	Hokanson	Metzen	Reif	Wigley
Dean	Jacobs	Minne	Rice	Wynia
Dempsey	Jaros	Moe	Rose	Zubay
Den Ouden	Jennings	Munger	Rothenberg	Speaker Searle
Drew	Johnson, C.	Murphy	Sarna	
Eken	Johnson, D.	Nelsen, M.	Schreiber	

Those who voted in the negative were:

Aasness	Fritz	McDonald	Rees	Valento
Crandall	Ludeman	Nelsen, B.	Thiede	Welker

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

H. F. No. 1433, A bill for an act relating to certain political subdivisions; authorizing the issuance of revenue bonds for the acquisition and installation of equipment for hospital and medical purposes; authorizing the issuance of general obligation bonds for the construction of a municipal library and community center.

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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kaley	Niehaus	Sieben, H.
Adams	Elioff	Kalis	Norman	Sieben, M.
Ainley	Ellingson	Kelly	Norton	Simoneau
Albrecht	Erickson	Kempe	Novak	Stadum
Anderson, D.	Esau	Knickerbocker	Nysether	Stoa
Anderson, G.	Evans	Kostohryz	Olsen	Stowell
Anderson, I.	Ewald	Kroening	Onnen	Sviggunn
Anderson, R.	Faricy	Kvam	Osthoff	Swanson
Battaglia	Fjoslien	Laidig	Otis	Thiede
Begich	Forsythe	Lehto	Pavlak	Tomlinson
Berglin	Friedrich	Levi	Pehler	Valan
Berkelman	Fritz	Long	Peterson	Valento
Biersdorf	Fudro	Ludeman	Piepho	Vanasek
Blatz	Greenfield	Luknic	Pleasant	Voss
Brinkman	Halberg	Mann	Prahl	Waldorf
Byrne	Haukoos	McDonald	Redalen	Weaver
Carlson, D.	Heap	McEachern	Reding	Welch
Carlson, L.	Heinitz	Mehrkens	Rees	Welker
Casserly	Hokanson	Metzen	Reif	Wenzel
Clark	Jacobs	Minne	Rice	Wigley
Corbid	Jaros	Moe	Rose	Wynia
Crandall	Jennings	Munger	Rothenberg	Zubay
Dean	Johnson, C.	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	
Drew	Kahn	Nelson	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 1444, A bill for an act relating to the cities of McGregor and Heron Lake; authorizing the issuance of bonds for the acquisition and betterment of a municipal fire hall and community center; legalizing proceedings precedent to the issuance of certain general obligation bonds and excluding the bonds from the computation of net debt.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Sherwood
Adams	Eken	Kahn	Nelson	Sieben, H.
Ainley	Eloff	Kaley	Niehaus	Sieben, M.
Albrecht	Ellingson	Kalis	Norman	Simoneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Olsen	Sviggun
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Faricy	Kvam	Osthoff	Thiede
Begich	Fjoslien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Pavlak	Valan
Berkelman	Friedrich	Levi	Pehler	Valento
Biersdorf	Fritz	Long	Peterson	Vanasek
Blatz	Fudro	Ludeman	Piepho	Voss
Brinkman	Greenfield	Luknic	Pleasant	Waldorf
Byrne	Halberg	Mann	Prahl	Weaver
Carlson, D.	Haukoos	McCarron	Redalen	Welch
Carlson, L.	Heap	McDonald	Reding	Welker
Casserly	Heinitz	McEachern	Rees	Wenzel
Clark	Hoberg	Mehrkens	Reif	Wigley
Clawson	Hokanson	Metzen	Rice	Wynia
Corbid	Jacobs	Minne	Rose	Zubay
Crandall	Jaros	Moe	Rothenberg	Speaker Searle
Dean	Jennings	Munger	Sarna	
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Searles	

The bill was passed and its title agreed to.

S. F. No. 345, A bill for an act relating to Hennepin County; providing that law library fees be set by the library trustees; amending Laws 1933, Chapter 291, Section 4, as amended.

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 126 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Aasness	Begich	Clark	Ellingson	Fudro
Adams	Berglin	Clawson	Enebo	Greenfield
Ainley	Berkelman	Corbid	Erickson	Halberg
Albrecht	Biersdorf	Crandall	Esau	Haukoos
Anderson, B.	Blatz	Dean	Evans	Heap
Anderson, D.	Brinkman	Dempsey	Ewald	Heinitz
Anderson, G.	Byrne	Den Ouden	Faricy	Hokanson
Anderson, I.	Carlson, D.	Drew	Fjoslien	Jacobs
Anderson, R.	Carlson, L.	Eken	Forsythe	Jaros
Battaglia	Casserly	Eloff	Fritz	Jennings

Johnson, C.	Mann	Novak	Reif	Valento
Johnson, D.	McCarron	Nysether	Rose	Vanasek
Jude	McDonald	Olsen	Rothenberg	Voss
Kahn	McEachern	Onnen	Sarna	Waldorf
Kaley	Mehrkens	Osthoff	Schreiber	Weaver
Kalis	Metzen	Otis	Searles	Welch
Kelly	Minne	Patton	Sherwood	Welker
Knickerbocker	Moe	Pavlak	Sieben, H.	Wenzel
Kostohryz	Munger	Pehler	Sieben, M.	Wigley
Kvam	Murphy	Peterson	Simoneau	Wynia
Laidig	Nelsen, B.	Piepho	Stadum	Zubay
Lehto	Nelsen, M.	Pleasant	Stowell	Speaker Searle
Levi	Nelson	Prahl	Sviggum	
Long	Niehaus	Redalen	Swanson	
Ludeman	Norman	Reding	Thiede	
Luknic	Norton	Rees	Tomlinson	

Those who voted in the negative were:

Kempe Kroening Stoa

The bill was passed and its title agreed to.

S. F. No. 444, A bill for an act relating to fences; providing for the compensation of fence viewers; amending Minnesota Statutes 1978, Section 344.18.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Sherwood
Adams	Eken	Kahn	Nelson	Sieben, H.
Ainley	Elloff	Kaley	Niehaus	Sieben, M.
Albrecht	Ellingson	Kalis	Norman	Simoneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Olsen	Sviggum
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Faricy	Kvam	Osthoff	Thiede
Begich	Fjoslien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Patton	Valan
Berkelman	Friedrich	Levi	Pavlak	Valento
Biersdorf	Fritz	Long	Pehler	Vanasek
Blatz	Fudro	Ludeman	Peterson	Voss
Brinkman	Greenfield	Luknic	Piepho	Waldorf
Byrne	Halberg	Mann	Pleasant	Weaver
Carlson, D.	Haukoos	McCarron	Prahl	Welch
Carlson, L.	Heap	McDonald	Redalen	Welker
Casserly	Heinitz	McEachern	Reding	Wenzel
Clark	Hoberg	Mehrkens	Rees	Wigley
Clawson	Hokanson	Metzen	Reif	Wynia
Corbid	Jacobs	Minne	Rose	Zubay
Crandall	Jaros	Moe	Rothenberg	Speaker Searle
Dean	Jennings	Munger	Sarna	
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Searles	

The bill was passed and its title agreed to.

S. F. No. 935, A bill for an act relating to the University of Minnesota; requiring establishment of a small business set aside program for certain university procurements.

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 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Jude	Nelsen, M.	Schreiber
Adams	Elioff	Kahn	Nelson	Searles
Ainley	Ellingson	Kaley	Niehaus	Sherwood
Albrecht	Enebo	Kalis	Norman	Sieben, H.
Anderson, B.	Erickson	Kelly	Norton	Sieben, M.
Anderson, D.	Esau	Kempe	Novak	Simoneau
Anderson, G.	Evans	Knickerbocker	Nysether	Stadum
Anderson, I.	Ewald	Kostohryz	Olsen	Stoa
Anderson, R.	Faricy	Kroening	Onnen	Stowell
Battaglia	Fjoslien	Kvam	Osthoff	Sviggunn
Begich	Forsythe	Laidig	Otis	Swanson
Berglin	Friedrich	Lehto	Patton	Thiede
Berkelman	Fritz	Levi	Pavlak	Tomlinson
Biersdorf	Fudro	Long	Pehler	Valento
Blatz	Greenfield	Ludeman	Peterson	Vanasek
Brinkman	Halberg	Mann	Piepho	Voss
Byrne	Haukoos	McCarron	Pleasant	Waldorf
Carlson, D.	Heap	McDonald	Prahl	Weaver
Carlson, L.	Heinitz	McEachern	Redalen	Welch
Casserly	Hoberg	Mehrrens	Reding	Welker
Clark	Hokanson	Metzen	Rees	Wenzel
Clawson	Jacobs	Minne	Reif	Wigley
Corbid	Jaros	Moe	Rice	Wynia
Crandall	Jennings	Munger	Rose	Zubay
Dean	Johnson, C.	Murphy	Rothenberg	Speaker Searle
Drew	Johnson, D.	Nelsen, B.	Sarna	

Those who voted in the negative were:

Dempsey Den Ouden

The bill was passed and its title agreed to.

S. F. No. 1392 was reported to the House.

There being no objection, S. F. No. 1392 was continued on the Consent Calendar one day.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Norton requested immediate consideration of H. F. No. 724.

Welker was excused for the remainder of today's session. Waldorf was excused from 5:50 p.m. to 7:00 p.m.

H. F. No. 724 was reported to the House.

CALL OF THE HOUSE

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

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknie	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Weaver
Carlson, D.	Haukoos	McCarron	Prahl	Welch
Carlson, L.	Heap	McDonald	Redalen	Wenzel
Casserly	Heinitz	McEachern	Reding	Wigley
Clark	Hoborg	Mehrkins	Rees	Wynia
Clawson	Hokanson	Metzen	Reif	Zubay
Corbid	Jacobs	Minne	Rice	Speaker Searle
Crandall	Jaros	Moe	Rose	
Dean	Jennings	Munger	Rothenberg	
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

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

Schreiber offered an amendment to H. F. No. 724.

Kroening requested a division of the amendment.

The first portion of the Schreiber amendment was reported to the House.

POINT OF ORDER

Kroening raised a point of order pursuant to rule 3.10 that the first portion of the Schreiber amendment was not in order. The Speaker ruled the point of order well taken and the first portion of the Schreiber amendment out of order.

Schreiber moved the second portion of his amendment to H. F. No. 724 as follows:

Page 5, line 17, delete "\$1,525,000,000" and insert "\$1,175,000,000"

Page 7, line 20, delete "*of this act*"

The question was taken on the second portion of the Schreiber amendment and the roll was called.

Kroening moved that those not voting be excused from voting. The motion did not prevail.

Sieben, H., moved that those not voting be excused from voting. The motion prevailed.

There were 49 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Aasness	Esau	Johnson, D.	Nelsen, B.	Searles
Albrecht	Evans	Kaley	Niehaus	Sherwood
Anderson, D.	Ewald	Knickerbocker	Norman	Stowell
Anderson, R.	Fjoslien	Kvam	Nysether	Sviggum
Biersdorf	Forsythe	Laidig	Onnen	Thiede
Carlson, D.	Friedrich	Levi	Piepho	Valento
Crandall	Halberg	Ludeman	Redalen	Wigley
Dempsey	Heap	Luknie	Rees	Zubay
Den Ouden	Heinitz	McDonald	Reif	Speaker Searle
Erickson	Jennings	Mehrkens	Schreiber	

Those who voted in the negative were:

Adams	Dean	Kahn	Nelson	Sieben, H.
Ainley	Drew	Kalis	Norton	Sieben, M.
Anderson, B.	Eken	Kelly	Novak	Simoneau
Anderson, G.	Elioff	Kempe	Olson	Stadum
Anderson, I.	Ellingson	Kostohryz	Osthoff	Stoa
Battaglia	Enebo	Kroening	Otis	Swanson
Begich	Faricy	Lehto	Patton	Tomlinson
Berglin	Fritz	Long	Pavlak	Valan
Berkelman	Fudro	Mann	Pehler	Vanasek
Blatz	Greenfield	McCarron	Peterson	Voss
Brinkman	Haukoos	McEachern	Pleasant	Weaver
Byrne	Hoberg	Metzen	Prahl	Welch
Carlson, L.	Hokanson	Minne	Reding	Wenzel
Casserly	Jacobs	Moe	Rice	Wynia
Clark	Jaros	Munger	Rose	
Clawson	Johnson, C.	Murphy	Rothenberg	
Corbid	Jude	Nelsen, M.	Sarna	

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

H. F. No. 724, A bill for an act relating to housing; providing for an increase in the authorization for bonds and notes for the housing finance agency; establishing a grant program for the construction of three or more bedroom apartment units; creating a grant program for accessible housing; increasing the spending

and complement limits; making certain changes in the laws relating to the operation of the agency; appropriating money; amending Minnesota Statutes 1978, Sections 462A.05, Subdivision 15, and by adding subdivisions; 462A.07, Subdivision 15; 462A.21, Subdivision 6, and by adding subdivisions; and 462A.22, Subdivisions 1 and 1a.

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 88 yeas and 43 nays as follows:

Those who voted in the affirmative were:

Adams	Eken	Kahn	Munger	Rothenberg
Anderson, B.	Elioff	Kalis	Murphy	Sarna
Anderson, G.	Ellingson	Kelly	Nelsen, M.	Sieben, H.
Anderson, I.	Enebo	Kempe	Nelson	Sieben, M.
Anderson, R.	Evans	Kostohryz	Norman	Simoneau
Battaglia	Faricy	Kroening	Norton	Stadum
Begich	Fjoslien	Laidig	Novak	Stoa
Berglin	Fritz	Lehto	Nysether	Swanson
Berkelman	Fudro	Levi	Olsen	Tomlinson
Biersdorf	Greenfield	Long	Osthoff	Valan
Brinkman	Haukoos	Luknic	Otis	Vanasek
Byrne	Heap	Mann	Patton	Voss
Carlson, L.	Hoberg	McCarron	Pehler	Weaver
Casserly	Hokanson	McEachern	Prahl	Welch
Clark	Jacobs	Mehrkens	Reding	Wenzel
Clawson	Jaros	Metzen	Reif	Wynia
Corbid	Johnson, C.	Minne	Rice	
Dean	Jude	Moe	Rose	

Those who voted in the negative were:

Aasness	Drew	Johnson, D.	Pavlak	Stowell
Ainley	Erickson	Kaley	Peterson	Sviggum
Albrecht	Esau	Knickerbocker	Piepho	Thiede
Anderson, D.	Ewald	Kvam	Pleasant	Valento
Blatz	Forsythe	Ludeman	Redalen	Wigley
Carlson, D.	Friedrich	McDonald	Rees	Zubay
Crandall	Halberg	Nelsen, B.	Schreiber	Speaker Searle
Dempsey	Heinitz	Niehaus	Searles	
Den Ouden	Jennings	Onnen	Sherwood	

The bill was passed and its title agreed to.

Zubay was excused for the remainder of today's session.

CALL OF THE HOUSE LIFTED

Nelsen, B., moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

SPECIAL ORDERS

H. F. No. 8 was reported to the House.

Norton moved to amend H. F. No. 8 as follows:

Page 2, line 16, delete "*so deducted to the agricultural*"

Page 2, line 17, delete the language before the period and insert "*to the general fund*"

Page 3, line 4, delete "*December 31*" and insert "*July 1*"

Page 4, delete lines 11 to 18 and insert a new section to read:

"Sec. 5. *There is appropriated from the general fund to the commissioner of agriculture for the agricultural products stabilization board the sum of \$95,000 for the fiscal year ending June 30, 1981.*"

Renumber the sections in sequence.

Further amend the title, lines 5 and 6 delete "*and the agricultural alcohol fuel tax fund*"

The motion prevailed and the amendment was adopted.

H. F. No. 8, A bill for an act relating to taxation; gasoline tax; reducing the tax on grain alcohol gasoline; creating the Minnesota agricultural products industrial utilization board; appropriating money; amending Minnesota Statutes 1978, Sections 296.01, by adding a subdivision; 296.02, by adding a subdivision; 296.18, Subdivision 8; and Chapter 24, by adding a section.

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Biersdorf	Dean	Ewald	Hokanson
Adams	Blatz	Dempsey	Faricy	Jacobs
Ainley	Brinkman	Den Ouden	Fjoslien	Jaros
Albrecht	Byrne	Drew	Forsythe	Jennings
Anderson, B.	Carlson, D.	Eken	Friedrich	Johnson, C.
Anderson, G.	Carlson, L.	Elioff	Fritz	Johnson, D.
Anderson, I.	Casserly	Ellingson	Fudro	Jude
Anderson, R.	Clark	Enebo	Greenfield	Kahn
Battaglia	Clawson	Erickson	Halberg	Kaley
Begich	Corbid	Esau	Haukoos	Kalis
Berglin	Crandall	Evans	Hoberg	Kelly

Kempe	McEachern	Olsen	Rice	Swanson
Knickerbocker	Mehrkens	Onnen	Rose	Tomlinson
Kostohryz	Metzen	Osthoff	Rothenberg	Valan
Kroening	Minne	Otis	Sarna	Valento
Kvam	Moe	Pavlak	Schreiber	Vanasek
Laidig	Munger	Pehler	Searles	Waldorf
Lehto	Murphy	Peterson	Sherwood	Weaver
Levi	Nelsen, B.	Piepho	Sieben, H.	Welch
Long	Nelsen, M.	Pleasant	Sieben, M.	Wenzel
Ludeman	Nelson	Prahl	Simoneau	Wigley
Luknic	Niehaus	Redalen	Stadum	Wynia
Mann	Norman	Reding	Stoa	Speaker Searle
McCarron	Novak	Rees	Stowell	
McDonald	Nysether	Reif	Sviggun	

Those who voted in the negative were:

Patton

Voss

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

Sieben, H., moved that the remaining bills on Special Orders for today be continued for one day immediately preceding General Orders. The motion prevailed.

GENERAL ORDERS

There being no objection, the bills on General Orders for to-day were continued on General Orders one day.

MOTIONS AND RESOLUTIONS

Voss moved that the name of McEachern be added as an author on H. F. No. 1309. The motion prevailed.

Waldorf moved that the names of Drew, Rose, and Kostohryz be added as authors on H. F. No. 1575. The motion prevailed.

McCarron moved that the name of Metzen be added as an author on H. F. No. 1578. The motion prevailed.

Reif moved that the name of Heinitz be added as an author on H. F. No. 1573. The motion prevailed.

Pehler; Anderson, I.; Knickerbocker; Searle and Sieben, H., introduced:

House Resolution No. 23, A house resolution relating to Handicapped Awareness Week.

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

ANNOUNCEMENT BY THE SPEAKER AND THE CHAIRMAN OF THE
COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the following change in appointment of members of the House to a conference committee on H. F. No. 1518: Delete Corbid; add Hokanson.

ADJOURNMENT

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Tuesday, May 8, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

