

NINETY-FIFTH DAY

St. Paul, Minnesota, Saturday, March 2, 1974.

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Arnold	Coleman	Hanson, R.	North	Purfeerst
Ashbach	Conzemius	Keefe, S.	Novak	Renneke
Berg	Dunn	Kleinbaum	Olhoft	Solon
Bernhagen	Fitzsimons	Krieger	Olson, H. D.	Ueland
Borden	Frederick	Lewis	Olson, J. L.	Wegener
Chenoweth	Gearty	Lord	Perpich, A. J.	Willet
Chmielewski	Hansen, Baldy	Moe	Perpich, G.	

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer by the Chaplain.

The roll being called, the following Senators answered to their names:

Arnold	Doty	Kirchner	North	Schaaf
Ashbach	Dunn	Kleinbaum	Novak	Schrom
Bang	Fitzsimons	Knutson	Ogdahl	Sillers
Berg	Frederick	Kowalczyk	Olhoft	Solon
Bernhagen	Gearty	Krieger	Olson, A. G.	Snear
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Brown	Hanson, R.	Lewis	O'Neill	Tennessee
Chenoweth	Hughes	Lord	Patton	Thorup
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Coleman	Josefson	Milton	Perpich, G.	Wegener
Conzemius	Keefe, J.	Moe	Purfeerst	Willet
Davies	Keefe, S.	Nelson	Renneke	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Anderson, Jensen, Laufenburger and Pillsbury were excused from the Session of today. Messrs. Fitzsimons, Sillers, Patton and Moe were excused from the Session of today, beginning at 11:30 o'clock a.m. Mr. Olson, J. L. was excused from the Session

of today, beginning at 3:30 o'clock p.m. Mr. Ueland was excused from the Session of today beginning at 4:00 o'clock p.m.

INTRODUCTION OF BILLS

Messrs. Schrom, Frederick and Novak introduced—

S. F. No. 3483: A bill for an act relating to state government; salaries of certain unclassified employees in the executive branch of government; increasing the salary of the commissioner of the department of veterans affairs; amending Minnesota Statutes, 1973 Supplement, Section 15A.081, Subdivision 1.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Dunn and Arnold introduced—

S. F. No. 3484: A bill for an act relating to the Minnesota water resources board; department of natural resources; abolishing the board and transferring all the powers, duties and responsibilities of the board to the department of natural resources; amending Minnesota Statutes 1971, Sections 105.73; 105.74; 105.75; 105.751; 105.76; 105.77; 105.78; 105.79; 112.35, by adding a subdivision; 112.36; 112.37; 112.39; 112.40; 112.401; 112.411; 112.42, Subdivisions 1, 2 and 7; 112.43, Subdivisions 3 and 4; 112.46; 112.49, Subdivision 6; 112.71; 112.74; 112.76; 112.761; 112.78; 112.79; 112.801; 112.85; Minnesota Statutes, 1973 Supplement, Sections 112.38; 112.42, Subdivision 3; 112.48, Subdivision 3; 112.55; 112.69, Subdivision 1; and 112.86; repealing Minnesota Statutes 1971, Sections 105.71; and 112.35, Subdivision 4.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Dunn, Krieger and Arnold introduced—

S. F. No. 3485: A bill for an act relating to professional corporations; including architects, professional engineers and land surveyors within the definition of professional service for the purposes of formation of professional corporations; amending Minnesota Statutes, 1973 Supplement, Section 319A.02, Subdivision 2.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Dunn; Olson, J. L. and Renneke introduced—

S. F. No. 3486: A bill for an act relating to motor vehicles; registration and taxation; pioneer and classic cars; amending Minnesota Statutes 1971, Section 168.10, Subdivision 1.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Dunn introduced—

S. F. No. 3487: A bill for an act relating to motorcycles; regulation and licensing thereof; requiring certain equipment thereon, and certain equipment for operators and passengers; requiring annual inspection; directing the commissioner of public safety to make certain studies; providing penalties; amending Minnesota Statutes 1971, Sections 169.09, Subdivision 8; 169.67, Subdivision 4; 169.974, Subdivisions 3, 4 and 5, and by adding a subdivision; 171.02; 171.04; and Chapter 169, by adding a section.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Solon introduced—

S. F. No. 3488: A bill for an act relating to taxation; providing for classification of watercraft used for rental as dwellings as class 3 property; amending Minnesota Statutes, 1973 Supplement, Section 273.13, Subdivision 4.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Larson introduced—

S. F. No. 3489: A bill for an act relating to highways; prohibiting consolidation of state highway field maintenance stations except under certain conditions.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Stassen; Keefe, J. and O'Neill introduced—

S. F. No. 3490: A bill for an act relating to elections; removing the requirement that access be permitted to multiple unit dwellings for the purpose of campaigning; repealing Minnesota Statutes, 1973 Supplement, Section 211.41.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Ogdahl, Kirchner and Hansen, Mel introduced—

S. F. No. 3491: A bill for an act relating to highway traffic regulation; driving under the influence of drugs or alcoholic beverages; increasing the penalty to a gross misdemeanor; providing for a petty misdemeanor offense; amending Minnesota Statutes, 1973 Supplement, Sections 169.121, Subdivisions 1 and 3; 169.123, Subdivision 2; and Minnesota Statutes 1971, Section 169.121, by adding subdivisions.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Humphrey introduced—

S. F. No. 3492: A bill for an act relating to natural resources; directing the release of certain lands and the conveyance of certain lands in Aitkin county.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Perpich, A. J. introduced—

S. F. No. 3493: A bill for an act appropriating moneys to the regents of the university of Minnesota for the mineral resource research center.

Which was read the first time and referred to the Committee on Education.

Messrs. Coleman, Krieger and Conzemius introduced—

S. F. No. 3494: A bill for an act relating to the legislature; providing for the filing of reports with the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

Which was read the first time and referred to the Committee on Rules and Administration.

Messrs. Solon, Doty and Chmielewski introduced—

S. F. No. 3495: A bill for an act relating to the western Lake Superior sanitary districts; providing for the district to regulate solid waste; amending Laws 1971, Chapter 478, Sections 1; 2, by adding subdivisions; 3, Subdivision 1; 5, by adding a subdivision; 7, by adding subdivisions; 8; and 14; and by adding a section.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Frederick, McCutcheon and Krieger introduced—

S. F. No. 3496: A bill for an act relating to highway traffic regulations; driving under the influence of drugs or alcoholic beverages; amending Minnesota Statutes, 1973 Supplement, Section 169.121, Subdivision 1.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Stassen, Frederick and Patton introduced—

S. F. No. 3497: A bill for an act relating to education; formula for computation of foundation aid; amending Minnesota Statutes, 1973 Supplement, Section 124.212, Subdivision 7a.

Which was read the first time and referred to the Committee on Education.

Messrs. Willet and Schrom introduced—

S. F. No. 3498: A bill for an act relating to real property; providing that lakeshore property shall qualify for treatment under the agricultural property tax law; amending Minnesota Statutes 1971, Section 273.111, Subdivision 4.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Milton introduced—

S. F. No. 3499: A bill for an act relating to registered nurses; defining the practice of professional nursing; amending Minnesota Statutes 1971, Section 148.171.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Willet, Dunn and Lord introduced—

S. F. No. 3500: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to acquire conservation restrictions by gift, purchase or condemnation proceedings.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 707: A bill for an act relating to tort liability; political subdivisions; extending time for notice of claims involving vehicular accidents; amending Minnesota Statutes 1971, Section 466.05, Subdivisions 1 and 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, strike "Subdivision 1,"

Page 1, line 11, strike the new language and insert in lieu thereof "*Except as provided in subdivisions 2 and 3,*"

Page 1, line 16, after "injury" insert "*is discovered*"

Page 1, line 16, strike "written"

Page 1, line 18, after the period insert "*Actual notice of sufficient facts to reasonably put the governing body of the municipality or its insurer on notice of a possible claim shall be construed to comply with the notice requirements of this section.*"

Page 1, lines 24 to 27, strike the new language

Page 2, after line 1, insert:

"Subd. 2. [EXCEPTIONS TO THE NOTICE REQUIREMENT.] Notice shall not be required to maintain an action for damages for or on account of any loss or injury within the scope of section 466.02 if such injury or loss:

(a) arises out of an intentional tort committed by an officer, employee or agent of the municipality; or

(b) involves a motor vehicle or other equipment owned by the municipality or operated by an officer, employee or agent of the municipality."

Page 2, strike lines 2 and 3

Page 2, line 4, strike "2" and insert in lieu thereof "3"

Page 2, line 4, reinsert the old language

Page 2, lines 5 and 6, strike the new language and reinsert the old language

Page 2, lines 12 to 15, strike the new language and reinsert the old language

Page 2, after line 15, insert:

"Sec. 2. This act shall be effective for any claim arising after August 1, 1974."

Further amend the title as follows:

Line 3, after the semicolon insert "defining notice;"

Line 4, strike "involving" and insert in lieu thereof "and eliminating notice requirements for intentional torts and"

Line 6, strike ", Subdivisions 1 and 2"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2840: A bill for an act legalizing foreclosure sales heretofore made and the records of mortgage foreclosure proceedings; limiting the time within which actions may be brought or defenses interposed; questioning the validity of foreclosure proceedings.

Reports the same back with the recommendation that the bill be amended as follows:

Page 5, strike lines 25 and 26 and insert:

"(9) That the year, or the month, or the day, or the hour of the sale is omitted or incorrectly or insufficiently stated in the notice of sale or the sheriff's certificate of sale;"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judicary, to which was referred

S. F. No. 2467: A bill for an act relating to real estate; actions to quiet title, to determine adverse claims or for partition; curative act.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3160: A bill for an act relating to the operation of state government; establishing a "state register" for official notices by state departments; amending Minnesota Statutes 1971, Sections 15.0412, Subdivisions 3, 4 and 5; and 15.0413, Subdivisions 1, 2, 3 and 5; and Chapter 15, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 28 to 30, restore the stricken language

Page 1, line 30, after "purpose" insert "*and*"

Page 5, line 10, after "*administration*" and before the period, insert "*and at a price as the commissioner of administration shall determine*"

Page 5, line 19, after "*library*" insert "*and one copy to each member of the legislature*"

Page 6, line 12, after "*information*" strike "*to*" and insert "*by*"

Page 6, line 16, after "*thereof*" insert "*, or executive order*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3234: A bill for an act regarding concession facilities at the Minnesota zoological garden; amending Minnesota Statutes 1971, Section 85A.03, Subdivision 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, after "concessions" insert "*relative to food, beverages, and transit*"

Page 1, line 15, after "16" insert "*. In other areas of concessions*"

Page 1, line 15, reinstate the stricken words "the commissioner"

Page 1, line 16, reinstate the stricken words "of administration"

Page 1, line 16, after "administration" insert "*may determine*"

Page 1, line 16, after the stricken word "determines" reinstate all the stricken language

Page 1, lines 17 and 18, reinstate the stricken language

Page 1, after line 18, insert:

"Sec. 2. [EFFECTIVE DATE.] This act shall be effective the day following final enactment."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 3045: A bill for an act relating to education; changing the time for the annual meeting of boards of independent school districts; amending Minnesota Statutes 1971, Section 123.34, Subdivision 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 2813: A bill for an act relating to student associations; authorizing the student associations at all state colleges and the Minnesota state college student association to expend money assigned to them to fund a legal counseling and service program for students; amending Laws 1973, Chapter 488, Section 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 2177: A bill for an act relating to welfare; prohibiting restriction of foster homes by zoning; amending Minnesota Statutes 1971, Section 257.101, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

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

"Section 1. Minnesota Statutes 1971, Section 257.101, is amended by adding a subdivision to read:

Subd. 6. Notwithstanding any law to the contrary, no municipality or other political subdivision may enact zoning ordinances which prohibit the use of a single family dwelling in a residential area as a foster family home or as a facility for family day care of five or less children, including the provider's children, so long as the facility meets requirements for licensure pursuant to this and all applicable local and state health and safety regulations.

Sec. 2. Minnesota Statutes 1971, Section 257.101, is amended by adding a subdivision to read:

Subd. 7. Notwithstanding any law to the contrary, the commissioner of public welfare shall, at least thirty days before issuing a license under this section to any facility, notify the affected municipality or political subdivision of the facility's application.

Sec. 3. Subdivision 1. Notwithstanding any law to the contrary, no private or public facility for the treatment, housing, or counseling of more than five mentally retarded, physically disabled, mentally ill, chemically or otherwise dependent persons, nor any correctional facility for more than five persons, shall be established in a single family dwelling in a residential area without ninety days written notice to the affected municipality or other political subdivision.

Subd. 2. No state funds shall be made available to or be expended by any state or local agency for facilities or programs enumerated in this section unless and until the provisions of this section have been complied with in full.

Sec. 4. This act is in effect July 1, 1974."

Further, amend the title as follows:

Page 1, line 3, after the semicolon insert "providing for notice to affected municipalities and political subdivisions;"

Page 1, line 5, strike "a"

Page 1, line 6, strike "subdivision" and insert "subdivisions"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3229: A bill for an act relating to welfare; general assistance; defining county of financial responsibility; amending Minnesota Statutes, 1973 Supplement, Section 245A.18, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, after "144.50" strike the comma and insert a semicolon

Page 1, line 13, after "is" insert "a resident of a facility pursuant to"

Page 1, line 14, strike "placed in a county as a result of"

Page 1, line 15, strike "child care"

Page 1, line 15, after "training" strike the comma and insert a semicolon

Page 1, line 15, after "or" and before "a" insert "is a resident of"

Page 1, line 16, strike "program" and insert "facility"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1483: A bill for an act relating to liens for labor, services and material for the improvement of real estate; amending Minnesota Statutes 1971, Section 514.01.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, strike "1971" and insert ", 1973 Supplement"

Page 1, line 18, strike "for the price or value of such"

Page 1, line 19, strike "contribution;"

Page 2, after line 2, insert:

"Sec. 2. Minnesota Statutes, 1973 Supplement, Section 514.05, is amended to read:

514.05 [WHEN LIEN ATTACHES; NOTICE.] All such liens, as against the owner of the land, shall attach and take effect from the time the first item of material or labor is furnished upon the premises for the beginning of the improvement, and shall be preferred to any mortgage or other encumbrance not then of record, unless the lienholder had actual notice thereof. As against a bona fide purchaser, mortgagee, or encumbrancer without notice, no lien shall attach prior to the actual and visible beginning of the improvement on the ground, but a person having a contract for the furnishing of labor, skill, material, or machinery for such improvement, may file for record with the register of deeds of the county within which the premises are situated, or, if claimed under section 514.04, with the secretary of state, a brief statement of the nature of such contract, which statement shall be notice of his lien. *Engineering or land surveying services with respect to real estate shall not constitute the actual and visible beginning of the improvement on the ground referred to in this section.*"

Further amend the title as follows:

Page 1, line 4, after "Statutes" insert ", 1973 Supplement,"

Page 1, strike line 5 and insert "Sections 514.01; and 514.05."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3338: A bill for an act relating to commerce; banks and trust companies; authorized investments; amending Minnesota Statutes 1971, Section 48.61, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, strike "*two*" and insert "*three*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3218: A bill for an act relating to towns, local improvements, special assessments, amending Minnesota Statutes, 1973 Supplement, Section 429.011, Subdivision 2b.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, after "subdivision" insert "*and undertaken pursuant to the authority granted in this subdivision*"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3169: A bill for an act relating to Itasca county; government of certain unorganized townships for hospital district purposes.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, after "reside" strike the rest of the line and insert "by filing with the county board a petition, signed by voters of the town equal in number to ten percent of the electors voting in the town at the last preceding election of county officers."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3238: A bill for an act relating to county attorneys; authorizing county boards to provide that the office of county attorney be a full time position; amending Minnesota Statutes 1971, Chapter 388, by adding sections.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 18, strike "*least six*" and insert "*the January meeting prior to the first date on which applicants may file for the office of county attorney.*"

Page 1, line 19, strike "*months before the next election.*"

Page 1, line 19, strike "*for each term*"

Page 1, line 20, after "board" strike the remainder of the line and insert "*as provided in Minnesota Statutes, Section 388.18, Subdivision 2.*"

Page 1, strike lines 21 through 23.

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3249: A bill for an act relating to the city of Winona; authorizing the transfer of interests in certain real property to the port authority of Winona.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3292: A bill for an act relating to public transit in the city of Red Wing; providing for continued municipal financial assistance and expanding the definition of public transit; amending Laws 1969, Chapter 538, Sections 1, Subdivision 2; and 6.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3389: A bill for an act relating to Thief River Falls; providing for special elections to fill offices in certain cases.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3217: A bill for an act relating to court commissioners; altering the circumstances in which fees are allowed; amending Minnesota Statutes 1971, Section 357.28, Subdivision 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3246: A bill for an act relating to Chisago county; authorizing the county board to levy special assessments for improvements to bodies of water.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 2871: A bill for an act relating to Chisago county; authorizing the county board to use certain feasibility studies when establishing county water, sewer, or combined water and sewer systems.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3267: A bill for an act relating to the city of St. Cloud; property assessment as a function of the city assessor.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2677: A bill for an act relating to eminent domain proceedings; court appointed commissioners; amending Minnesota Statutes 1971, Section 117.075.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 17, strike the first comma

Page 1, line 17, after "alternates" strike the comma and insert *"who, except in the case of proceedings by a watershed district, shall be"*

Page 1, lines 18 and 19, strike the new language

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2004: A bill for an act relating to municipalities; providing for reimbursement for expenses incurred in the prosecution of highway patrol traffic violations; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 5.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 21 through 23, strike the new language

Page 1, line 26, after the period insert *"If, however, the violation occurs within a municipality and the city attorney prosecutes the offense, and a plea of not guilty is entered, one-third of the receipts shall be credited to the general revenue fund of the county, one-*

third of the receipts shall be paid to the municipality prosecuting the offense, and one-third shall be transmitted to the state treasurer as provided in this subdivision."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2515: A bill for an act relating to chattel mortgages; satisfactions; destruction of records.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 6, strike "any" and insert "a"

Page 1, line 6, strike "a" and insert "any"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3349: A bill for an act relating to welfare; establishing and empowering a Gillette hospital authority for the purpose of operating a children's hospital in conjunction with St. Paul-Ramsey hospital: amending Minnesota Statutes, 1973 Supplement, Section 250.05, Subdivision 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, after "the" insert "*city of Saint Paul, Ramsey county and the*"

Page 1, line 14, strike "*and the owners*"

Further, amend the title:

Page 1, line 2, strike "establishing and"

Page 1, line 3, strike "a" and insert "the"

Page 1, line 3, after "authority" insert "to contract with the city of Saint Paul and Ramsey county"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3409: A bill for an act relating to the department of corrections; the select advisory committee on corrections; authorizing the committee to submit a report on January 2, 1975; amending Laws 1973, Chapter 765, Section 3, Subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3372: A bill for an act relating to public welfare; permitting county welfare boards to charge fees for day care services; amending Minnesota Statutes, 1973 Supplement, Section 393.12.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, strike "383.12" and insert "393.12"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3325: A bill for an act relating to public health; requiring reporting of certain information by ambulance service operators; amending Minnesota Statutes 1971, Chapter 144, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, after "*require*" insert a comma

Page 1, line 15, after "*rendered*" insert a comma

Page 1, line 21, strike "*such*"

Page 1, line 21, after "*reports*" insert "*made pursuant to this section*"

Page 1, line 22, after "*criminal,*" strike "*or*" and insert "*nor in*"

Page 1, line 23, strike "*in*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3033: A bill for an act relating to retirement; revising the law governing the teachers retirement association and fund; amending Minnesota Statutes 1971, Sections 354.045; 354.05, Subdivisions 2, 8, 14, 15, 21, and 29, and by adding subdivisions; 354.06, Subdivisions 1 and 3; 354.09, Subdivisions 2 and 4; 354.10; 354.201; 354.33, Subdivision 6; 354.35; 354.43, Subdivisions 1 and 2; 354.44, Subdivisions 1 and 5; 354.46, Subdivisions 2 and 3; 354.47, Subdivision 1; 354.48, Subdivisions 4 and 10; 354.49, Subdivisions 1 and 3; 354.50, Subdivisions 1 and 2; 354.51, Subdivisions 1 and 3; 354.52, Subdivisions 2, 4 and 5; 354.55, Subdivision 11; and 354.58; and Chapter 354, by adding a section; and Minnesota Statutes, 1973 Supplement, Sections 354.07, Subdivision 5; 354.39; 354.42, Subdivisions 2 and 3; 354.44, Subdivisions 2, 6 and 7; 354.46, Subdivision 1; 354.48, Subdivision 3; 354.49, Subdivision 5; 354.50, Subdivision 4; 354.53, Subdivision 1; 354.55, Subdivisions 3, 12, 13, 16, and 17; 354.62, Subdivisions 2 and 5;

and 354.63, Subdivision 2; repealing Minnesota Statutes 1971, Sections 354.05, Subdivision 18; 354.08; 354.11; 354.12; 354.13; 354.14; 354.145, Subdivisions 3 and 4; 354.33, Subdivisions 2, 3, 4, and 9; 354.34, Subdivision 1; 354.36; 354.37; 354.41, Subdivision 1; 354.42, Subdivisions 1 and 6; 354.46, Subdivision 4; 354.47, Subdivision 3; 354.50, Subdivision 3; 354.511; 354.52, Subdivision 1; 354.54; 354.55, Subdivisions 1, 4, 7, and 9; and 354.581; and Minnesota Statutes, 1973 Supplement, Sections 354.145, Subdivisions 1 and 2; 354.31; 354.32; 354.33, Subdivisions 1, 7, and 8; 354.34, Subdivision 2; 354.38; and 354.55, Subdivision 8.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1971, Section 354.045, is amended to read:

354.045 [CITATION.] ~~Laws 1969, Chapter 405~~ *This chapter may be cited as the teachers retirement improvement act of 1969.*

Sec. 2. Minnesota Statutes 1971, Section 354.05, Subdivision 2, is amended to read:

Subd. 2. [TEACHER.] The word "teacher" includes any person who has rendered, is rendering, or shall hereafter render, service as a teacher, supervisor, principal, superintendent, or librarian in the public schools of the state, located outside of the corporate limits of the cities of the first class, in the state colleges, or in any charitable or state institution including penal and corrective institutions supported, in whole or in part, by public funds, or who has been engaged, is engaged, or shall hereafter be engaged, in educational administration in connection with the state public school system, including the state colleges, but excluding the state university, whether the position be a public office or an employment, not including members of any general governing or managing board or body connected with such systems, or the officers of common, independent, special, or associated school districts, or unorganized territory. The term shall also include *an employee of the teachers retirement association employed subsequent to July 1, 1969, and any nurse, counselor, social worker or psychologist who has rendered, is rendering or shall hereafter render service in the public schools as defined above or in state colleges.* The term shall also include any person who renders teaching service on a part time basis and who also renders other services for a school district. In such cases, the teachers retirement association shall have the authority to determine whether all or none of such combined employment will be covered by the teachers retirement association. The term does not mean any person who works for such school or institution as an independent contractor.

Sec. 3. Minnesota Statutes 1971, Section 354.05, Subdivision 8, is amended to read:

Subd. 8. [DEPENDENT CHILD.] "Dependent child" means any natural or adopted child of a deceased member who has not

reached the age of 18 by June 30, 1967, or who is under age 22 and is a full time student throughout the normal school year, unmarried and actually dependent for more than one-half of his support upon such member and for a period of at least 90 days prior to the member's death. It also includes any child of the member conceived during his lifetime and born after his death in any case where a member dies after July 1, 1967.

Sec. 4. Minnesota Statutes 1971, Section 354.05, Subdivision 14, is amended to read:

Subd. 14. [TOTAL AND PERMANENT DISABILITY.] "Total and permanent disability" means the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or to be of long continued and indefinite duration. An "indefinite duration" is a period of at least one year.

Sec. 5. Minnesota Statutes 1971, Section 354.05, Subdivision 15, is amended to read:

Subd. 15. [DEPENDENT SPOUSE.] "Dependent spouse" means : (1) the widow spouse of a deceased member who has not remarried and was living with and dependent upon the member at the time of death ; or (2) the widower of a deceased member who has attained the age of 65, has not remarried, was living with and dependent upon the member at the time of death for more than one-half of his support; or the widower of a deceased member who has not remarried and is totally and permanently disabled.

Sec. 6. Minnesota Statutes 1971, Section 354.05, Subdivision 21, is amended to read:

Subd. 21. [RETIREMENT.] "Retirement" means the withdrawal of a member from active teaching service who is paid a retirement annuity thereafter and commences with the date designated by the retirement board when the retirement annuity shall first accrue to the former member after his withdrawal from active teaching service. This date shall determine any rights specified in sections 354.05 to 354.14 and 354.31 to 354.55 this chapter which occur either before or after retirement, as the case may be.

Sec. 7. Minnesota Statutes 1971, Section 354.05, Subdivision 29, is amended to read:

Subd. 29. The term "social security receivable" means an amount equal to the request of transfer the trustees are authorized to make in section 355.46, subdivision 3 plus the amounts the state auditor commissioner of finance shall determine as of July 1, 1971 that have been paid from the teachers retirement fund pursuant to section 355.46, subdivision 3 (b) for which reimbursement has not already been made during the twelve-month period immediately preceding July 1, 1971.

Sec. 8. Minnesota Statutes 1971, Section 354.05, is amended by adding subdivisions to read:

Subd. 30. [COORDINATED MEMBER.] "Coordinated member" means any teacher covered by any agreement or modification

made between the state and the secretary of health, education and welfare, making the provisions of the federal old age, survivors and disability insurance act applicable to such member.

Subd. 31. [BASIC MEMBER.] "Basic member" means any teacher not covered by any agreement or modification made between the state and the secretary of health, education and welfare.

Subd. 32. [FORMULA PROGRAM.] "Formula program" means a retirement program which provides benefits based on certain percentages multiplied by the years of service and average salary of a member as described in section 354.44.

Subd. 33. [VARIABLE ANNUITY PROGRAM.] "Variable annuity program" means a retirement program which provides benefits based on a member's variable account accumulations as described in section 354.62 and the annuity rates of an appropriate mortality table adopted by the board of trustees.

Subd. 34. [FORMULA AND VARIABLE PROGRAM.] "Formula and variable program" means a retirement program which is a combination of the programs defined in subdivisions 32 and 33 as described in Minnesota Statutes, Sections 354.44 and 354.62.

Sec. 9. Minnesota Statutes 1971, Section 354.06, Subdivision 1, is amended to read:

354.06 [BOARD OF TRUSTEES; MEMBERSHIP; DUTIES.]
Subdivision 1. The management of the fund shall be vested in a board of seven trustees to be known as the board of trustees of the teachers retirement fund. It shall be composed of the following persons: the commissioner of education, the state auditor, the commissioner of insurance, and four members of the fund who shall be elected by mail ballot for terms of four years by the members of the fund in a manner to be fixed by the board of trustees of the fund. ~~The terms of office of all incumbent elective members of the board of trustees on July 1, 1963 shall terminate on the first day of July 1965. In 1965, there shall be elected four members of the board of trustees, for terms commencing on the first of July 1965, two of whom shall be elected for terms of four years each, and two for terms of two years each. Thereafter~~ In every odd numbered year there shall be elected two members of the board of trustees for terms of four years commencing on the first of July next succeeding their election. Each election shall be completed by June 1st of each succeeding odd numbered year. In the case of elective members, vacancies shall be filled by appointment by the remainder of the board, the appointee to serve until the members of the fund at the next regular election have elected a trustee to serve for the unexpired term caused by such vacancy. No member shall be appointed by the board, or elected by the members of the fund as a trustee who is not a member of the fund in good standing at the time of such appointment or election. It shall be the duty of the board of trustees to faithfully administer the law without prejudice and consistent with the expressed intent of the legislature. They shall act as trustees with a fiduciary

obligation to the state of Minnesota which created the fund, the taxpayers which aid in financing it and the teachers who are its beneficiaries.

Sec. 10. Minnesota Statutes 1971, Section 354.06, Subdivision 3, is amended to read:

Subd. 3. The state treasurer shall be ex officio treasurer of the fund and his general bond to the state shall cover any liabilities for his acts as treasurer of the fund. He shall receive all moneys payable to the fund and pay out the same only on warrants issued by the ~~state auditor~~ *commissioner of finance* upon ~~abstracts~~ *forms* signed by the secretary of the board.

Sec. 11. Minnesota Statutes, 1973 Supplement, Section 354.07, Subdivision 5, is amended to read:

Subd. 5. The board shall keep a record of the receipts and disbursements of the fund and a separate account with each member of the fund. The board shall also keep separate accounts for annuity payments, for employer contributions and all other necessary accounts and reserves. It shall determine annually the annual interest earnings of the fund which shall include realized capital gains and losses. Any amount in the capital reserve account on July 1, 1973 shall be transferred to the employer contribution's account. The annual interest earnings shall be apportioned and credited to the separate members' accounts except those covered under the provisions of section 354.33, ~~subdivisions 7 or 8, or section 354.44, subdivisions 6 or 7.~~ The rate to be used in this distribution computed to the last full quarter percent shall be determined by dividing the interest earnings by the total invested assets of the fund. The excess of the annual interest earnings in the excess earnings reserve which was not credited to the various accounts shall be credited to the gross interest earnings for the next succeeding year.

Sec. 12. Minnesota Statutes 1971, Section 354.09, Subdivision 4, is amended to read:

Subd. 4. After July 1, 1969, payments made pursuant to subdivision 1, representing employee contributions, shall be accepted only if an equal additional amount, representing employer contributions, is received from the agency formerly employing such teacher. However, the teacher or the school district or institution which presently employs him, may pay such equal additional amount representing the employer contribution required by this subdivision. Interest shall be paid on both the employee and employer contribution at the rate of ~~four~~ *six* percent per annum from the year on which such service was rendered to the first date of payment. For payments made prior to July 1, 1969, pursuant to subdivision 1 where the employer's contributions were not made, an additional amount representing employer's contributions may be paid together with interest at the rate of ~~four~~ *six* percent per annum on this amount from the year such service was rendered to the first date of payment.

If the employee and employer contributions and interest there-

on provided in this section are not paid in full the member's formula service credit shall be calculated by multiplying the number of years of out of state service by the ratio obtained by the total amount paid and the maximum amount payable provided herein.

The board may authorize the collection of these payments in the form of installments rather than a lump sum. Any school district or institution which desires to make the employer contribution herein provided, is hereby authorized to appropriate money for such purpose.

All payments into the fund pursuant to subdivision 1, shall be considered accumulations after July 1, 1957 for the purpose of computing any annuity provided in Extra Session Laws 1957, Chapter 16.

In no case shall the provisions of subdivision 1 apply to teachers who become members of the fund after July 1 June 30 , 1957.

In no case shall the provisions of subdivisions 1 or 4 apply to members who have accepted refunds of their accumulated deductions and again resumed teaching in schools to which chapter 354 applies after July 1, 1957.

Sec. 13. Minnesota Statutes 1971, Chapter 354, is amended by adding a section to read:

[354.091] [SERVICE CREDIT.] *In computing the time of service of a teacher, the length of a legal school year in the district or institution where such service was rendered shall constitute a year under sections 354.05 to 354.10, provided such year is not less than the legal minimum school year of this state. No person shall be allowed credit for more than one year of teaching service for any fiscal year. Commencing July 1, 1969 (1) if a teacher teaches only a fractional part of a day, credit shall be given for a day of teaching service for each five hours taught, and (2) if a teacher teaches at least 170 full days in any fiscal year credit shall be given for a full year of teaching service, and (3) if a teacher teaches for only a fractional part of the year credit shall be given for such fractional part of the year as the term of service rendered bears to 170 days.*

Sec. 14. Minnesota Statutes 1971, Section 354.10, is amended to read:

354.10 [FUND NOT SUBJECT TO ASSIGNMENT OR PROCESS; BENEFICIARIES.] The right of a teacher to avail himself of the benefits of ~~sections 354.05 to 354.10 and 354.31 to 354.55, and acts amendatory thereof provided by this chapter~~, is a personal right only and shall not be assignable. All moneys to the credit of a teacher's account in the fund or any moneys payable to him from the fund shall belong to the state of Minnesota until actually paid to the teacher or his beneficiary pursuant to the provisions of ~~sections 354.05 to 354.10 and 354.31 to 354.55, and acts amendatory thereof this chapter~~. Any power of attorney, assignment or attempted assignment of a teacher's interest in the fund, or of the beneficiary's interest therein, by a teacher or his

beneficiary shall be null and void and the same shall be exempted from garnishment or levy under attachment or execution and from all taxation by the state of Minnesota, except that none shall be exempt from taxation under chapter 291, unless transferred to a surviving spouse or minor or dependent child of the decedent or a trust for their benefit. Any beneficiary designated by a teacher under the terms of ~~sections 354.05 to 354.10 and 354.31 to 354.55, and acts amendatory thereof~~ *this chapter*, may be changed or revoked by the teacher at his pleasure, in such manner as the board may prescribe. In case a designated beneficiary dies before the teacher designating him dies, and a new beneficiary is not designated, the teacher's estate shall be the beneficiary.

Sec. 15. Minnesota Statutes 1971, Chapter 354, is amended by adding a section to read:

[354.146] [RETIREMENT PROGRAMS.] *Subdivision 1. Every member who has rendered teaching service or was on an authorized leave of absence after June 30, 1972 is covered by the full formula program except that those members who have contributed to the variable annuity fund are covered by the combined formula and variable annuity program. A former member who does not return to teaching service prior to retirement shall have his benefit determined under the program in effect at the time of termination.*

Subd. 2. If a member had previously elected the total variable annuity program, a portion of his variable annuity account accumulations will be transferred to his formula account and become a part of his accumulated deductions. An equal amount of state contributions shall be transferred from the variable annuity fund to the teachers retirement fund. Such transfers shall be in an amount equal to four-sevenths of the value of the member's variable annuity account as of June 30, 1974, except that only one-half of the contributions made during the fiscal year ending June 30, 1974 shall be transferred.

Subd. 3. After June 30, 1974, every new teacher entering teaching service or resuming teaching service after previously accepting a refund shall be covered by the full formula program.

Sec. 16. Minnesota Statutes 1971, Section 354.201, is amended to read:

354.201 [STATE AID FOR BENEFITS.] *Subdivision 1. The provisions of this section apply to teachers retirement fund associations and the benefits provided thereby in cities of the first class in which the teaching body thereof has established and incorporated such an association under the provisions of sections 354.15 to 354.23.*

Subd. 2. Notwithstanding any of the provisions of section 354.20, before the proper officials of the association make the certification to the authorities having charge of levying taxes for school purposes as provided in section 354.20, and in no case later than September 15 of each year, it shall furnish a copy of the certification which it proposes to make to the state auditor com-

missioner of finance and at the same time furnish the *state auditor commissioner of finance* with the number of teachers in the association who are currently contributing to the fund of such association, the amount of the annual salary of each of such teachers, the amount of each teacher's contribution and such other information as the *state auditor commissioner of finance* may from time to time require.

From such information the *state auditor commissioner of finance* shall determine the state's obligation as prescribed in subdivision 3 and shall pay the same to the association from the general fund in the state treasury and so much thereof as may be necessary to annually make such payment is hereby appropriated to the *state auditor commissioner of finance* for such purpose. This payment shall be made no later than October 15 of each year. When the association receives such payment from the *state auditor commissioner of finance* it shall deduct the amount thereof from the amount it proposes to certify to the proper authorities having charge of the levying of taxes for school purposes as provided for in section 354.20 and the amount necessary to raise by taxation in order to carry out the retirement plan of the association shall be reduced by the amount of the state's payment.

Subd. 3. The state's obligation under this section to a teachers retirement fund association in a city of the first class is an amount equal to the average amount, expressed as a percentage of payroll, that the state of Minnesota is required to pay annually for all contributing members of the state teachers retirement association including social security taxes. This percentage of payroll shall be based on annual estimated payroll amounts and certification information prepared by the state teachers retirement fund association for the current year, including social security taxes paid the previous year. This percentage of payroll shall be applied to total salary as reported in the annual salary information furnished by each teachers retirement association in a city of the first class to the *state auditor commissioner of finance* in compliance with subdivision 2 to determine the state's obligation to each teachers retirement fund association in each city of the first class. Any amount by which subsequent actual experience may deviate from the amounts allocated through the foregoing estimates shall be adjusted on succeeding allocations to said associations in cities of the first class. In no event shall the state's obligation be in excess of the amount required to be certified by such associations under applicable law to the proper authorities who have charge of the levying of taxes for school purposes.

Subd. 4. The allocation of the *state auditor commissioner of finance* to a teachers retirement fund association in a city of the first class as provided in subdivision 3 shall be reduced by an amount obtained by applying the percentage of payroll calculated in subdivision 3 to that portion of salaries paid from sources other than normal school operating funds as defined in section 354.05, subdivision 27. Before such allocation may be made, each teachers retirement fund association in a city of the first class shall furnish to the *state auditor commissioner of finance* a satisfactory certification which shows the total of all salaries paid which are subject

to teachers retirement deductions. Such certification shall also show the total amount of salaries paid from normal school operating funds and the total amount of salaries paid from sources other than normal school operating funds as defined in section 354.05, subdivision 27. For each individual salary included in the total of all salaries paid from sources other than normal school operating funds as defined in section 354.05, subdivision 27, the certification shall show each person's name, his salary or related portion of salary and amount of employer contributions determined by applying the percentage of payroll calculated in subdivision 3 to such salary. Such amount of related employer contributions shall be remitted to the state teachers retirement association by the state ~~auditor~~ *commissioner of finance* until the amount of these remittances and those described in section 354.43, subdivision 3 are equal to the social security receivable as defined in section 354.05, subdivision 29.

Sec. 17. Minnesota Statutes 1971, Section 354.33, Subdivision 6, is amended to read:

Subd. 6. When any person retires and whose annuity is computed ~~under section 354.33 as a coordinated member~~ as a result of (1) his transfer from public school teaching to state college teaching, and/or; (2) not rendering teaching service within a fiscal year; shall have his annuity computed ~~under section 354.44 as a basic member~~ for such service formerly ~~covered under section 354.44~~ *accrued as a basic member*.

Sec. 18. Minnesota Statutes 1971, Section 354.35, is amended to read:

354.35 [RETIREMENT BEFORE BECOMING ELIGIBLE FOR SOCIAL SECURITY.] Any *coordinated member* who retires before he is eligible for social security retirement benefits, may elect to receive retirement benefits from the association in an amount greater than his annuity computed on the basis of his age when he retires ~~provided in section 354.33~~. He shall exercise this option by making an application to the board on a form provided by the board. This greater amount shall be the actuarial equivalent of the member's annuity computed on the basis of his age when he retires. The greater amount shall be paid until the member reaches the age of 65 at which time the payment from the association shall be reduced. These annuities provided in this section shall be computed by an approved actuary.

Sec. 19. Minnesota Statutes, 1973 Supplement, Section 354.39, is amended to read:

354.39 [EFFECTIVE DATE; APPLICATION.] ~~Sections 354.31 to 354.39 take effect on the date any agreement or modification is made between the state and the secretary of health, education and welfare making such agreement or modification applicable to service performed in positions covered by the teachers retirement association. Sections 354.31 to 354.39 shall apply to any coverage group consisting of members of the teachers retirement association included in any such agreement or modification except that After July 1, 1971, any member of the teachers~~

retirement association employed in a new state college and other new institutions of higher learning not included in any agreement or modification made between the state and the secretary of health, education and welfare, making the provisions of the federal old age and survivors insurance act applicable to such members, shall be covered under the provisions of ~~sections 354.31 to 354.39~~ *this chapter applicable to coordinated members*.

Sec. 20. Minnesota Statutes, 1973 Supplement, Section 354.42, Subdivision 2, is amended to read:

Subd. 2. The employee contribution to the fund shall be an amount equal to *four percent of the salary of every coordinated member and eight percent of the salary of every basic member*. This contribution shall be made by deduction from salary. Where any portion of a member's salary is paid from other than public funds, such member's employee contribution shall be based on the entire salary received. For purposes of financing the various options related to the variable annuity division, employee variable annuity contributions will be credited in accordance with section 354.62, subdivision 2.

Sec. 21. Minnesota Statutes, 1973 Supplement, Section 354.42, Subdivision 3, is amended to read:

Subd. 3. Prior to July 1, 1975 the employer contribution to the fund shall be an amount equal to *three and one-half percent of the salary of every coordinated member and seven percent of the salary of every basic member*. Effective July 1, 1975 the employer contribution to the fund shall be an amount equal to *four percent of the salary of each coordinated member and eight percent of the salary of each basic member*. This contribution shall be made in the manner provided in section 354.43. For purposes of financing the various options related to the variable annuity division employer contributions equal to the employee variable annuity contributions prescribed in section 354.62, subdivision 2, will be allocated at the same time to the employer variable annuity contribution account in section 354.62, subdivision 3.

Sec. 22. Minnesota Statutes 1971, Section 354.43, Subdivision 1, is amended to read:

354.43 [EMPLOYER CONTRIBUTIONS, FINANCING.] Subdivision 1. Except as provided in section 354.43, subdivision 3, at least once each month the ~~board~~ *secretary* shall determine the amount of money necessary and presently needed to meet the state's obligation as provided in ~~sections 354.05 to 354.14 and 354.31 to 354.51, and acts amendatory thereof~~ *this chapter*, and shall certify the amount so determined to the ~~state auditor or commissioner of finance~~. The amount so certified shall be transferred immediately to the teacher's retirement fund.

Sec. 23. Minnesota Statutes 1971, Section 354.43, Subdivision 2, is amended to read:

Subd. 2. To meet the state's obligation prescribed in subdivision 1, such moneys as are required therefor are appropriated annually

to the state auditor *commissioner of finance* from the general fund in the state treasury. The moneys appropriated hereby to the ~~state auditor~~ *commissioner of finance* shall be deposited by him in the state treasury to the credit of the teachers retirement fund.

Sec. 24. Minnesota Statutes 1971, Section 354.44, Subdivision 1, is amended to read:

354.44 [RETIREMENT BENEFITS.] Subdivision 1. [REQUIREMENTS AS TO AGE AND SERVICE.] Any member or former member who ceases or has ceased to render teaching services ~~either before or after July 1, 1959~~ in any school or institution covered by Minnesota Statutes, Sections 354.05 to 354.14 and ~~354.31 to 354.55, and acts amendatory thereof~~ *the provisions of this chapter*, and who has attained the age of at least 55 years with not less than ten years allowable service, or who has received credit for not less than 30 years allowable service regardless of age, is entitled upon written application to a retirement annuity.

Sec. 25. Minnesota Statutes, 1973 Supplement, Section 354.44, Subdivision 2, is amended to read:

Subd. 2. [COMPUTATION OF MONEY PURCHASE ANNUITY.] The amount of retirement annuity is an amount equal to double the annuity which could be purchased by the member's accumulated deductions plus interest thereon. The annuity shall be determined by the member's age, his sex, double the amount of his accumulated deductions, double the interest earned on the accumulated deductions, and the appropriate mortality tables and interest rates. For the purpose of determining the amount of the annuity *for a basic member*, the accumulated deductions prior to July 1, 1957, and the accumulated deductions subsequent to July 1, 1957, shall be considered separately.

(1) For service rendered prior to July 1, 1957, the accumulated deductions for any member shall be carried forward at a fixed amount which is shown credited to his account as of that date. That fixed amount shall also include any payments in lieu of salary deductions which are to be made in the future and are actually so made pursuant to an agreement executed between the member and the board as authorized by section 354.50 or any other authorized payments made by the member to the fund. The annuity granted with respect to such period shall be determined by the following:

(a) The fixed amount of the accumulated deductions for such period including the interest credited thereon as earned up to July 1, 1957.

(b) Annuity purchase rates based on the mortality tables and interest assumption used by the board prior to July 1, 1957 *in the case of basic members and an annuity purchase rate based on an appropriate annuity table of mortality with an interest assumption as provided in section 354.07, subdivision 1, in the case of coordinated members*.

(2) For service rendered subsequent to July 1, 1957, the accumulated deductions for any member shall consist of the amounts actually credited to his account by reason of salary deductions. The annuity granted with respect to such period shall be determined by the following:

- (a) accumulated deductions for such period;
- (b) interest credited on these accumulated deductions from July 1, 1957, to the date of retirement;
- (c) interest credited on accumulated deductions including prior credited interest provided in paragraph (1) from July 1, 1957, to the date of retirement;
- (d) after the amount available for an annuity granted with respect to such person is determined in accordance with the provisions of this subdivision, an additional amount equal to 20 percent of the sum of clause (2) (a) plus interest credited to members account from July 1, 1957 to date of retirement is to be added. This added amount is not to be doubled as provided for other amounts determined in this subdivision;

(e) annuity purchase rate based on an appropriate annuity table of mortality with an interest assumption as provided in section 354.07, subdivision 1.

~~(3) Each member who is covered under this subdivision who elects a variable annuity option shall have the sum of any benefits provided herein and the benefits provided in section 354.02, subdivision 5.~~

Sec. 26. Minnesota Statutes 1971, Section 354.44, Subdivision 5, is amended to read:

Subd. 5. [RESUMPTION OF TEACHING.] A teacher who ~~has purchased an annuity retired~~ under any provision of any retirement law applicable to schools and institutions covered by sections 354.05 to 354.14 and 354.31 to 354.55 and ~~acts amendatory thereof the provisions of this chapter~~ and has thereafter resumed teaching in any school or institution to which such sections apply shall continue to receive payments in accordance with such annuity except that during any quarter in which his income from such teaching service exceeds the sum of \$800; the amount in excess of \$800 shall be deducted from the annuity payable for the quarter immediately following the quarter in which the excess amount was earned. After a member has reached the age of 72 he shall receive his annuity in full regardless of the amount of income.

Sec. 27. Minnesota Statutes, 1973 Supplement, Section 354.44, Subdivision 6, is amended to read:

Subd. 6. [COMPUTATION OF FORMULA PROGRAM RETIREMENT ANNUITY.] (1) The formula retirement annuity hereunder shall be computed in accordance with the applicable provisions of the formula stated in clause (2) hereof on the basis of each member's average salary for the period of his formula service credit. For the purposes of computing the formula benefits in subdivisions 6 and 7 under the formula and variable program, if a combination of these formulas is used, the formula percentages used will be those percentages in each formula as continued for the respective years of service from one formula to the next.

For all years of formula service credit "average salary" for the purpose of determining the member's retirement annuity means

the average salary upon which contributions were made and upon which payments were made to increase the salary limitation provided in section 354.511 for the highest five consecutive years within the last ten successive years of formula service credit.

(2) The average salary as defined in clause (1), of any member multiplied by two percent per year of formula service credit for the first ten years and 2.5 percent for each subsequent the following percentages per year of formula service credit shall determine the amount of the annuity to which the member qualifying therefor is entitled - ;

	<i>Coordinated Member</i>	<i>Basic Member</i>
<i>Each year of service during first ten</i>	<i>1.0 percent per year</i>	<i>2.0 percent per year</i>
<i>Each year of service thereafter</i>	<i>1.5 percent per year</i>	<i>2.5 percent per year</i>

(3) Where any member retires prior to age 65 under a formula annuity, he shall be paid a retirement annuity in an amount equal to the normal annuity provided in subdivisions 6 and 7, reduced by one half of one percent for each month that the member is under age 65 to and including age 60 and reduced by one fourth of one percent for each month under age 60 at the time of retirement except that for any member who has 30 or more years of allowable service credit, such reduction shall be applied only for each month such member is under age 62.

Sec. 28. Minnesota Statutes, 1973 Supplement, Section 354.44, Subdivision 7, is amended to read:

Subd. 7. [COMPUTATION OF FORMULA AND VARIABLE PROGRAM RETIREMENT ANNUITY.] The benefits provided in this subdivision are the sum of the benefits provided by the following:

(1) The benefits provided in subdivision 6(2) for formula service credit to the effective date of the election of this subdivision, and

(2) The benefits for service credit subsequent to the effective date of the election of this subdivision *formula and variable program* shall be the average salary as defined in subdivision 6, clause (1) of any member multiplied by one percent per year of formula service credit for the first ten years and 1.25 percent for each subsequent the following percentages per year of formula service credit, and

	<i>Coordinated Member</i>	<i>Basic Member</i>
<i>Each year of service during first ten</i>	<i>.5 percent per year</i>	<i>1.0 percent per year</i>
<i>Each year of service thereafter</i>	<i>.75 percent per year</i>	<i>1.25 percent per year, and</i>

(3) the benefits provided in section 354.62, subdivision 5.

Sec. 29. Minnesota Statutes, 1973 Supplement, Section 354.46, Subdivision 1, is amended to read:

354.46 [PAYMENTS AFTER DEATH.] Subdivision 1. [BENEFITS FOR SPOUSE AND CHILDREN OF TEACHER.] Upon the death of a *basic* member before retirement or upon the death of a former *basic* member who was disabled and receiving disability benefits pursuant to section 354.48 at the time of his death, who has had at least 18 months of allowable service, his surviving dependent spouse and dependent children under the age of 18 shall receive the monthly benefit provided below. ~~Where a member died on or after July 1, 1955, leaving any dependent child, such dependent child shall receive the benefits provided in this subdivision commencing from and after the effective date of Extra Session Laws 1957, Chapter 16.~~

(a) Surviving
dependent

spouse 30 percent of the *basic* member's monthly average salary in effect ~~over the last full six months of allowable service~~ paid in the last full fiscal year preceding death

(b) Each
dependent

child ten percent of the *basic* member's monthly average salary in effect ~~over the last full six months of allowable service~~ paid in the last full fiscal year preceding death

Payments for the benefit of any dependent child under the age of 18 22 years shall be made to the surviving parent, or if there be none, to the legal guardian of such child. The maximum monthly benefit shall not exceed ~~€100~~ \$450 for any one family, and the minimum benefit per family shall not be less than 30 percent of the *basic* member's average salary, subject to the foregoing maximum. The surviving dependent spouse benefit shall terminate upon his or her remarriage, and the dependent children's benefit shall be reduced pro tanto when any child is no longer dependent.

If the *basic* member and the surviving dependent spouse are killed in a common disaster and if the total of all survivors benefits paid under this subdivision is less than the accumulated deductions plus interest payable, the surviving children shall receive the difference in a lump sum payment.

Any survivor of a *basic* member whose average salary was less than \$75 per month shall not be entitled to the benefits provided in this subdivision. If the survivor benefits provided in this subdivision exceed in total the monthly average salary of the deceased *basic* member, these benefits shall be reduced to an amount equal to the deceased *basic* member's monthly average salary.

Effective January 1, 1973 Prior to payment of any survivor benefit herein described, the surviving dependent spouse's benefit provided herein may be waived but the benefits of a dependent child can only be waived by order of the district court. In the event all survivor benefits are waived, the member's accumulated deductions with interest shall be paid in a lump sum to the surviving spouse as provided in section 354.47, subdivision 1.

Sec. 30. Minnesota Statutes 1971, Section 354.46, Subdivision 2, is amended to read:

Subd. 2. [SURVIVING SPOUSE.] If an election as provided in this subdivision has been made, upon the death of a member before retirement, his surviving ~~dependent~~ spouse shall be paid a joint and survivor annuity as provided in section 354.45 and computed as in section 354.44, subdivision 2, or in subdivisions 6 or 7. The joint and survivor annuity provided herein shall be elected by the member after he has attained the age of at least 55 with not less than 20 years of allowable service, or who has received credit for not less than 30 years of allowable service regardless of age. ~~Except as otherwise provided in section 354.55, subdivision 2, the surviving dependent spouse of a basic member shall receive the benefits provided in subdivision 1 or the annuity provided in subdivision 2 but not both. If any member has made an election pursuant to this subdivision and elects to be covered under section 354.62, the annuity based on his variable account accumulations shall be calculated in accordance with the provisions of section 354.62, subdivision 5.~~

Sec. 31. Minnesota Statutes 1971, Section 354.46, Subdivision 3, is amended to read:

Subd. 3. [PAYMENT AFTER DEATH OF RETIREE.] If a former member dies after his retirement, there shall be paid to his ~~surviving spouse or dependent children if no spouse survives, or to the designated beneficiary if there be no spouse or surviving children,~~ an amount equal to the annuity payment computed to the date of death if no optional or reversionary annuity was designated by the member. ~~If more than one dependent child qualifies, this amount shall be divided equally among the dependent children. If an optional or reversionary annuity has been designated by the member, a death benefit shall be paid in accordance with the provisions of such annuity as described in section 354.45.~~

Sec. 32. Minnesota Statutes 1971, Section 354.47, Subdivision 1, is amended to read:

354.47 [REFUND AFTER DEATH.] Subdivision 1. [DEATH BEFORE RETIREMENT.] (1) If a member dies before retirement and is covered under the provisions of section 354.44, subdivision 2, and neither an optional annuity, nor reversionary annuity, nor the benefit described in section 354.46, subdivision 1 is payable to the survivors of a basic member, there shall be paid to his surviving ~~dependent~~ spouse or if there is no surviving dependent spouse to his designated beneficiary an amount equal to his accumulated deductions with interest credited to his account to the date of death.

(2) If a member dies before retirement and is covered under the provisions of section 354.44, subdivisions 6 and 7, and neither an optional annuity nor reversionary annuity, ~~nor the benefit described in section 354.46, subdivision 1~~ is payable to the survivors of a basic member, there shall be paid to his surviving dependent spouse or if there is no surviving dependent spouse to his designated beneficiary an amount equal to his accumulated deductions

credited to his account as of June 30, 1957 and from July 1, 1957 to the date of death his accumulated deductions plus interest at the rate of three and one half percent per annum compounded annually.

(3) The amounts payable in clauses (1) or (2) are in addition to the amount payable in section 354.62, subdivision 5, for the member's variable annuity account.

Sec. 33. Minnesota Statutes, 1973 Supplement, Section 354.48, Subdivision 3, is amended to read:

Subd. 3. [COMPUTATION OF BENEFITS.] (1) The amount of the disability benefit granted to members covered under section 354.44, subdivision 2, clause (1) and (2) or clause (3) is an amount equal to double the annuity which could be purchased by the member's accumulated deductions plus interest thereon computed as though the teacher were age 65 at the time the benefit begins to accrue and in accordance with the law in effect when the disability application is received. *Any member who applies for a disability benefit after June 30, 1974 and who failed to make an election pursuant to Minnesota Statutes 1971, Section 354.145, shall have his disability benefit computed under section 354.44, subdivision 2 or subdivision 6, whichever is larger.*

The benefit granted shall be determined by the following:

- (a) The amount of the accumulated deductions;
- (b) Interest actually earned on these accumulated deductions to the date the benefit begins to accrue;
- (c) Interest for the years from the date the benefit begins to accrue to the date such member attains age 65 at the rate which is the average rate credited for the five years prior to the date the benefit begins to accrue;
- (d) Annuity purchase rates based on an appropriate annuity table of mortality with interest assumption as provided in section 354.07, subdivision 1.

In addition a supplementary monthly benefit shall be paid to *basic members only* in accordance with the following table:

Age When Benefit Begins to Accrue	Supplementary Benefit
Under Age 56	\$50
56	45
57	40
58	35
59	30
60	25
61	20
62	15
63	10
64	5

(2) The disability benefit granted to *basic* members covered under section 354.44, subdivision 6 or 7 shall be computed in the

same manner as the annuity provided in subdivision 6 of the same section. *The disability benefit granted to coordinated members covered under section 354.44, subdivision 6 or 7 shall be computed in the same manner as the annuity provided in subdivision 6 or 7 of that section, whichever is applicable.* The disability benefit shall be the formula annuity without the reduction for each month the member is under age 65 at the time the benefit begins to accrue.

(3) The optional annuity benefit provided in section 354.34 and ~~section 354.45~~ does not apply to this section.

(4) For the purposes of computing a retirement annuity when the member becomes eligible, the amounts paid for disability benefits shall not be deducted from the individual member's accumulated deductions. If the disability benefits provided in this subdivision exceed the monthly average salary of the disabled member, the disability benefits shall be reduced to an amount equal to the disabled member's average salary. ~~Any member who began to receive disability benefits between July 1, 1957, and June 30, 1959, shall receive the supplementary monthly benefit provided in accordance with the foregoing table and such supplementary monthly benefit shall begin to accrue after June 30, 1959, and shall continue as long as disability benefits are paid to such member.~~

Sec. 34. Minnesota Statutes 1971, Section 354.48, Subdivision 4, is amended to read:

Subd. 4. [DETERMINATION BY THE BOARD.] The board shall have the member examined by at least two licensed physicians selected by the board. These physicians shall make written reports to the board concerning the member's disability including medical opinions as to whether or not the member is permanently and totally disabled within the meaning of ~~Minnesota Statutes 1957, section 135.01~~ 354.05, subdivision 14, ~~and acts amendatory thereof.~~ The board shall also obtain written certification from the last employer stating whether or not the member was separated from service because of a disability which would reasonably prevent further service to the employer and as a consequence the member is not entitled to compensation from the employer. If upon the consideration of the reports of the physicians and such other evidence presented by the member or others interested therein, the board finds the member totally and permanently disabled, it shall grant him a disability benefit. The fact that an employee is placed on leave of absence without compensation because of disability shall not bar him from receiving a disability benefit.

Sec. 35. Minnesota Statutes 1971, Section 354.48, Subdivision 10, is amended to read:

Subd. 10. [RETIREMENT STATUS AT AGE 65.] No person shall be entitled to receive *both* disability benefits and a public retirement annuity ~~at the same time provided by this chapter.~~ The disability benefit paid to a person hereunder shall terminate when he reaches age 65 if he is still totally and permanently

disabled. At that time he shall be deemed to be on retirement status and he may at his option be paid either a straight life retirement annuity as provided in section 354.44 or a straight life retirement annuity equal to the disability benefit paid to him before he reached age 65, whichever amount is greater. ~~If his disability benefit was computed pursuant to section 354.37, at age 63 he may at his option be paid either a straight life retirement annuity as provided in section 354.33 or a straight life retirement annuity equal to the disability benefit paid to him before he reached age 65, whichever is greater.~~ He may instead of taking the straight life annuity provided herein, however, select an optional retirement annuity as provided in section 354.34 ~~or 354.45~~; ~~which-~~ever is applicable.

Sec. 36. Minnesota Statutes 1971, Section 354.49, Subdivision 1, is amended to read:

354.49 [REFUND.] Subdivision 1. Any person who ceases to render teaching service in any school or institution to which ~~sections 354.04 to 354.14 and 354.31 to 354.55 the provisions of this chapter~~ apply shall be entitled to a ~~refundment~~ refund provided in subdivision 2, or a deferred retirement annuity. Application for ~~refundment~~ refund may be made no sooner than 30 days after termination of teaching service if the applicant has not again become a teacher. This payment will be made within 90 days after receipt of application for ~~refundment~~ refund or upon completion of processing the report made pursuant to section 354.52, subdivisions 1 and 2 whichever is later.

Sec. 37. Minnesota Statutes 1971, Section 354.49, Subdivision 3, is amended to read:

Subd. 3. Any person who has attained the age of at least 65 with less than ten years of credited allowable service shall receive a ~~refundment~~ refund in an amount equal to his accumulated deductions plus interest except those covered under the provisions of section 354.33, subdivisions 7 or 8, or section 354.44, subdivisions 6 or 7 in which case the refund shall be an amount equal to his accumulated deductions credited to his account as of June 30, 1957 and after July 1, 1957 his accumulated deductions plus interest at the rate of three and one half percent compounded annually.

Sec. 38. Minnesota Statutes, 1973 Supplement, Section 354.49, Subdivision 5, is amended to read:

Subd. 5. If a person ceases to render teaching service in any school or institution to which ~~section 354.05 to 354.145 and 354.31 to 354.55 the provisions of this chapter~~ apply and does not make application for ~~refundment~~ refund within five years after June 30th of the fiscal year in which the last deduction was taken from his salary for the retirement fund and if his accumulated deductions are \$50 or less, such deductions and interest shall be credited to and become a part of the retirement fund. In the event such person returns to render teaching service in any school or institution to which ~~section 354.05 to 354.145 and 354.31 to 354.55 the provisions of this chapter~~ apply and the deductions previously

credited to the retirement fund are \$5 or more, such deductions and interest to date of restoration shall be restored to his individual account. If the deductions previously credited to the retirement fund are \$5 or more and such person applies for a refund ~~an annuity~~ pursuant to section 354.55, subdivision 3, such deductions credited to the retirement fund shall be restored to such person's individual account.

Sec. 39. Minnesota Statutes 1971, Section 354.50, Subdivision 1, is amended to read:

354.50 [TERMINATION OF SERVICE CREDITS.] Subdivision 1. When any member accepts a ~~refundment~~ *refund* provided in section 354.49, all existing service credits to which the member was entitled prior to the acceptance of such ~~refundment~~ *refund* shall terminate and shall not again be restored until the former member acquires not less than ~~three~~ *two* years allowable service credit subsequent to taking his last ~~refundment~~ *refund*. In that event he may repay such ~~refundment~~ *refund*. If more than one ~~refundment~~ *refund* has been taken, all ~~refundments~~ *refunds* must be repaid ~~except that in the case of a member who is covered under section 354.33 because of previously accepting a refundment, such member shall repay an amount equal to the contribution provided under section 354.32, subdivision 1 of the law in effect on June 30, 1969 for any service rendered prior to June 30, 1969, and according to section 354.32, subdivision 1 for any service after July 1, 1969.~~

Sec. 40. Minnesota Statutes 1971, Section 354.50, Subdivision 2, is amended to read:

Subd. 2. If a member desires to repay his ~~refundments~~ *refunds*, payment shall include ~~four~~ *six* percent interest from date of withdrawal to the date payment is made and be credited to the fund.

Sec. 41. Minnesota Statutes, 1973 Supplement, Section 354.50, Subdivision 4, is amended to read:

Subd. 4. ~~Notwithstanding the three year service requirement provided in subdivision 1, Any person who has received a refundment refund from the teachers retirement association and who is a member of any public retirement fund referred to in section 354.60 may repay such refundment refund with interest to the teachers retirement association. Repayment of the refundments refunds under the provisions of this subdivision will be in accordance with all the provisions of this section except for the three year service requirement provided in subdivision 1.~~

Sec. 42. Minnesota Statutes 1971, Section 354.51, Subdivision 1, is amended to read:

354.51 [PAYMENTS TO RECEIVE CREDIT FOR PRIOR SERVICE.] Subdivision 1. After July 1, 1961, no member shall be entitled to make payments in lieu of salary deductions to the retirement board or receive credit for any period of service prior to that date for which employee contributions were not deducted from his salary, except as provided in ~~section~~ *sections* 354.09, subdivision 4, 354.38, 354.50, or 354.53.

Sec. 43. Minnesota Statutes 1971, Section 354.52, Subdivision 2, is amended to read:

Subd. 2. Each ~~county superintendent or county administrator,~~ board of education or managing body shall, on or before August 1, each year, report to the teachers retirement board giving an itemized summary of the total amount withheld from the salaries of teachers for regular teacher's retirement deductions and for variable annuity deductions, and such other information as the teacher's retirement board may require. *If such itemized summary is received after August 1 in any year, there shall be a penalty not to exceed \$25 for each month or portion thereof which the summary is delinquent, as determined by the board.*

Sec. 44. Minnesota Statutes 1971, Section 354.52, Subdivision 4, is amended to read:

Subd. 4. At least once a month, the treasurer of each employing school district and other managing bodies of schools and institutions to which ~~sections 354.05 to 354.14 and 354.31 to 354.61 and acts amendatory thereof~~ the provisions of this chapter apply shall transmit all amounts due and furnish a signed statement indicating the amount due and transmitted, which signing of such statement shall have the force and effect of an oath as to the correctness of the amount due and transmitted, and shall transmit a statement of such other information as the board shall require. Any amount thus due and not transmitted, shall accrue interest at the rate of six percent compounded annually commencing 30 days after the date first due until transmitted and shall be paid by the employing school district or other managing institution. The state treasurer shall credit all money received or withheld pursuant to the provisions of ~~sections 354.05 to 354.14 and 354.31 to 354.61 and acts amendatory thereof~~ this chapter to the fund and the reports and date received by him from each reporting agency shall be available for the board. Any person wilfully failing to perform any of the duties imposed upon him by this section shall be guilty of a misdemeanor.

Sec. 45. Minnesota Statutes 1971, Section 354.52, Subdivision 5, is amended to read:

Subd. 5. The state treasurer, the several county treasurers, and the treasurers of the various school districts and institutions to which ~~sections 354.05 to 354.14 and 354.31 to 354.61 and acts amendatory thereof~~ the provisions of this chapter apply shall be officially liable for the receipt, handling, and disbursement of all moneys coming into their hands belonging to the fund and the sureties on the official bonds of each of these treasurers shall be liable for such moneys the same as for all other moneys belonging to the school funds of this state.

Sec. 46. Minnesota Statutes, 1973 Supplement, Section 354.53, Subdivision 1, is amended to read:

354.53 [MILITARY SERVICE CREDIT.] Subdivision 1. Any employee given a leave of absence to enter military service and who returns to teaching service upon discharge from military ser-

vice as provided in section 192.262, shall obtain credit for his period of military service but he shall not receive credit for any voluntary extension of military service at the instance of the member beyond the initial period of enlistment, induction or call to active duty. Such member shall obtain such credit by paying into the fund an employee contribution based upon his salary at the date of return from military service. For service rendered prior to July 1, 1969 1957, the amount of his contribution shall be an amount equal to six percent of his salary multiplied by the number of years of such military service, together with interest thereon at the rate of four percent per annum from the time such military service was rendered to the first date of payment. The payments hereunder shall; not to exceed \$175 per year for any service rendered prior to July 1, 1953, \$216 per year for service rendered during the period July 1, 1953 through June 30, 1955, \$288 per year for service rendered during the period July 1, 1955 through June 30, 1957; and \$432 per year for service rendered during the period July 1, 1957 through June 30, 1957. For service rendered subsequent to July 1, 1957 1957 the amount of this contribution shall be an amount equal to seven percent of his salary multiplied by the number of years of such military service, together with interest thereon at the rate of four percent per annum from the time such military service was rendered to the first date of payment. as follows:

<i>Period</i>	<i>Basic Member</i>	<i>Coordinated Member</i>
<i>July 1, 1957</i>	<i>6 percent not</i>	<i>3 percent not</i>
<i>thru</i>	<i>not to exceed</i>	<i>not to exceed</i>
<i>June 30, 1967</i>	<i>\$432</i>	<i>\$216</i>
<i>July 1, 1967</i>		
<i>thru</i>	<i>6 percent</i>	<i>3 percent</i>
<i>June 30, 1969</i>		
<i>July 1, 1969</i>		
<i>thru</i>	<i>7 percent</i>	<i>3½ percent</i>
<i>June 30, 1973</i>		
<i>July 1, 1973</i>		
<i>and</i>	<i>8 percent</i>	<i>4 percent</i>
<i>thereafter</i>		

The contributions specified in this subdivision shall be multiplied by the number of years of such military service together with interest thereon at the rate of six percent per annum from the time such military service was rendered to the first date of payment. In such cases the employer contribution and additional contribution provided in section 354.42 shall be paid by the state in the manner provided in section 354.43. Payment for military service which is part of any agreement signed by a member in accordance with section 354.51, subdivision 2, is not subject to the provisions of this section.

Sec. 47. Minnesota Statutes, 1973 Supplement, Section 354.55, Subdivision 3, is amended to read:

Subd. 3. Any person who ceased teaching service prior to July 1, 1957, who left his accumulated deductions in the fund for the

purpose of receiving when eligible, a retirement annuity in accordance with the law in effect at the date such service terminated, shall have his annuity computed in accordance with the law in effect at the date he ceased teaching service, *except that if such person has ten or more years of allowable service credit, his retirement annuity shall be determined under the law in effect on June 30, 1969.*

Sec. 48. Minnesota Statutes 1971, Section 354.55, Subdivision 11, is amended to read:

Subd. 11. Any person covered under ~~section 354.33, subdivisions 7 and 8,~~ and section 354.44, subdivisions 6 and 7, who ceases or has ceased to render teaching service may leave his accumulated deductions in the fund for the purpose of receiving a deferred annuity at retirement. Eligibility for such an annuity shall be determined by the provisions of section 354.44, subdivision 1, or section 354.60.

The amount of the deferred retirement annuity shall be determined by ~~section 354.33, subdivisions 7 and 8, and section 354.44, subdivisions 6 and 7,~~ and augmented as provided herein. The required reserves related to that portion of the annuity which had accrued at the time the member ceased to render teaching service shall be augmented by interest compounded annually from the first day of the month following the month during which the member ceased to render teaching service to the effective date of retirement. The rates of interest used for this purpose shall be ~~the interest assumptions which were in effect during the period for which interest is compounded~~ *five percent commencing July 1, 1971.* If a person has more than one period of uninterrupted service, the required reserves related to each period shall be augmented by interest pursuant to this subdivision. The sum of the augmented required reserves so determined shall be the basis for purchasing the deferred annuity. If a person does not render teaching service in any one or more consecutive fiscal years and then resumes teaching service, the formula percentages used from date of resumption will be those applicable to new members. The mortality table and interest assumption contained therein used to compute such annuity will be determined by the law in effect at the time of the member's retirement. A period of uninterrupted service for the purposes of Laws 1971, Chapter 87 shall mean a period of covered teaching service during which the member has not been separated from such service for more than one fiscal year.

The provisions of ~~Laws 1971, Chapter 87~~ *this subdivision* shall not apply to variable account accumulations as defined in section 354.05, subdivision 23.

In no case shall the annuity payable herein be less than the amount of annuity payable pursuant to ~~section 354.33, subdivisions 7 and 8, clauses (1) and (2), and section 354.44, subdivisions 6 and 7, clauses (1) and (2).~~

Sec. 49. Minnesota Statutes, 1973 Supplement, Section 354.55, Subdivision 12, is amended to read:

Subd. 12. When any member retires under the law in effect on June 30, 1969 prior to July 1, 1973 that portion of his annuity based on accumulations after June 30, 1957 under the provisions of *Minnesota Statutes 1971*, Section 354.44, Subdivision 2 and all accumulations under the provisions of *Minnesota Statutes 1971*, Section 354.33, Subdivision 1 shall be calculated using the same mortality table and interest assumption used to transfer the required reserves to the Minnesota adjustable fixed benefit fund. This provision shall apply to all those teachers retiring after June 30, 1969.

Sec. 50. *Minnesota Statutes*, 1973 Supplement, Section 354.55, Subdivision 13, is amended to read:

Subd. 13. Except as provided in section 354.145, Any person who ceased teaching service prior to July 1, 1968, who has ten years or more of allowable service and left his accumulated deductions in the fund for the purpose of receiving when eligible a retirement annuity, shall have his annuity computed in accordance with the law in effect on June 30, 1969, except that the portion of his annuity based on accumulations after June 30, 1957, under the provisions of *Minnesota Statutes 1967*, Section 354.44, Subdivision 2, and all accumulations under the provisions of *Minnesota Statutes 1967*, Section 354.33, Subdivision 1, shall be calculated using the same mortality table and interest assumption used to transfer the required reserves to the Minnesota adjustable fixed benefit fund.

Sec. 51. *Minnesota Statutes*, 1973 Supplement, Section 354.55, Subdivision 16, is amended to read:

Subd. 16. Any member who ceased to render teaching service during the 1972-73 fiscal year whose application for retirement becomes effective after June 30, 1973, shall be eligible to receive the new retirement benefits provided in sections 354.33, subdivisions 1, 7 and 9; section 354.44, subdivisions 2, 6 and 7.

Sec. 52. *Minnesota Statutes*, 1973 Supplement, Section 354.55, Subdivision 17, is amended to read:

Subd. 17. (1) Teachers who retire after June 30, 1973 and who failed to make an election pursuant to section 354.145, subdivision 1, clause (1) shall have their annuity at retirement computed under section 354.33, subdivision 1 or subdivision 7, whichever is larger.

(2) Teachers who retire after June 30, 1973 and who failed to make an election pursuant to *Minnesota Statutes 1971*, Section 354.145, Subdivision 1, Clause (1) and Subdivision 2, Clause (1) shall have their annuity at retirement computed under section 354.44, subdivision 2 or subdivision 6, whichever is larger.

Sec. 53. *Minnesota Statutes 1971*, Section 354.55, is amended by adding a subdivision to read:

Subd. 18. Any member who has not retired and who made payments to the fund pursuant to *Minnesota Statutes 1965*, Section 354.511 shall be entitled upon request to receive a refund of such amounts.

Sec. 54. Minnesota Statutes 1971, Chapter 354, is amended by adding a section to read:

[354.092] [SABBATICAL LEAVE.] *If a member is granted a Sabbatical leave, he may receive allowable service credit not exceeding three years in any ten consecutive years toward a retirement annuity by paying into the fund employee contributions during the period of leave. The employee contribution shall be based upon the appropriate rate of contributions and the salary received during the year immediately preceding the leave. This payment must be made within one year following termination of leave of absence, and shall be without interest. A member shall not accrue more than three years allowable service by reason of this section unless the allowable service credit was paid for by the member prior to July 1, 1962. A Sabbatical leave for the purpose of this section must be compensated by a minimum of one third of the salary the member received during the prior fiscal year. If the employee contributions during the period of the leave are less than the contributions based on the salary received during the year immediately preceding the leave, his formula service credit shall be prorated according to section 354.05, subdivision 25, clause (4).*

Sec. 55. Minnesota Statutes 1971, Section 354.58, is amended to read:

354.58 [SUPPLEMENTAL RETIREMENT ANNUITY.] A supplemental retirement annuity shall be paid only to a member who retires pursuant to sections 354.33, subdivision 1, or 354.44, subdivision 2, and the options related thereto as established in sections 354.34, 354.35, and 354.45. In establishing this supplemental retirement annuity the board shall ascertain the member's accumulated deduction including interest for the period of allowable service prior to July 1, 1957, and the member shall receive a retirement credit of 100 percent of this amount. The retirement credit so established shall be the basis for purchasing a supplemental retirement annuity using the 1937 standard annuity table of mortality set back two years with interest at the rate of three and one half percent and calculated separately as to sex. This supplemental retirement annuity shall be doubled. Each annuitant who commenced drawing his annuity between July 1, 1967 and June 30, 1969, or the beneficiary or beneficiaries of such members who were receiving annuity payments on July 1, 1969 under Minnesota Statutes 1967, Sections 354.33 and 354.34, or 354.44 and 354.45, shall have his annuity recomputed in accordance with the provisions of section 354.58 and any additional annuity shall begin to accrue July 1, 1969.

Sec. 56. Minnesota Statutes, 1973 Supplement, Section 354.62, Subdivision 2, is amended to read:

Subd. 2. [INDIVIDUAL ELECTION.] Each member of the teachers retirement association may elect to participate in the variable annuity division by filing a written notice with the board of trustees on forms provided by the board.

(1) Employee variable annuity contributions to the variable annuity division shall be :

~~(a) Pursuant to the options avoidable in section 354.33, subdivision 1, clause (2), and section 354.33, subdivision 8, the employee variable annuity contribution shall be an amount equal to two percent of the salary of every member.~~

~~(b) pursuant to the options option available in section 354.44, subdivision 2, clause (3), and section 354.44, subdivision 7, the employee variable annuity contributions shall be an amount equal to two percent of the salary of every coordinated member and four percent of the salary of every basic member.~~

~~(c) Pursuant to the option available in section 354.33, subdivision 9, the employee variable annuity contribution shall be an amount equal to four percent of the salary of every member.~~

(2) Employer variable annuity contributions shall be an amount equal to the employee variable annuity contributions provided in clause (1). The deficiency in equal employer variable annuity contributions which shall exist prior to July 1, 1975 shall be recovered from the additional employer contributions made prior to July 1, 1975 pursuant to sections 354.32, subdivision 3 and section 354.42, subdivision 5.

~~(3) Said election shall be made in accordance with section 354.145, subdivisions 1 and 2. Said election once made is irrevocable.~~

~~(4)~~ (3) There shall be provided for members participating in the variable annuity division a separate account for each member which will show his variable account accumulations as defined in section 354.05, subdivision 23. The board shall establish such other accounts in the variable annuity division as it deems necessary for the operation of this provision.

(4) After June 30, 1974 there shall be no new participants in this program.

Sec. 57. Minnesota Statutes, 1973 Supplement, Section 354.62, Subdivision 5, is amended to read:

Subd. 5. [VARIABLE RETIREMENT ANNUITY.] (1) At retirement the amount of the member's variable account accumulation in the employee variable annuity contribution account, based on the valuation at the previous fiscal year end plus any contributions made by such person since such date, and an equal amount from the employer variable annuity contribution account shall be transferred to the variable annuity reserve account, and the variable retirement annuity for the member shall be determined by the member's age, and sex, and the amount transferred for the member to the variable annuity reserve account at the date of retirement. The amount of the annuity shall be calculated on the basis of an appropriate annuity table of mortality with an interest assumption as provided in section 354.07, subdivision 1.

(2) Whenever the admitted value of the annuity reserve account of the variable annuity division, as of June 30 of any year,

exceeds or is less than the then present value of all variable annuities in force, determined in accordance with the rate of interest and approved actuarial tables then in effect, by at least two percent of said present value, the amount of each variable annuity payment shall be proportionately increased or decreased for the following year.

(3) The death benefit payable in the event of a member's death prior to retirement will be the lump sum refund of a member's variable account accumulation, based on the valuation at the previous fiscal year end plus any contributions made by such person since such date, to the surviving dependent spouse, or if there is no surviving dependent spouse to his designated beneficiary. Except that if a member has made an election in accordance with section 354.33 or 354.46, then his surviving dependent spouse will receive a joint and survivor annuity as described in sections 354.34 and section 354.44 and computed as provided in clause (1). An amount equal to the lump sum refund made in this clause shall be transferred from the employer contribution account to the variable annuity turnover account.

(4) Except as provided in sections 354.33, subdivision 1, clause (2); 354.33, subdivisions 3 and 9; 354.44, subdivision 2, clause (3); and section 354.44, subdivision 7, any person who ceases to be a member by reason of termination of teaching service, shall be entitled to a lump sum refundment of his variable account accumulations, based on the valuation at the previous fiscal year end plus any contributions made by such person since such date. Application for a refundment may be made no sooner than 30 days after termination of teaching service if the applicant has not again become a teacher. Repayment of a refundment upon resumption of teaching is not permitted under this section. An amount equal to the refundment to the member shall be transferred from the employer contribution account to the variable annuity turnover account.

(5) If a member is determined to be totally and permanently disabled as provided in Minnesota Statutes 1967, sections 354.05, subdivision 14; 354.37; and 354.48, he shall be entitled to the annuity provided in this subdivision.

(6) Those members eligible for retirement as provided in Minnesota Statutes 1967, section 354.44, subdivision 1 will upon application for the annuity provided therein be entitled to the annuity provided in this subdivision. The annuity elected in accordance with Minnesota Statutes 1967, sections 354.33, 354.34, 354.44, and 354.45 shall be the annuity applicable to this subdivision.

(7) Notwithstanding section 356.18, increases in annuity payments pursuant to this section will be made automatically unless written notice is filed by the annuitant with the teachers retirement association board requesting that the increase shall not be made.

(8) At retirement, a member may elect to have the amount of his variable annuity accumulation in the employee variable

annuity contribution account and an equal amount from the employer variable annuity contribution account transferred to the Minnesota adjustable fixed benefit fund as provided in section 354.63, subdivision 2, clause (2). This election may also be made by a surviving dependent spouse who receives an annuity under clause (3) of this subdivision. Such election shall be made on a form provided by the board of trustees.

Sec. 58. Minnesota Statutes, 1973 Supplement, Section 354.63, Subdivision 2, is amended to read:

Subd. 2. [VALUATION OF ASSETS; ADJUSTMENT OF BENEFITS.] ~~(1) As of June 30, 1969, the present value of all annuities in force as of June 30, 1969 and as amended in accordance with Laws 1969, Chapter 485, except for the annuities of those persons who retired pursuant to Laws 1916, Chapter 199, as amended, shall be determined in accordance with the 1937 standard annuity table of mortality set back two years and calculated separately as to sex, with an interest assumption of three and one-half percent, and assets representing the required reserves for these annuities shall be transferred to the Minnesota adjustable fixed benefit fund, during a period of one year in accordance with procedures specified in section 11.25.~~

~~(2) (1)~~ Effective July 1, 1973 for those members retiring pursuant to sections 354.05 to 354.14 and 354.31 to 354.51 and acts amendatory thereof *this chapter*, the required reserves as determined in accordance with these sections shall be transferred to the Minnesota adjustable fixed benefit fund as of the date of retirement. An appropriate annuity table of mortality with an interest assumption as provided in section 354.07, subdivision 1, will be used to determine the amount to be transferred.

~~(3) (2)~~ Annuity payments shall be adjusted in accordance with the provisions of section 11.25, subdivisions 12 and 13.

~~(4) (3)~~ Notwithstanding section 356.18, increases in annuity payments pursuant to this section will be made automatically unless written notice is filed by the annuitant with the teachers retirement association board requesting that the increase shall not be made.

Sec. 59. Minnesota Statutes 1971, Sections 354.05, Subdivision 18; 354.08; 354.09, Subdivision 2; 354.11; 354.12; 354.13; 354.14; 354.145, Subdivisions 3 and 4; 354.33, Subdivisions 2, 3, 4, and 9; 354.34, Subdivision 1; 354.36; 354.37; 354.41, Subdivision 1; 354.42, Subdivisions 1 and 6; 354.46, Subdivision 4; 354.47, Subdivision 3; 354.50, Subdivision 3; 354.51, Subdivisions 2 and 3; 354.511; 354.52, Subdivision 1; 354.54; 354.55, Subdivisions 1, 4, 7, and 9; and 354.581; and Minnesota Statutes, 1973 Supplement, Sections 354.09, Subdivision 3; 354.145, Subdivisions 1 and 2; 354.31; 354.32; 354.33, Subdivisions 1, 7, and 8; 354.34, Subdivision 2; 354.38; and 354.55, Subdivision 8; are repealed.

Sec. 60. This act is effective July 1, 1974, except for section 53 which shall be effective the day following final enactment."

Further, strike the title in its entirety and insert in lieu thereof:

"A bill for an act relating to retirement; revising the law governing the teachers retirement association and fund; amending Minnesota Statutes 1971, Sections 354.045; 354.05, Subdivisions 2, 8, 14, 15, 21, and 29, and by adding subdivisions; 354.06, Subdivisions 1 and 3; 354.09, Subdivisions 4; 354.10; 354.201; 354.33, Subdivision 6; 354.35; 354.43, Subdivisions 1 and 2; 354.44, Subdivisions 1 and 5; 354.46, Subdivisions 2 and 3; 354.47, Subdivision 1; 354.48, Subdivisions 4 and 10; 354.49, Subdivisions 1 and 3; 354.50, Subdivisions 1 and 2; 354.51, Subdivision 1; 354.52, Subdivisions 2, 4 and 5; 354.55, Subdivision 11, and by adding a subdivision; and 354.58; and Chapter 354, by adding sections; and Minnesota Statutes, 1973 Supplement, Sections 354.07, Subdivision 5; 354.39; 354.42, Subdivisions 2 and 3; 354.44, Subdivisions 2, 6 and 7; 354.46, Subdivision 1; 354.48, Subdivision 3; 354.49, Subdivision 5; 354.50, Subdivision 4; 354.53, Subdivision 1; 354.55, Subdivisions 3, 12, 13, 16, and 17; 354.62, Subdivisions 2 and 5; and 354.63, Subdivision 2; repealing Minnesota Statutes 1971, Sections 354.05, Subdivision 18; 354.08; 354.09, Subdivision 2; 354.11; 354.12; 354.13; 354.14; 354.145, Subdivisions 3 and 4; 354.33, Subdivisions 2, 3, 4, and 9; 354.34, Subdivision 1; 354.36; 354.37; 354.41, Subdivision 1; 354.42, Subdivisions 1 and 6; 354.46, Subdivision 4; 354.47, Subdivision 3; 354.50, Subdivision 3; 354.51, Subdivisions 2 and 3; 354.511; 354.52, Subdivision 1; 354.54; 354.55, Subdivisions 1, 4, 7, and 9; and 354.581; and Minnesota Statutes, 1973 Supplement, Sections 354.09, Subdivision 3; 354.145, Subdivisions 1 and 2; 354.31; 354.32; 354.33, Subdivisions 1, 7, and 8; 354.34, Subdivision 2; 354.38; and 354.55, Subdivision 8."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 2837: A bill for an act relating to intoxicating liquor; authorizing off-sale of certain wines by certain manufacturers; amending Minnesota Statutes 1971, Section 340.13, Subdivision 1.

Reports the same back with the recommendation that the printed bill be amended as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1971, Section 340.13, Subdivision 1, is amended to read:

340.13 [LICENSES; RESTRICTIONS.] Subdivision 1. [MANUFACTURERS' OR WHOLESALERS' INTEREST IN RETAIL ESTABLISHMENT.] *It is the legislative policy of the state that business carried on under the license of a manufacturer or wholesaler must be separate in fact and in law from the business carried on under a retailer's license. No manufacturer or wholesaler shall either directly or indirectly own or control or have any financial interest*

in any retail business selling intoxicating liquor, but this restriction shall not be construed to deny such person the right to use or have his property rented for such purposes in any case where the manufacturer or wholesaler was a bona fide owner of the premises prior to November 1, 1933 nor shall a retailer own, control or have any such interest in the business of any manufacturer or wholesaler. For the purpose of this subdivision, "own, control or financial interest" means and includes any relationship or association, financial or other and any connection through stock ownership or stock holding, that is likely to result in significant influence on the business policy of either licensee. No manufacturer or wholesaler shall exact or require, by contract, understanding, or otherwise any licensed retailer to handle or sell only the products of any particular manufacturer or wholesaler. Nothing in this subdivision shall be construed to prohibit a licensed manufacturer of wine containing not more than 25 percent of alcohol by volume nor less than 51 percent wine manufactured from Minnesota grown agricultural products from selling at off-sale wines manufactured or processed by that manufacturer at not more than one location in conjunction with a winery without procuring a retail off-sale license.

Sec. 2. This act is in effect the day following its final enactment."

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

"A bill for an act relating to intoxicating liquor; separating the businesses of retailers and others in the liquor business; permitting off-sale of wines by a manufacturer at the place of manufacture; amending Minnesota Statutes 1971, Section 340.13, Subdivision 1."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adoptd. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 2533: A bill for an act relating to intoxicating liquor; Sunday sales; amending Minnesota Statutes 1971, Section 340.14, Subdivision 5.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1971, Section 340.07, Subdivision 14, is amended to read:

Subd. 14. "Restaurant" means any establishment, other than a hotel, under the control of a single proprietor or manager, having appropriate facilities for the serving of meals, and where, in consideration of payment therefor, meals are regularly served at tables to the general public, and which employs an adequate staff to provide the usual and suitable service to its guests; and the principal part of the business of which is the serving of foods. In cities of the first class such establishment shall have facilities for seating not less than 50 guests at one time; in cities of the second and third class and villages of over 10,000 population,

such establishment shall have facilities for seating not less than 30 guests at one time, or such greater number as the municipality may determine; and in cities of the fourth class and villages of 10,000 population or less, in such manner as the municipality shall determine; and in an unincorporated or unorganized area of a county such establishment shall have facilities for seating not less than 100 guests at one time or such greater number as the county board may determine."

Further, amend by striking the title and inserting:

"A bill for an act relating to intoxicating liquor; redefining the term "restaurant"; amending Minnesota Statutes 1971, Section 340.07, Subdivision 14."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3163: A bill for an act relating to the city of St. Paul; authorizing the issuance of licenses for the sale of intoxicating liquor at the old federal courts building.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, after "The" insert "two"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3224: A bill for an act relating to intoxicating liquor; county licenses in unorganized or unincorporated areas of certain counties; amending Laws 1973, Chapter 566, Section 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3273: A bill for an act relating to the city of Thief River Falls; authorizing the issuance of on-sale liquor licenses.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, after "and" insert "restaurants"

Page 1, line 11, strike "two to other eligible premises"

Page 1, line 13, strike "as to type of premises to be licensed and"

Page 1, line 14, strike "voter approval as"

Page 1, line 15, after “,” insert “clause 3,” and after “shall” insert “not”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3189: A bill for an act relating to human rights; forbidding banks and other financial institutions to discriminate against persons who desire to purchase or rehabilitate real property on the basis of the economic, social or environmental conditions of the area where the property is located; amending Minnesota Statutes, 1973 Supplement, Section 363.03, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, line 13, after “area” insert “or any part thereof solely”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3180: A bill for an act relating to the city of Coon Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, strike “15” and insert “six additional”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3158: A bill for an act relating to insurance; variable contracts; amending Minnesota Statutes, 1973 Supplement, Section 61A.17.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 19, add:

“Sec. 2. This act is effective upon final enactment.”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3245: A bill for an act relating to Chisago county; authorizing the county board to establish water or sewer or combined water and sewer systems within cities.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 23, after "levies" insert "within the meaning of Minnesota Statutes, Section 275.50, Subdivision 5,"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3046: A bill for an act relating to weeds; notice to landowners of required eradication; amending Minnesota Statutes 1971, Section 18.271, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 2, after "that" insert "*within the specified period, he has the right to have the inspector's action reviewed by the governing body of the city, county, or town for whom the inspector is acting. Upon a written request for review, the governing body shall review the action and take any action it deems proper.*"

Page 2, strike lines 3 and 4

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3394: A bill for an act relating to workmen's compensation; definition of family farm to include family farm corporation; amending Minnesota Statutes, 1973 Supplement, Section 176.011, Subdivision 11a.

Reports the same back with the recommendation that the bill be amended as follows:

Amend the title as follows:

Page 1, line 3, strike "defintion" and insert "definition"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3426: A bill for an act relating to hospitals, nursing homes and related medical facilities; amending Minnesota Statutes 1971, Chapter 447, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. If the city of Cannon Falls enters into a lease of facilities of the type designated in Minnesota Statutes, Section 447.45, requiring the lessee to pay a net rental not less than the amount required to pay the principal and interest when due on all revenue bonds issued for the acquisition and betterment of the leased facilities and to maintain the agreed bond reserve, it may authorize the lessee to construct the facilities in the manner authorized by Minnesota Statutes, Section 474.03. The city of Cannon Falls may acquire existing facilities constructed in this manner, for lease to the person, firm, association or corporation from which they are acquired.

Sec. 2. This act is effective upon its approval by the city council of Cannon Falls, and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Further, amend the title by striking it in its entirety and inserting in lieu thereof

"A bill for an act relating to the city of Cannon Falls; construction and lease of hospitals, nursing homes, and related medical facilities."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 932: A bill for an act relating to intoxicating liquor and non-intoxicating malt liquor; days and hours of sale; amending Minnesota Statutes 1971, Sections 340.034, Subdivision 1; and 340.14, Subdivisions 1 and 5.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 3, strike "*two*" and reinstate the stricken "*one*"

Page 1, line 5, strike "*two*" and reinstate the stricken "*one*"

Page 1, line 9, strike "*two*" and reinstate the stricken "*one*"

Page 1, line 11, strike "*two*" and reinstate the stricken "*one*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3106: A bill for an act relating to real estate; landlord and tenant; disclosure of identity of owner and manager; defining terms; disclosure of code violations; amending Minnesota Statutes 1971, Chapter 504, by adding sections.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1971, Chapter 504, is amended by adding a section to read:

[504.22] [DEFINITIONS, DISCLOSURE AND ACTIONS.] *Subdivision 1. As used in this section the following terms shall have the meanings given them:*

(a) "Landlord" means the owner, lessor, sublessor, or manager of a dwelling unit or the building of which it is a part.

(b) "Owner" means one or more persons, jointly or severally, in whom is vested a legal or beneficial interest in the premises.

Subd. 2. Every landlord shall disclose to the tenant in the rental agreement, or otherwise in writing prior to commencement of the rental agreement, the name and address of:

(1) the person authorized to manage the premises; and

(2) an owner of the premises or an agent authorized to accept service of process and receive and give receipt for notices and demands.

Subd. 3. A printed or typewritten notice containing the information which must be disclosed under subdivision 2 shall be placed and maintained in a conspicuous place on the premises.

Subd. 4. If a landlord has failed to comply with the provisions of this section any caretaker, manager or other person apparently in charge of the premises, shall be deemed to be an agent authorized to accept service of process and receive and give receipt for notices and demands, on behalf of the landlord.

Subd. 5. No action to recover possession of real property or to make any claim against a tenant shall be maintained unless the information required by this section has been disclosed in the manner provided herein; or unless the landlord shall prove that the tenant had actual knowledge of such information at least thirty days prior to the initiation of such action or claim.

Subd. 6. This section extends to and is enforceable against any successor landlord, owner or manager.

Sec. 2. Minnesota Statutes 1971, Chapter 504, is amended by adding a section to read:

[504.23] [CODE VIOLATIONS, DISCLOSURE.] *All records of any state, city or county agency charged by the governing body of the appropriate political subdivision with the responsibility of enforcing state, county or city health, housing, building, fire prevention or housing maintenance codes, concerning violations of such codes, are public records and may be inspected, examined, abstracted or copied, as provided by the laws pertaining thereto."*

And when so amended the bill do pass and be re-referred to the Committee on Judiciary. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3271: A bill for an act relating to the county of Wright; authorizing the county of Wright to appropriate money for the collection, preservation, publication and dissemination of historical material.

Reports the same back with the recommendation that the bill be amended as follows:

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

"Section 1. The board of county commissioners of the county of Wright may appropriate up to \$9,500 to the Annandale Pioneer Transportation Museum. This sum shall not be exceeded by the county board, including previous appropriations made for this purpose."

Further amend the title as follows:

Page 1, line 4, after "money" strike the rest of the line and insert "in a limited amount to the Annandale Pioneer Transportation Museum."

Page 1, strike lines 5 and 6

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 2621: A bill for an act relating to accounting; educational requirements for certification as a certified public accountant; amending Minnesota Statutes, 1973 Supplement, Section 326.19, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 17, after "," insert "*a Minnesota licensed private vocational school,*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 2878: A bill for an act relating to intoxicating liquor; authorizing wine research by higher educational institutions; amending Minnesota Statutes 1971, Section 340.11, Subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3348: A bill for an act relating to welfare; defining county of financial responsibility in medical assistance; amending Minnesota Statutes 1971, Section 256B.02, Subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 256B.06, is amended by adding a subdivision to read:

Subd. 3. Notwithstanding any law to the contrary, a migrant agricultural worker who meets all of the eligibility requirements for medical assistance other than having a permanent place of abode in this state, shall be eligible for medical assistance and shall have his medical needs met by the county in which he resides at the time of making application.

Sec. 2. This act is in effect the day following final enactment."

Further, amend the title as follows:

Page 1, line 2, strike "defining county of" and insert "extending eligibility for medical assistance to certain migrant agricultural workers;"

Page 1, strike line 3

Page 1, line 4, strike "assistance;"

Page 1, line 4, after "Statutes" insert ", 1973 Supplement, Section 256B.06, by adding a subdivision."

Page 1, strike line 5

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3354: A bill for an act relating to public health; health care facilities; certificates of need; amending Minnesota Statutes 1971, Sections 145.72, Subdivisions 2 and 3; 145.75; 145.78; 145.79; 145.80; 145.81; and Minnesota Statutes 1971, Chapter 145, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 18, after "facility" insert "primarily used for"

Page 1, line 19, after "treatment" insert "for prediagnosed conditions"

Page 1, line 25, after "extension," and before "or" insert "replacement,"

Page 2, line 1, strike "increase" and insert "change"

Page 5, line 8, after "with" strike "the"

Page 5, line 9, strike "recommendation that it be modified" and insert "recommendations for modification of the proposal"

Page 5, line 11, strike "*act*" and insert "*make a recommendation to the state board of health*"

Page 5, line 12, before "*board*" insert "*state*"

Page 6, line 16, after "*priority*" insert "*in scheduling*"

Page 6, line 16, strike "*to*" and insert "*of*"

Page 6, strike lines 20-28

Page 7, strike lines 1-5

Renumber subsequent sections

Page 7, line 18, after "*Any*" insert "*aggrieved*"

Further, amend the title as follows:

Page 1, line 6, after "*145.80;*" insert "*and*"

Page 1, line 6, after "*145.81*" strike the semicolon and insert a period

Page 1, strike lines 7 and 8

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3247: A bill for an act relating to licensing and public employment; ex-criminal offenders; providing that persons shall not be disqualified from certain occupations solely because of prior criminal convictions.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 18, strike "*relevant department of correction's*" and insert "*local, state or federal release*"

Page 3, line 19, strike "*discharge*"

Page 3, line 20, strike "*three years have*" and insert "*one year has*"

Page 3, line 21, after "*since*" strike "*final*"

Page 3, line 21, strike "*or final discharge*"

Page 3, line 26, strike "*Documents*" and insert "*A copy of the relevant department of corrections discharge order or other documents*"

Page 4, line 1, after "*consider*" and before the colon insert "*any evidence presented by the applicant regarding*"

Page 4, line 12, strike "*by the person*" and insert "*, including but not limited to letters of reference by persons who have been in contact with the applicant since his or her release from any local, state or federal correctional institution*"

Page 5, line 6, strike "*7*" and insert "*6*"

Page 5, strike lines 11 through 15

Renumber the subsequent sections

Page 5, line 18, after "in" insert "Minnesota Statutes, Chapter 15,"

Page 6, after line 7, insert:

"Sec. 8. This chapter shall not apply to the practice of law; but nothing in this section shall be construed to preclude the Supreme Court, in its discretion, from adopting the policies set forth in this chapter.

Sec. 9. Violation of the rights established in this act shall constitute a violation of a person's civil rights."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 2933: A bill for an act relating to nonprofit health service plans; coverage for surgery in certain instances; amending Minnesota Statutes 1971, Section 62C.14, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, strike "minor"

Page 1, line 14, after "facility" insert "primarily used for performing surgery"

Page 1, after line 14, insert:

"Sec. 2. Minnesota Statutes 1971, Chapter 62A, is amended by adding a section to read:

[62A.0421] [OUTPATIENT SURGERY.] *Each individual or group policy of accident and health insurance issued or renewed after the effective date of this act shall include coverage for payment of the costs of surgery performed in a free-standing ambulatory facility primarily used for performing surgery on an outpatient basis.*

Sec. 3. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.965] [OUTPATIENT SURGERY CENTERS.] *The board is authorized to adopt and enforce such reasonable regulations and standards as it deems necessary to protect the health and safety of persons undergoing surgery in a free-standing ambulatory facility primarily used for performing surgery on an outpatient basis. Such regulations and standards may include, but need not be limited to:*

- (1) *The types of surgery which may be performed in the facilities;*
- (2) *The minimum types of equipment, including emergency equipment, which the facilities must maintain; and*
- (3) *The minimum staffing patterns for the facilities.*

Sec. 4. Minnesota Statutes 1971, Section 145.72, Subdivision 2, is amended to read:

Subd. 2. "Health care facility" means any hospital licensed as such under Minnesota Statutes 1969, Sections 144.50 to 144.56; any nursing home licensed as such under Minnesota Statutes 1969, Sections 144.50 to 144.56 or Minnesota Statutes 1969, Section 144.583; ~~or any boarding care home licensed as such under Minnesota Statutes 1969, Sections 144.50 to 144.56; or any free-standing ambulatory facility primarily used for performing surgery on an out-patient basis.~~"

Renumber the remaining section accordingly.

Further amend the title as follows:

Page 1, line 2, strike "nonprofit health service" and insert "free-standing ambulatory surgery facilities;"

Page 1, line 3, delete "plans;"

Page 1, line 5, after "1971," insert "Chapter 62A, by adding a section;"

Page 1, line 6, after "subdivision" insert "; Chapter 144, by adding a section; and Section 145.72, Subdivision 2"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3301: A bill for an act relating to crime and criminals; requiring the commissioner of corrections to develop a program to aid rape victims in the counties of Hennepin, Ramsey and St. Louis; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Subdivision 1. The commissioner of corrections shall develop a community based, state wide program to aid victims of reported rapes.

Subd. 2. The program developed by the commissioner of corrections may include, but not be limited to provisions of the following services:

a) Voluntary counseling by trained personnel to begin as soon as possible after a rape is reported. The counselor shall be of the same sex as the victim and shall, if requested, accompany the victim to the hospital and to other proceedings concerning the alleged rape, including police questioning, police investigation, and court proceedings. The counselor shall also inform the victim of hospital procedures, police and court procedures, the possibility of contracting venereal disease, the possibility of pregnancy, expected emotional reactions and any other relevant information; and shall make appropriate referrals for any assistance desired by the victim.

b) Payment of all costs of any medical examinations and medical treatment which the victim may require as a result of the rape if the victim is not otherwise reimbursed for these expenses.

Sec. 2. In addition to developing the statewide program, the commissioner of corrections may:

a) Assist and encourage county attorneys to make diligent efforts to assure that the prosecuting attorney be of the same sex as the victim whenever possible.

b) Assist the peace officers training board and municipal police forces to develop programs to provide peace officers training in sensitivity and understanding of rape victims; and to encourage the assignment of trained peace officers of the same sex as the victim to conduct all necessary questioning of the victim;

c) Encourage hospital administrators to place a high priority on the expeditious treatment of rape victims; and to retain personnel trained in sensitivity and understanding of rape victims.

Sec. 3. The commissioner of corrections shall seek funding from the governor's commission on crime prevention and control at the earliest possible date for purposes of this act. In addition, the commissioner of corrections shall seek and utilize all other available funding resources to establish pilot community programs to aid rape victims before December 1, 1974."

Further, amend the title as follows:

Page 1, line 5, after "victims" insert a period

Page 1, line 5, strike "in the counties of"

Page 1, strike lines 6 and 7

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 2973: A bill for an act relating to Dakota county; providing for the establishment and maintenance of a personnel system on a merit basis; providing for the selection, promotion, severance, tenure of office and compensation of Dakota county employees; establishing a county personnel appeals board and authorizing the county board of Dakota county to make necessary appropriations.

Reports the same back with the recommendation that the bill be amended as follows:

Page 8, line 11, strike "clerk of district court, probate court judge,"

Page 8, line 13, after "sheriff" strike the comma and insert "and"

Page 8, line 13, after "treasurer" strike the comma and insert a period. Strike the remainder of the line.

Page 8, line 14, strike "Dakota county."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3183: A bill for an act relating to the city of Duluth; Spirit Mountain recreation area authority; authorizing the issuance of bonds and allowing for the negotiated sale thereof; authorizing the issuance of an on-sale liquor license to the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Sections 7, Subdivision 1; 8, Subdivision 2; and by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 1 and 2, strike all of section 2 and insert the following:

"Sec. 2. Laws 1973, Chapter 327, Section 7, Subdivision 3, is amended to read:

Subd. 3. In the authorizing resolution, the authority may provide covenants for the protection of the bondholders relating to disposition of bond proceeds and revenues; reserves and investment thereof; construction, acquisition, repair, replacement, operation and insurance of the recreation area buildings and facilities; accounting and reports; issuance of parity or subordinate lien bonds; rates and charges to be established or maintained; and such other covenants as the authority shall find to be usual and reasonable for the protection of revenue bondholders.

The authority may also define the event or events of default and other requisites for suit by bondholders or their representatives, conditions of bond registration or replacement, and conditions upon which any covenant may be amended. Any terms, covenants, or conditions of revenue bonds to be provided by resolution of the authority may be set forth in a trust indenture with a corporation having trust powers appointed by the authority, with the approval of the city council, to represent and act for bondholders, and to hold and disburse pledged revenues, and to perform such other duties as may be provided in the trust indenture; ~~but~~ ~~as~~ such trust indenture ~~shall~~ *may* confer or authorize ~~any~~ a mortgage lien on the real or operating properties or general funds of the authority."

Further amend the title as follows:

Line 6, after ";" insert "permitting mortgage liens on the property of the authority;"

Line 10, strike "Sections" and insert "Section" and strike "Subdivision" and insert "Subdivisions" and strike "; 8," and insert "and 3"

Line 11, strike "Subdivision 2"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3162: A bill for an act relating to the city of Minneapolis; disability, retirement and survivor benefits for city employees; amending Laws 1973, Chapter 133, Section 16, Subdivision 8.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Laws 1973, Chapter 133, Section 23, Subdivision 7, is amended to read:

Subd. 7. If the contributing member dies after having been in the service of the city 20 or more years, and before the effective date of retirement, as determined by the retirement board, such board shall pay a monthly allowance for life to the designated beneficiary of such employee, providing such employee prior to the date of his death filed a written request therefor with the board on forms provided by such board. The monthly allowance herein provided for shall be the actuarial equivalent of a single life ~~retirement~~ service allowance specified in section 15, which would have been payable to the employee on the date of his death ~~had he been eligible to retire and retired~~, notwithstanding the age requirement stated therein. For purposes of this section, the amount of excess contributions by the member shall not be included in the calculations in determining the monthly allowance. *Persons receiving survivor benefits pursuant to the provisions of this subdivision on the effective date of this act, shall receive an increase of 35 percent of the monthly benefits they are then receiving.*

Sec. 2. This act is effective upon approval by the city council of the city of Minneapolis and upon compliance with Minnesota Statutes, Section 645.021."

Further, amend the title in line 3, by deleting "disability, retirement and", in line 5, by deleting "16" and inserting "23", and in line 6, by deleting "8" and inserting "7".

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3463: A bill for an act relating to the firemen's relief association of the city of Backus; providing that years of service with the Backus volunteer fire department shall be treated as years of service with the Backus firemen's relief association.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 636, pursuant to the request of the House:

Messrs. Chenoweth, North, Ogdahl, Humphrey, Kirchner.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 1421, 3293 and 2762 for comparison to companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their Second Reading and substituted for their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1421	1375				
3293	3216				
2762	2741				

and that the above Senate Files be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 2703 and 3245 for comparison to companion Senate Files reports the following House Files were found not identical with their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2703	2600	3245	3185		

Pursuant to Rule 49 the Committee recommends that H. F. No. 2703 be amended as follows:

Page 3, lines 5 through 7, delete "on any lot or parcel of land abutting the shoreline including: length of setback from the shoreline," and insert in lieu thereof "within 1,000 feet of the shoreline including: length of setback from the shoreline,"

Page 3, line 10, delete "*lake conservation district*"

Page 3, line 15, after "*resubmitted*" delete the period and insert in lieu thereof a semicolon

Page 3, after line 15, insert the following new language

"(o) To regulate the use of the body of water by seaplanes. Before adopting any ordinance regulating seaplanes the county board shall give 30 days notice by mail to the commissioner of aeronautics and any airports commission that has jurisdiction over airports in the area affected by the proposed ordinance and shall give them an opportunity to comment on the proposed ordinance."

And when so amended, H. F. No. 2703 will be identical to S. F. No. 2600 and further recommends that H. F. No. 2703 be given its second reading and substituted for S. F. No. 2600 and S. F. No. 2600 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3245 be amended as follows:

Page 1, line 3, delete "in excess of" and delete all of lines 4 and 5

Page 1, line 6, insert a comma after "election"

Page 1, line 7, insert a comma after "charter"

Page 1, line 18, delete "except that they may exceed the limitations in "

Page 1, delete line 19

Page 1, line 20, delete "exceed \$2,000,000, and"

Page 1, line 21, insert a comma after "required"

Page 1, line 23, insert a colon after "exceeds"

And when so amended, H. F. No. 3245 will be identical to S. F. No. 3185 and further recommends that H. F. No. 3245 be given its second reading and substituted for S. F. No. 3185 and S. F. No. 3185 be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 707, 2840, 2467, 3160, 3234, 3045, 2177, 3229, 1483, 3338, 3218, 3169, 3238, 3249, 3292, 3389, 3217, 3246, 2871, 3267, 2677, 2004, 2515, 3349, 3409, 3372, 3325, 3033, 2533, 3163, 3224, 3273, 3189, 3180, 3158, 3245, 3046, 3394, 3426, 3271, 2621, 2878, 3354, 3247, 2933, 3301, 2973, 3183, 3162 and 3463 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2813, 2837, 932, 1421, 3293, 2762, 2703 and 3245 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Schrom moved that the name of Mr. Dunn be added as co-author to S. F. No. 3000. The motion prevailed.

THIRD READING OF HOUSE BILLS

H. F. No. 2655: A bill for an act relating to highway traffic regulations; special permits for oversize and overweight vehicles; statements required for issuance of such permits to move oversize mobile homes; amending Minnesota Statutes, 1973 Supplement, Section 169.86, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Kirchner	Olhoft	Sillers
Ashbach	Doty	Kleinbaum	Olson, A. G.	Solon
Bang	Fitzsimons	Knutson	Olson, H. D.	Spear
Berg	Frederick	Kowalczyk	Olson, J. L.	Stassen
Bernhagen	Gearty	Krieger	O'Neill	Stokowski
Blatz	Hansen, Baldy	Larson	Patton	Tennessee
Borden	Hansen, Mel	McCutcheon	Perpich, A. J.	Thorup
Brown	Hanson, R.	Milton	Perpich, G.	Ueland
Chenoweth	Hughes	Moe	Purfeerst	Wegener
Chmielewski	Humphrey	Nelson	Renneke	Willet
Coleman	Josefson	North	Schaaf	
Conzemius	Keefe, S.	Novak	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 713: A bill for an act relating to labor and industry; voluntary apprenticeship; establishing a division of voluntary apprenticeship in the department of labor and industry and prescribing its powers and duties; authorizing the commissioner of labor and industry to promulgate rules and regulations relating to voluntary apprenticeship; amending Minnesota Statutes 1971, Sections 178.01; 178.02; 178.03; 178.05; 178.06; 178.07; 178.08; 178.09; and Chapter 178 by adding a section; and repealing Minnesota Statutes 1971, Section 178.04.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Conzemius	Keefe, S.	North	Schrom
Ashbach	Davies	Kirchner	Novak	Sillers
Bang	Doty	Kleinbaum	Olhoff	Solon
Berg	Fitzsimons	Knutson	Olson, A. G.	Spear
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Lewis	O'Neill	Tennessen
Brown	Hanson, R.	McCutcheon	Patton	Thorup
Chenoweth	Hughes	Milton	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Moe	Perpich, G.	Wegener
Coleman	Keefe, J.	Nelson	Renneke	Willet

So the bill passed and its title was agreed to.

H. F. No. 2043: A bill for an act relating to the operation of state government; updating statutory references to printing; providing for more complete advance payments to state employees for travel expenses; clarifying the commissioner of administration's responsibility to supervise and control all state telecommunication facilities; enabling the commissioner of administration to dispose of lost or abandoned property in alternate ways; eliminating the requirement for contractor's bonds or security for negotiated state public work contracts; specifying certain services to be performed by the commissioner for other state departments or agencies; clarifying the state record disposition and record management functions; clarifying procedures for extending social security benefits to certain governmental entities; amending Minnesota Statutes 1971, Sections 3.21; 15.181; 16.02, by adding a subdivision; 16.022; 16.0231; 16.07, Subdivision 11; 94.10, Subdivision 1; 138.17, Subdivisions 1 and 7; 138.19; 138.20; 138.21; 331.09; and 355.17.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 3, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Knutson	Olhoff	Sillers
Ashbach	Fitzsimons	Kowalczyk	Olson, A. G.	Solon
Bang	Frederick	Krieger	Olson, H. D.	Spear
Bernhagen	Gearty	Larson	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Lewis	O'Neill	Stokowski
Borden	Hanson, R.	Lord	Patton	Tennessen
Brown	Hughes	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Humphrey	Milton	Perpich, G.	Ueland
Chmielewski	Keefe, J.	Moe	Purfeerst	Wegener
Coleman	Keefe, S.	Nelson	Renneke	Willet
Conzemius	Kirchner	North	SchAAF	
Davies	Kleinbaum	Novak	Schrom	

Messrs. Berg; Hansen, Baldy and Josefson voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 995: A bill for an act relating to taxation; income tax exemption for volunteer fireman pensions; amending Minnesota Statutes 1971, Section 290.08, Subdivision 6.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 3, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Ogdahl	Schrom
Ashbach	Dunn	Kleinbaum	Olhoft	Sillers
Bang	Fitzsimons	Knutson	Olson, A. G.	Solon
Berg	Frederick	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Gearty	Krieger	Olson, J. L.	Stokowski
Bjatz	Hansen, Baldy	Larson	O'Neill	Tennessen
Borden	Hansen, Mel	Lord	Patton	Thorup
Brown	Hanson, R.	McCutcheon	Perpich, A. J.	Ueland
Chenoweth	Hughes	Milton	Perpich, G.	Wegener
Chmielewski	Humphrey	Moe	Purfeerst	Willet
Coleman	Josefson	Nelson	Renneke	
Conzemius	Keefe, J.	North	Schaaf	

Messrs. Davies; Keefe, S. and Novak voted in the negative.

So the bill passed and its title was agreed to.

CALENDAR OF ORDINARY MATTERS

S. F. No. 2568: A bill for an act relating to the village of Cooley in Itasca county; providing for the dissolution of the city of Cooley.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, J.	Moe	Renneke
Ashbach	Doty	Keefe, S.	Nelson	Schaaf
Bang	Dunn	Kirchner	North	Schrom
Berg	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Bernhagen	Frederick	Knutson	Olhoft	Solon
Bjatz	Gearty	Kowalczyk	Olson, A. G.	Spear
Borden	Hansen, Baldy	Krieger	Olson, H. D.	Stassen
Brown	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Chenoweth	Hanson, R.	Lewis	O'Neill	Thorup
Chmielewski	Hughes	Lord	Patton	Ueland
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Conzemius	Josefson	Milton	Perpich, G.	Willet

Messrs. Novak and Tennessen voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3024: A bill for an act relating to special assessments; amending Minnesota Statutes, 1973 Supplement, Section 429.101, Subdivision 1; and Minnesota Statutes 1971, Section 429.101, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	North	Schaaf
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Bang	Frederick	Knutson	Olhoft	Sillers
Berg	Gearty	Kowalczyk	Olson, A. G.	Solon
Bernhagen	Hansen, Baldy	Krieger	Olson, H. D.	Spear
Blatz	Hansen, Mel	Larson	Olson, J. L.	Stassen
Borden	Hanson, R.	Lewis	O'Neill	Stokowski
Brown	Hughes	Lord	Patton	Tennessen
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Thorup
Conzemius	Josefson	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Purfeerst	Wegener
Doty	Keefe, S.	Nelson	Renneke	Willet

So the bill passed and its title was agreed to.

S. F. No. 3152: A bill for an act relating to the county of Lake, authorizing the county to issue its general obligation bonds in an amount not to exceed \$350,000 for various county purposes and granting the county certain powers with respect thereto.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kleinbaum	Ogdahl	Sillers
Ashbach	Dunn	Knutson	Olhoft	Solon
Bang	Fitzsimons	Kowalczyk	Olson, A. G.	Spear
Berg	Frederick	Krieger	Olson, H. D.	Stassen
Bernhagen	Gearty	Larson	Olson, J. L.	Stokowski
Blatz	Hansen, Baldy	Lewis	O'Neill	Tennessen
Borden	Hansen, Mel	Lord	Patton	Thorup
Brown	Hanson, R.	McCutcheon	Perpich, A. J.	Ueland
Chenoweth	Hughes	Milton	Perpich, G.	Wegener
Chmielewski	Humphrey	Moe	Purfeerst	Willet
Coleman	Keefe, J.	Nelson	Renneke	
Conzemius	Keefe, S.	North	Schaaf	
Davies	Kirchner	Novak	Schrom	

Mr. Josefson voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2796: A bill for an act relating to federal emergency loans to individuals; capacity of individuals to contract and give security therefor; repealing Minnesota Statutes, 1973 Supplement, Sections 17.74; and 17.75.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Novak	Schrom
Ashbach	Dunn	Kleinbaum	Ogdahl	Sillers
Bang	Fitzsimons	Knutson	Olhoft	Solon
Berg	Frederick	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Gearty	Krieger	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Lewis	O'Neill	Tennessen
Brown	Hanson, R.	Lord	Patton	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 3151: A bill for an act relating to towns; officers' compensation and mileage allowance; amending Minnesota Statutes 1971, Section 367.05, Subdivision 2; repealing Minnesota Statutes 1971, Sections 367.05, Subdivision 4; 367.06; 367.07; and 367.08.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	Ogdahl	Sillers
Bang	Fitzsimons	Knutson	Olhoft	Solon
Berg	Frederick	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Gearty	Krieger	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Lewis	O'Neill	Tennessen
Brown	Hanson, R.	Lord	Patton	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	
Doty	Kirchner	Novak	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 3085: A bill for an act relating to state government; authorizing a conveyance of certain state owned lands to the city of Owatonna and specifying terms and conditions thereof.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Blatz	Coleman	Dunn	Hansen, Baldy
Ashbach	Brown	Conzemius	Fitzsimons	Hansen, Mel
Bang	Chenoweth	Davies	Frederick	Hanson, R.
Berg	Chmielewski	Doty	Gearty	Hughes

Humphrey	Larson	Ogdahl	Purfeerst	Tennessee
Josefson	Lewis	Olhoft	Renneke	Thorup
Keefe, J.	Lord	Olson, A. G.	Schaaf	Ueland
Keefe, S.	McCutcheon	Olson, H. D.	Schrom	Wegener
Kirchner	Milton	Olson, J. L.	Sillers	Willet
Kleinbaum	Moe	O'Neill	Solon	
Knutson	Nelson	Patton	Spear	
Kowalczyk	North	Perpich, A. J.	Stassen	
Krieger	Novak	Perpich, G.	Stokowski	

Mr. Bernhagen voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2501: A bill for an act relating to game and fish; distribution of certain proceeds from hunting leases; amending Minnesota Statutes 1971, Section 97.49, Subdivision 3.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Novak	Sillers
Ashbach	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearty	Krieger	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 3084: A bill for an act relating to state lands; authorizing the conveyance of certain state conservation area lands in Roseau county.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Coleman	Hanson, R.	Krieger	Olhoft
Ashbach	Conzemius	Hughes	Larson	Olson, A. G.
Bang	Davies	Humphrey	Lewis	Olson, H. D.
Berg	Doty	Josefson	Lord	Olson, J. L.
Bernhagen	Dunn	Keefe, J.	McCutcheon	O'Neill
Blatz	Fitzsimons	Keefe, S.	Moe	Patton
Borden	Frederick	Kirchner	Nelson	Perpich, A. J.
Brown	Gearty	Kleinbaum	North	Perpich, G.
Chenoweth	Hansen, Baldy	Knutson	Novak	Purfeerst
Chmielewski	Hansen, Mel	Kowalczyk	Ogdahl	Renneke

Schrom
Sillers
Solon

Spear
Stassen

Stokowski
Tennessee

Thorup
Ueland

Wegener
Willet

So the bill passed and its title was agreed to.

S. F. No. 3105: A bill for an act relating to predators; county or town bounties; amending Minnesota Statutes 1971, Section 348.12.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 8, as follows:

Those who voted in the affirmative were:

Arnold	Conzemius	Humphrey	Moe	Purfeerst
Ashbach	Davies	Josefson	Nelson	Renneke
Bang	Doty	Kirchner	North	Sillers
Berg	Dunn	Kleinbaum	Olhoft	Solon
Bernhagen	Fitzsimons	Knutson	Olson, A. G.	Stassen
Blatz	Frederick	Kowalczyk	Olson, H. D.	Stokowski
Borden	Gearty	Krieger	Olson, J. L.	Thorup
Brown	Hansen, Baldy	Larson	O'Neill	Ueland
Chenoweth	Hansen, Mel	Lord	Patton	Wegener
Chmielewski	Hanson, R.	McCutcheon	Perpich, A. J.	Willet
Coleman	Hughes	Milton	Perpich, G.	

Those who voted in the negative were:

Keefe, J.	Lewis	Ogdahl	Spear	Tennessee
Keefe, S.	Novak	Schrom		

So the bill passed and its title was agreed to.

S. F. No. 2780: A bill for an act relating to the county of Hennepin license bureau; providing for the transfer of the licensing duties of the clerk of district court.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Novak	Solon
Ashbach	Dunn	Kleinbaum	Ogdahl	Spear
Bang	Fitzsimons	Knutson	Olson, A. G.	Stassen
Berg	Frederick	Kowalczyk	Olson, H. D.	Stokowski
Bernhagen	Gearty	Krieger	Olson, J. L.	Tennessee
Blatz	Hansen, Baldy	Larson	O'Neill	Thorup
Borden	Hansen, Mel	Lewis	Patton	Ueland
Brown	Hanson, R.	Lord	Perpich, A. J.	Wegener
Chenoweth	Hughes	McCutcheon	Perpich, G.	Willet
Chmielewski	Humphrey	Milton	Purfeerst	
Coleman	Josefson	Moe	Renneke	
Conzemius	Keefe, J.	Nelson	Schrom	
Davies	Keefe, S.	North	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 3001: A bill for an act relating to historic sites; designating the boundaries of the historic hill district in Ramsey county; amending Minnesota Statutes, 1973 Supplement, Section 138.73, Subdivision 23.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Novak	Schrom
Ashbach	Dunn	Kleinbaum	Ogdahl	Sillers
Bang	Fitzsimons	Knutson	Olhoft	Solon
Berg	Frederick	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Gearty	Krieger	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Lewis	O'Neill	Tennessen
Brown	Hanson, R.	Lord	Patton	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 3053: A bill for an act relating to the determination of the frontage assessments for the extension of water service in the city of St. Paul; repealing Special Laws 1885, Chapter 110, Section 26; and Laws 1951, Chapter 272.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Olhoft	Solon
Ashbach	Dunn	Kleinbaum	Olson, A. G.	Spear
Bang	Fitzsimons	Knutson	Olson, H. D.	Stassen
Berg	Frederick	Kowalczyk	Olson, J. L.	Stokowski
Bernhagen	Gearty	Krieger	O'Neill	Tennessen
Blatz	Hansen, Baldy	Larson	Patton	Thorup
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Ueland
Brown	Hanson, R.	Lord	Perpich, G.	Wegener
Chenoweth	Hughes	McCutcheon	Purfeerst	Willet
Chmielewski	Humphrey	Milton	Renneke	
Coleman	Josefson	Moe	Schaaf	
Conzemius	Keefe, J.	Nelson	Schrom	
Davies	Keefe, S.	North	Sillers	

Mr. Novak voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3079: A bill for an act relating to the counties of Carver and Scott; authorizing each county to designate a human services board.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	North	Schaaf
Bang	Fitzsimons	Kleinbaum	Novak	Schrom
Berg	Frederick	Knutson	Ogdahl	Sillers
Bernhagen	Gearty	Kowalczyk	Olhoft	Solon
Blatz	Hansen, Baldy	Krieger	Olson, A. G.	Spear
Brown	Hansen, Mel	Larson	Olson, H. D.	Stassen
Chenoweth	Hanson, R.	Lewis	Olson, J. L.	Tennessee
Chmielewski	Hughes	Lord	Patton	Thorup
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Conzemius	Josefson	Milton	Perpich, G.	Wegener
Davies	Keefe, J.	Moe	Purfeerst	Willet
Doty	Keefe, S.	Nelson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 3213: A bill for an act relating to the distributon of taxes accruing to the statutory city of Cooley under Minnesota Statutes, Section 298.24 and 298.32.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, J.	Moe	Purfeerst
Ashbach	Doty	Keefe, S.	Nelson	Renneke
Bang	Dunn	Kirchner	North	Schaaf
Berg	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Bernhagen	Frederick	Knutson	Olhoft	Solon
Blatz	Gearty	Kowalczyk	Olson, A. G.	Spear
Borden	Hansen, Baldy	Krieger	Olson, H. D.	Stassen
Brown	Hansen, Mel	Larson	Olson, J. L.	Tennessee
Chenoweth	Hanson, R.	Lewis	O'Neill	Thorup
Chmielewski	Hughes	Lord	Patton	Ueland
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Conzemius	Josefson	Milton	Perpich, G.	Willet

Mr. Novak voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3200: A bill for an act relating to community corrections; acquisition of necessary facilities by counties; transfer of state employees; amending Minnesota Statutes, 1973 Supplement, Section 401.04.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Novak	Sillers
Ashbach	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearty	Krieger	Olson, H. D.	Tennessen
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Thorup
Borden	Hansen, Mel	Lewis	O'Neill	Ueland
Brown	Hanson, R.	Lord	Patton	Wegener
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Willet
Chmielewski	Humphrey	Milton	Perpich, G.	
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

Mr. Chenoweth moved that S. F. No. 3311, No. 17 on the Calendar of Ordinary Matters, be stricken and placed at the top of General Orders. The motion prevailed.

S. F. No. 2781: A bill for an act relating to the office of the district court administrator, fourth judicial district, Hennepin county, state of Minnesota; and relating to the statutory duties of the clerk of district court.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Novak	Schrom
Ashbach	Dunn	Kleinbaum	Ogdahl	Sillers
Bang	Fitzsimons	Knutson	Olhoft	Solon
Berg	Frederick	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Gearty	Krieger	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Lewis	O'Neill	Tennessen
Brown	Hanson, R.	Lord	Patton	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 2688: A bill for an act relating to referees in certain probate courts; granting additional powers; amending Minnesota Statutes, 1973 Supplement, Section 525.10.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Knutson	Olhoft	Solon
Bang	Frederick	Kowalczyk	Olson, A. G.	Spear
Berg	Gearty	Krieger	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Blatz	Hansen, Mel	Lewis	O'Neill	Tennessen
Brown	Hanson, R.	Lord	Patton	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	
Doty	Kirchner	Novak	Schrom	
Dunn	Kleinbaum	Ogdahl	Sillers	

So the bill passed and its title was agreed to.

H. F. No. 3003: A bill for an act relating to motor vehicles; registration and taxation; monthly series system of registration; amending Minnesota Statutes, 1973 Supplement, Sections 168.017, Subdivisions 1, 2, 3, and 4; and 168.37, Subdivision 3; and Minnesota Statutes 1971, Section 168.09, by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	Olhoft	Solon
Ashbach	Fitzsimons	Knutson	Olson, A. G.	Spear
Bang	Frederick	Kowalczyk	Olson, H. D.	Stassen
Berg	Gearty	Krieger	Olson, J. L.	Stokowski
Bernhagen	Hansen, Baldy	Larson	O'Neill	Tennessen
Blatz	Hansen, Mel	Lord	Patton	Thorup
Brown	Hanson, R.	McCutcheon	Perpich, A. J.	Ueland
Chenoweth	Hughes	Milton	Perpich, G.	Wegener
Chmielewski	Humphrey	Moe	Purfeerst	Willet
Coleman	Josefson	Nelson	Renneke	
Conzemius	Keefe, J.	North	Schaaf	
Davies	Keefe, S.	Novak	Schrom	
Doty	Kirchner	Ogdahl	Sillers	

So the bill passed and its title was agreed to.

H. F. No. 3119: A bill for an act relating to assessment of street maintenance and street lighting costs in the city of Minneapolis; amending Laws 1973, Chapter 393, Section 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	Ogdahl	Sillers
Ashbach	Fitzsimons	Knutson	Olhoft	Solon
Bang	Frederick	Kowalczyk	Olson, A. G.	Spear
Berg	Gearty	Krieger	Olson, H. D.	Stokowski
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Tennessen
Blatz	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	
Doty	Kirchner	Novak	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 2985: A bill for an act relating to elections; information and instructions furnished county auditors by the secretary of state; amending Minnesota Statutes 1971, Section 203.16, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	Ogdahl	Sillers
Ashbach	Fitzsimons	Knutson	Olhoft	Solon
Bang	Frederick	Kowalczyk	Olson, A. G.	Spear
Berg	Gearty	Krieger	Olson, H. D.	Stokowski
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Tennessen
Blatz	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	
Doty	Kirchner	Novak	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 3047: A bill for an act relating to the city of Crystal; authorizing members of the city council to serve on the housing and redevelopment authority of the city.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Chenoweth	Dunn	Hanson, R.	Kirchner
Ashbach	Chmielewski	Fitzsimons	Hughes	Kleinbaum
Bang	Coleman	Frederick	Humphrey	Knutson
Berg	Conzemius	Gearty	Josefson	Kowalczyk
Bernhagen	Davies	Hansen, Baldy	Keefe, J.	Krieger
Blatz	Doty	Hansen, Mel	Keefe, S.	Larson

Lewis	Novak	Patton	Sillers	Ueland
Lord	Ordahl	Perpich, A. J.	Solon	Wegener
McCutcheon	Olhoft	Perpich, G.	Spear	Willet
Milton	Olson, A. G.	Purfeerst	Stassen	
Moe	Olson, H. D.	Renneke	Stokowski	
Nelson	Olson, J. L.	Schaaf	Tennessen	
North	O'Neill	Schrom	Thorup	

Mr. Brown voted in the negative.

So the bill passed and its title was agreed to.

RECONSIDERATION

Mr. Chmielewski moved that the vote whereby S. F. No. 967 was passed by the Senate on March 1, 1974 be now reconsidered. The motion prevailed. So the vote was reconsidered.

S. F. No. 967: A bill for an act relating to taxation; tax on oleomargarine; amending Minnesota Statutes 1971, Section 33.-171; repealing Minnesota Statutes 1971, Sections 33.10; 33.11; 33.12 to 33.17; and 270.051, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 10, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Keefe, S.	Nelson	Renneke
Ashbach	Frederick	Kirchner	North	Schaaf
Bang	Gearty	Knutson	Novak	Sillers
Bernhagen	Hansen, Baldy	Kowalczyk	Ogdahl	Solon
Blatz	Hansen, Mel	Krieger	Olson, J. L.	Spear
Brown	Hanson, R.	Larson	O'Neill	Stassen
Chenoweth	Hughes	Lewis	Patton	Stokowski
Conzemius	Humphrey	McCutcheon	Perpich, A. J.	Tennessen
Davies	Josefson	Milton	Perpich, G.	Thorup
Doty	Keefe, J.	Moe	Purfeerst	Ueland

Those who voted in the negative were:

Chmielewski	Dunn	Olhoft	Olson, H. D.	Wegener
Coleman	Kleinbaum	Olson, A. G.	Schrom	Willet

So the bill passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Mr. Chenoweth moved that S. F. No. 3190, No. 127 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. O'Neill in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. O'Neill reported that the committee had considered S. F. Nos. 3108, 852, 1788, 2690, 1902, 3075, 3068, 3208, 2984, 2084, 3272, 2995, 1735, 3129, 3159, 1800, 2611, also H. F. Nos. 3058, 2890, 2638, 2888, 2085, 2909, which the committee recommends to pass.

H. F. No. 2703 which the committee recommends to pass, after the following motions:

Mr. Milton moved that the amendment made to H. F. No. 2703 by the Committee on Rules and Administration in the report adopted March 2, 1974, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 3039, which the committee recommends to pass with the following amendment offered by Mr. Olson, A. G.:

Amend H. F. No. 3039, the printed bill, as follows:

Page 1, after line 5 insert the following:

"Sec. 3. This act shall take effect upon the construction of the trunk highway 12 bypass of Willmar."

S. F. No. 2594, which the committee recommends to pass with the following amendments offered by Messrs. Willet and Dunn:

Mr. Willet moved to amend S. F. No. 2594 as follows:

Page 1, line 20, strike "1975" and insert "1977"

Mr. Dunn moved to amend S. F. No. 2594 as follows:

Page 1, line 14, after "*upon any*" insert "*county, state aid, or trunk*"

Page 1, line 15, strike everything after the first "*highway*"

H. F. No. 1292, which the committee recommends to pass with the following amendment offered by Mr. Doty:

Amend H. F. No. 1292, the printed bill, as follows:

Page 1, line 15, after "mental," insert "*and*"

Page 1, line 15, strike " , and moral"

Further, amend the title as follows:

Second line of title, after "mental," insert "*and*"

Second line of title, strike " , and moral"

H. F. No. 2876, which the committee recommends to pass.

The question being taken on the committee recommendation to pass H. F. No. 2876,

And the roll being called, there were yeas 25 and nays 22, as follows:

Those who voted in the affirmative were:

Bernhagen	Doty	Josefson	Milton	Renneke
Borden	Dunn	Keefe, J.	Nelson	Spear
Brown	Frederick	Keefe, S.	North	Stassen
Chmielewski	Gearty	Kleinbaum	O'Neill	Stokowski
Conzemius	Humphrey	Lord	Perpich, A. J.	Ueland

Those who voted in the negative were:

Ashbach	Hanson, R.	Larson	Olson, H. D.	Thorup
Berg	Hughes	Lewis	Olson, J. L.	Willet
Coleman	Kirchner	McCutcheon	Perpich, G.	
Davies	Kowalczyk	Olhoft	Purfeerst	
Hansen, Mel	Krieger	Olson, A. G.	Solon	

The motion prevailed. So the committee recommended H. F. No. 2876 to pass.

RECESS

Mr. Colemar moved that the committee do now recess until 1:30 o'clock p.m. The motion prevailed.

The hour of 1:30 o'clock p.m. having arrived, the Chairman call the committee to order.

H. F. No. 2908, which the committee recommends to pass with the following amendment offered by Mr. Gearty:

Amend H. F. No. 2908, the printed bill, as follows:

Page 1, line 5, strike "*is*" and insert "*are*"

S. F. No. 3311, which the committee recommends to pass with the following amendment offered by Mr. Chenoweth:

Page 1, line 23, before the period insert "*; except that the provision of clause 2 shall apply only in cities of the first class*"

Page 1, line 29, after "*or*" insert "*, in cities of the first class,*"

Further amend the title as follows:

Line 2, after "*relating to*" insert "*cities of the first class,*"

S. F. No. 2715, which the committee recommends to pass with the following amendment offered by Mr. Josefson.

Page 1, line 30, reinstate the stricken word "*one*" and before "*two*" insert "*or*"

Page 2, strike lines 9 through 11

H. F. No. 2728, which the committee recommends to pass with the following amendment offered by Mr. Borden:

Amend H. F. No. 2728, the printed bill, as follows:

Page 14, after line 34, add a new section as follows:

"Sec. 22. Minnesota Statutes, 1973 Supplement, Section 43.327, is amended to read:

43.327 [TRAVEL AND RELOCATION EXPENSES.] Subdivision 1. [COMMISSIONER TO MAKE RULES ON RELOCATION.] The commissioner shall make personnel rules relating to the expenses of moving state officers and employees, their families and household goods to new stations, subsistence, realtor

fees, and such other expenses as may be incident to assignment to such stations. *Notwithstanding any other law to the contrary, until such time as said personnel rules are promulgated the commissioner shall approve reasonable, proper and actual relocation expense claims submitted to him for approval by the agencies of the state, directing the commissioner of finance to provide for payment therefor to the affected employee. Nothing shall prevent the affected officer or employee of the state from submitting a proper claim for reimbursement for relocation expenses after the effective date of Laws of Minnesota 1973, Chapter 507, Section 44. Relocation payments so made shall be reviewed by the commissioner of finance after subsequent adoption of said rules by the commissioner to ensure proper payment under the claim.*"

Renumber the sections in sequence

Further, amend the title as follows:

5th line of title, after "43.31;" insert "and Minnesota Statutes, 1973 Supplement, Section 43.327;"

S. F. No. 2971, which the committee recommends to pass with the following amendment offered by Mr. Konzemius:

Page 2, line 8, strike "*department*" and insert "*state board*"

Page 2, line 15, strike "*department*" and insert "*state board*"

Page 2, line 18, strike "*department*" and insert "*state board*"

Page 5, line 1, after "*enrollee*" insert a semicolon

Page 5, line 2, after "*board*" insert a comma

Page 5, line 4, after "*received*" strike the comma and insert a semicolon

Page 5, line 4, after "*approval*" insert a comma

Page 5, line 5, after "*non-elective*" insert a comma

Page 5, line 6, after "*emergency*" strike "*or*" and insert a comma

Page 5, line 6, after "*referral*" insert a comma

Page 5, line 6, after "*hospital*" insert a comma

S. F. No. 3060, which the committee recommends to pass with the following amendments offered by Messrs. Chmielewski, Davies and Tennesen:

Mr. Chmielewski moved to amend S. F. No. 3060, as follows:

Page 1, line 23, strike "OR EXERCISE OF EMINENT DOMAIN"

Page 4, line 10, strike "*section 463.161*" and insert "*section 3 of this act*"

Mr. Davies moved to amend S. F. No. 3060 as follows:

Page 1, line 25, after "*city*" strike the comma and insert "*or*"

Page 1, line 25, after "*town*" strike "*or borough*"

Mr. Tennesen moved to amend S. F. No. 3060 as follows:

Pages 2, 3 and 4, strike all of sections 4, 5 and 6

Further, amend the title as follows:

Page 1, line 5, strike "463.17,"

Page 1, line 6, strike everything before "463.21;"

S. F. No. 2846, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 1, line 15, strike "by" and insert "to"

Page 1, line 15, strike "25" and insert "125"

S. F. No. 2641, which the committee recommends to pass with the following amendment offered by Mr. Chmielewski:

Page 1, line 26, strike "*year*" and insert "*consecutive six-month period*"

S. F. No. 2812, which the committee recommends to pass with the following amendment offered by Mr. Kirchner:

Page 1, line 20, strike "450.00" and insert "45.00"

Mr. Stassen moved to amend S. F. No. 2812 as follows:

Page 2, line 12, strike everything after the semicolon

Page 2, strike lines 13 through 15 and insert:

"(4) the chapel will be operated for historical purposes, maintained as a memorial to Minnesotans who have died in war, and available for use by persons and organizations other than the State Historical Society, unless previously scheduled, provided such person or organization reserves the use of all or part of the chapel with the Society by paying to the Society at least one week in advance of the date of use a fee set by the Society which represents a pro rata share of the Society's annual operating and capital expenses of the chapel."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 12 and nays 28, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kowalczyk	O'Neill	Stassen
Bang	Gearty	McCutcheon	Renneke	Thorup
Berg	Knutson			

Those who voted in the negative were:

Bernhagen	Dunn	Kleinbaum	Olhoft	Stokowski
Borden	Hansen, Mel	Krieger	Olson, A. G.	Tennesen
Chenoweth	Hughes	Lewis	Olson, H. D.	Wegener
Coleman	Humphrey	Lord	Purfeerst	Willett
Conzemius	Keefe, S.	Milton	Schram	
Davies	Kirchner	North	Spear	

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

And then, on motion of Mr. O'Neill, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

Without objection, the Senate reverted to the Order of Business of Reports of Committees and Second Readings of Senate and House Bills.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was re-referred

H. F. No. 401: A bill for an act relating to game and fish; authorizing angling with two lines through the ice; amending Minnesota Statutes 1971, Sections 97.40, Subdivision 32; 101.41, Subdivision 2, and 101.42, Subdivision 20.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

S. F. No. 2809: A bill for an act relating to the creation of a state economic opportunity agency and community action agencies; appropriating money to the economic opportunity agency for the purposes of this act.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [POLICY; PURPOSE.] The legislature declares that it is in the public interest to better coordinate all available local, state, private and federal resources for programs and projects designed to aid low-income families and individuals throughout the state in obtaining basic education, health care, vocational training, employment opportunities and other services needed for the achievement of self sufficiency; to encourage the participation by the residents of a community served in the planning of community programs and projects; and to provide funding for the continuation of programs and projects that are now in danger of losing federal monies. To that end, the legislature directs that regional action agencies be established and maintained and that a state economic opportunity agency be created to administer state funds appropriated for community action agencies.

Sec. 2. [DEFINITIONS.] For the purposes of this act, the following terms shall have the meanings given them.

Subdivision 1. "Regional action agency" means a private nonprofit corporation organized pursuant to Minnesota Statutes, Chapter 317, for the purpose of administering community action programs.

Subd. 2. "Community action agency" shall mean a public agency

or a private nonprofit corporation organized pursuant to Minnesota Statutes, Chapter 317, which as of the effective date of this act was designated to receive federal funds pursuant to the Economic Opportunity Act of 1964, Public Law 88-452, as amended.

Subd. 3. "Community action program" shall mean a community based and operated program which provides for a sufficient range of services and activities having a reasonable and potentially major impact on causes of poverty in the community. Community action programs may include projects funded by the state under this act, or by other public or private sources. Projects may be either uniquely local in character or part of a state or federal program providing assistance to a particular kind of activity or individual.

Subd. 4. "Community" shall mean a city, county, multicounty or multicounty unit, or Indian reservation, or a neighborhood or other area, irrespective of boundaries or political subdivisions, which provides a suitable organizational base and possesses the commonality of interest needed for a community action program.

Subd. 5. "Poor" means a person having an annual income below the level established annually by the United States department of labor as poverty level income.

Sec. 3. [REGIONAL ACTION AGENCIES; ELIGIBILITY FOR FINANCIAL ASSISTANCE PURSUANT TO THIS ACT.] Subdivision 1. A regional action agency shall be eligible for designation by the economic opportunity agency and eligible to receive financial assistance from the economic opportunity agency only if it meets the following criteria:

(a) At least one half of the members of the board of directors are persons chosen in accordance with democratic selection procedures adequate to assure that they are representative of the poor in the area served;

(b) If federal funding for community action programs is available, all requirements established by federal law for eligibility to receive such funds are satisfied; and

(c) Eligibility requirements established by the regulations of the economic opportunity agency are satisfied.

Subd. 2. To maintain its designation and its eligibility for state financial assistance a regional action agency shall:

(a) Receive and administer funds from any private or local state or federal source for community action programs or other appropriate purposes. A regional action agency may subcontract with other public or private agencies using funds received pursuant to this act when consistent with the community action program;

(b) Plan, review, approve and evaluate all community action programs within the area served by the regional agency;

(c) Encourage cooperation and coordination of existing non-agency programs in applying for funds and in providing non-duplicative services;

(d) Initiate and sponsor projects to meet the needs of the poor of the community which are not being met under existing programs;

(e) Establish procedures by which the members of the community may participate actively in planning and implementing community action programs;

(f) Encourage business, labor, and other private investment and participation in the community;

(g) Establish bylaws governing the employment, discharge, functions and duties of its employers, including the extent of the lawful duties of such employees as advocates of the poor;

(h) Submit in accordance with regulations promulgated by the economic opportunity agency, an annual budget outlining its proposed activities and expenditures and quarterly reports outlining expenditures and activities of the previous quarter; and

(i) Continue to comply with the regulations of the economic opportunity agency and the requirements of any applicable federal law.

Sec. 4. [ECONOMIC OPPORTUNITY AGENCY; CREATION; MEMBERSHIP; VACANCIES.] Subdivision 1. [CREATION.] The economic opportunity agency is hereby established in the executive branch of the state government. The agency shall be composed of nine members, appointed by the governor with the advice and consent of the senate. The members of the agency, shall, insofar as possible, be broadly representative of the following groups and interests: poor; urban; rural; male; female; minority; ethnic; labor; business; religious; education; welfare; health and public officials. No more than five members of the agency shall be members of the same political party.

Subd. 2. [TERMS OF OFFICE; VACANCIES.] Of the members of the economic opportunity agency first appointed by the governor four shall serve two year terms and five shall serve four year terms. The governor shall appoint the first members of the agency by August 1, 1974, and these members shall be subject to confirmation by the senate at the next regular session of the legislature. Thereafter each term shall begin on January 1 and shall continue for four years or until a successor is appointed and qualified. Vacancies shall be filled by the governor with the advice and consent of the senate for the unexpired term.

Subd. 3. [COMPENSATION; EXPENSES.] Members of the economic opportunity agency shall receive \$35 for each day spent in the discharge of their duties plus reasonable and necessary expenses in the same manner and amount as state employees.

Subd. 4. [PROCEDURE; MEETINGS.] The agency shall adopt rules and regulations relating to the election of its chairman, quorums, meeting times and places, and all other procedural matters necessary to its efficient operation.

Sec. 5. [DIRECTOR OF ECONOMIC OPPORTUNITY.] Subdivision 1. [APPOINTMENT; REMOVAL.] The governor shall appoint, with the advice and consent of the senate, a director of

the economic opportunity agency who shall serve for a four year term coterminous with that of the governor and until his successor is duly qualified and appointed, as the executive secretary and chief administrator of the agency. The director shall be an individual experienced in the administration of programs for the poor and in advocacy for the poor.

Subd. 2. [POWERS AND DUTIES.] The agency may delegate to the director and the director shall perform any duties imposed upon the agency except as expressly forbidden by this act or other law.

Sec. 6. [AGENCY; POWERS AND DUTIES.] Subdivision 1. The economic opportunity agency shall:

(1) Provide financial assistance to regional action agencies for the purpose of conducting community action programs;

(2) Designate by November 1, 1974, a regional action agency in each of the state's economic development regions. It may designate two regional action agencies in those economic development regions having a population in excess of 300,000;

(3) Assist community action agencies organized pursuant to federal law in reorganizing to comply with the provisions of this act;

(4) If the federal government continues the funding of community action agencies at a level of 90 percent or more of the monies received in such agencies' administration and community development accounts from the federal government in fiscal 1973, utilize the appropriation transferred by section 9, subdivision 2, to coordinate the receipt of federal funds by areas not served by community action agencies on the effective date of this act;

(5) Act as a special advocate for the poor in state government and encourage the mobilization of state resources and assist in the coordination of the efforts of state agencies which attempt to make the state government more responsible to the needs and desires of the poor;

(6) Provide technical assistance, training and related services to regional action agencies;

(7) Collect information regarding the state and federal participation in the programs of regional action agencies for the purpose of coordinating such funding;

(8) Provide information and assistance to the governor, the legislature, and state agencies with the objective of developing programs and seeking legislation for the benefit of the poor;

(9) Apply for, do all things necessary to qualify for and receive grants from federal and state sources in order to fulfill its duties under this act;

(10) Establish by rules and regulations promulgated pursuant to Minnesota Statutes, Chapter 15, standards governing the desig-

nation of regional action agencies and their eligibility for financial assistance. Such standards shall be subject to the provisions of section 3 and shall include but shall not be limited to:

- (a) The size of the boards of directors;
- (b) Method selection of members of the boards of directors;
- (c) Terms of office of the members of the boards of directors;
- (d) Qualifications of members of the boards of directors;
- (e) Election of officers;
- (f) Standardized accounting methods and budget preparation or submission methods and procedures;
- (g) Methods of filling vacancies in the boards of directors;
- (h) Procedures of the boards of directors, including quorums, meeting times and places, reimbursement of members expenses and per diem, and similar matters necessary to efficient operation; and
- (i) Such procedures as will assure public access to information and records.

(11) Report to the governor and legislature by January 15 of each year on its activities and those of the regional action agencies.

Sec. 7. [RESTRICTIONS AND DISBURSEMENT.] Subdivision 1. The economic opportunity agency shall disburse funds appropriated by this act to a community action agency or regional community action agency only if federal funding available to that agency for the fiscal year 1974 will be less than 90 percent of the dollar amount that the agency received from the federal government in its administration and community development accounts during the fiscal year 1973 or if the agency received no federal funds during fiscal year 1973.

Subd. 2. The agency shall provide financial assistance after January 1, 1975, only to regional action agencies designated pursuant to section 6, clause 2. If federal funds are available, the director shall encourage and assist the community action agencies operating in the state in the implementation of the regionalization plan.

Sec. 8. [DESIGNATION.] The economic opportunity agency is the state agency to perform the functions, duties and powers afforded the state under the Economic Opportunity Act of 1964, Public Law 88-452, as amended; and the agency shall comply with all state and federal laws and rules or regulations promulgated for any purposes related to the powers and duties of the economic opportunity agency.

Sec. 9. [APPROPRIATION.] Subdivision 1. The sum of \$4,225,000 is appropriated to the economic opportunity agency from the general fund of the state treasury for the purposes of this act.

Subd. 2. The unexpended and unencumbered balance of funds appropriated by Laws 1973. Chapter 765. Section 8, Subdivision 1, to the commissioner of public welfare, is hereby transferred and

reappropriated to the economic opportunity agency for the purposes of this act.

Subd. 3. Five percent of the funds appropriated by this section is appropriated to the economic opportunity agency for its own administrative expenses."

Further, amend the title:

Page 1, line 4, strike "community" and insert "regional"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2005: A bill for an act relating to the interchange of employees between the state and its political subdivisions and private industry; amending Minnesota Statutes 1971, Chapter 15, by adding a section.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3144: A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; amending Minnesota Statutes 1971, Sections 353.01, Subdivisions 19 and 24; 353.05; 353.16; 353.32, by adding a subdivision; and 353.36, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Sections 353.01, Subdivisions 2b, 6, 10, 12, 16, and 20; 353.27, Subdivisions 4 and 13; 353.29, Subdivision 2; 353.32, Subdivision 1; and 353.651, Subdivision 2; repealing Minnesota Statutes, 1973 Supplement, Section 353.40.

Reports the same back with the recommendation that the bill be amended as follows:

Page 8, line 8, strike "15" and insert "17"

Page 7, line 20, after "duration" strike "."

Page 7, line 21, strike "An 'indefinite duration' " and insert in lieu thereof "which"

Page 8, after line 9, insert the following:

"Sec. 9. Minnesota Statutes, 1973 Supplement, Section 353.03, Subdivision 1, is amended to read:

353.03. [BOARD OF TRUSTEES.] Subdivision 1. [MANAGEMENT; COMPOSITION; ELECTION.] The management of the public employees retirement fund is hereby vested in a board of trustees consisting of 13 members, who shall be known as the board of trustees. This board shall consist of three trustees, one of whom shall be designated by each of the following associations, Minnesota school boards association, League of Minnesota Mu-

municipalities, and Association of Minnesota Counties, and nine trustees, who shall be elected from the membership by the members of the retirement association, and one trustee who shall be a retired annuitant elected by other annuitants. Elected trustees shall hold office for a term of ~~three~~ *four* years. ~~On November 1 of each year and~~ For seven days *beginning December 1 of each year,* ~~except 1974 and every fourth year thereafter,~~ the association shall accept at its office filings in person or by mail of candidates for the board of trustees. The candidate shall submit at the time of his filing a nominating petition signed by 25 or more members of the fund, and in the case of a retired annuitant, a nominating petition signed by 25 or more such annuitants. No nominee may withdraw his name from nomination after ~~November~~ *December* 15. Candidates shall file at large for all seats vacant at the forthcoming election. By ~~December~~ *January* 10 of each year the board shall distribute by mail to the members and annuitants ballots listing the candidates, the number of positions to be filled and blank lines for write in votes. No special marking may be used on the ballot to indicate incumbents. The last day for mailing ballots to the fund shall be ~~December~~ *January* 31. All terms expire on ~~December~~ *January* 31 of the ~~third~~ *fourth* year, and the position shall remain vacant until the newly elected member is qualified. The ballot envelopes shall be so designed and the ballots shall be counted in such a manner as to insure that each vote is secret. The election shall be supervised by the secretary of state. It shall be the duty of the board of trustees to faithfully administer the law without prejudice and consistent with the expressed intent of the legislature. They shall act as trustees with a fiduciary obligation to the state of Minnesota which created the fund, the taxpayers of the governmental subdivisions which aid in financing it and the public employees who are its beneficiaries."

Page 11, after line 14, insert the following:

"Sec. 14. Minnesota Statutes, 1973 Supplement, Section 353.31, Subdivision 1, is amended to read:

353.31 [SURVIVOR BENEFITS.] Subdivision 1. [BENEFITS FOR SURVIVING SPOUSE AND DEPENDENT CHILDREN; BEFORE RETIREMENT.] Upon the death of a "basic member" before retirement or upon the death of a "basic member" who was disabled and receiving disability benefits pursuant to section 353.33 at the time of his death who has had at least 18 months of credited allowable service, his surviving dependent spouse and dependent children, as defined in section 353.01, subdivisions 15 and 20, shall receive the monthly benefit provided below:

- (a) Surviving dependent spouse . . . 30 percent of the member's monthly average salary in effect over the last full six months of allowable service preceding death
- (b) Each dependent child 10 percent of the member's monthly average salary in effect over the last full six months of allowable service preceding death

Payments for the benefit of any dependent child, as defined in section 353.01, subdivision 15, shall be made to the surviving parent, or if there be none, to the legal guardian of such child. The maximum monthly benefit for any one family shall not exceed \$400 \$450, and the minimum benefit per family shall not be less than 30 percent of the "basic member's" said average salary, subject to the aforementioned maximum. The surviving dependent spouse benefit shall terminate upon his or her remarriage, and the dependent children's benefit shall be reduced pro tanto when any child is no longer dependent.

Any survivor of a "basic member" whose average salary was less than \$75 per month shall not be entitled to the benefits provided in this subdivision.

Under the terms of this subdivision there are no survivor benefits, as such, payable to the surviving spouse or dependent children of any deceased "coordinated member."

Page 14, after line 11, insert the following:

"Sec. 18. Minnesota Statutes, 1973 Supplement, Section 353.657, Subdivision 3, is amended to read:

Subd. 3. [COMPUTATION OF BENEFITS; CHILDREN; BEFORE RETIREMENT.] Each dependent child, until the child reaches the age of 18 years, shall receive a monthly benefit equal to ten percent of the member's average monthly salary earned as a police officer or fire fighter on which employee contributions were paid over the last full six months of allowable service preceding death. Payments for the benefit of any qualified dependent child under the age of 18 years shall be made to the surviving parent, or if there be none, to the legal guardian of such child. The maximum monthly benefit for any one family shall not exceed \$400 \$450, and the minimum benefit per family shall not be less than 30 percent of the member's said average salary, subject to the aforementioned maximum."

Page 14, after line 11 insert the following:

"Sec. 18. Minnesota Statutes, 1973 Supplement, Section 353.71, Subdivision 2, is amended to read:

Subd. 2. [DEFERRED ANNUITY COMPUTATION; AUGMENTATION.] The deferred annuity, if any, accruing under subdivision 1, or sections 353.34, subdivision 3, and 353.68, subdivision 4, shall be computed in the manner provided in said sections, on the basis of allowable service prior to termination of public service and augmented as provided herein. The required reserves applicable to a deferred annuity, or to an annuity for which a former member was eligible but had not applied, or to any deferred segment of an annuity shall be determined as of the date the annuity begins to accrue and shall be augmented by interest at the rate of ~~three~~ and ~~one-half~~ five percent per annum compounded annually from the first day of the month following the month in which the former member ceased to be a public employee, or July 1, 1971, whichever is later, to the first day of the month in which the annuity begins to accrue. If a person has more

than one period of uninterrupted service, the required reserves related to each period shall be augmented by interest pursuant to this subdivision. The sum of the augmented required reserves so determined shall be the present value of the annuity. Uninterrupted service for the purpose of this subdivision shall mean periods of covered employment during which the employee has not been separated from public service for more than two years. If a person repays a refund, the service restored thereby shall be considered as continuous with the next period of service for which the employee has credit with this association. The formula percentages used for each period of uninterrupted service shall be those as would be applicable to a new employee. This section shall not reduce the annuity otherwise payable under this chapter. This subdivision shall apply to deferred annuitants of record on July 1, 1971 and to employees who thereafter become deferred annuitants; it shall also apply from July 1, 1971 to former members who make application for an annuity after July 1, 1973."

Page 14, after line 11, insert the following:

"Sec. 22. Minnesota Statutes 1971, Chapter 353, is amended by adding a section to read:

[353.85] *A qualified survivor of a "basic" member or a member of the police and fire fund where such member died after June 15, 1973 and was entitled to salary or vacation pay after June 30, 1973 shall in lieu of all other association survivor benefits be entitled to the survivor benefits payable under the law in effect on July 1, 1973.*"

Page 14, after line 11, insert the following:

"Sec. 23. [ASSOCIATION OF MINNESOTA COUNTIES EMPLOYEES.] Subdivision 1. From and after July 1, 1974, employees of the Association of Minnesota Counties, hereinafter referred to as the association, shall become members of the public employees retirement association unless specifically exempt under section 1 of this act.

Subd. 2. An employee of the association shall pay contributions and have his rights determined under the law applicable to "co-ordinated" public employees retirement association members.

Sec. 24. [PURCHASE OF PRIOR SERVICE CREDIT.] A person who becomes a member of the public employees retirement association pursuant to this act may purchase prior service credit with respect to employment with the association by (a) paying to the public employees retirement association prior to August 1, 1974, an employee contribution in an amount equal to six percent of his salary received from the association, not exceeding \$4,800 in any calendar year prior to June 30, 1965, and not exceeding \$6,000 per year from July 1, 1965 to June 30, 1967, and at the rate of six percent of total salary received from the association after July 1, 1967, plus accrued interest for the total period of service at the rate of five percent per annum compounded annually from the year of purchase to the date payment is made; (b) the member at the same time shall pay additionally a

matching amount equal to that required to be paid under (a) representing employers' contributions; provided the association may, in its sole discretion, for all employees included hereunder, pay the public employees retirement association the obligation under (b) or may reimburse its employees for such amount."

Renumber the remaining sections accordingly.

Further amend the title:

Page 1, line 4, after "law;" insert "providing benefits to qualified survivors of a basic member or a member of the police and fire fund; including members of the Association of Minnesota Counties in membership in the public employees retirement association;"

Page 1, line 8, after "subdivision;" insert "and Chapter 353, by adding a section;"

Page 1, line 11, after "20;" insert "353.03, Subdivision 1;"

Page 1, line 12, after "Subdivision 2;" insert "353.31, Subdivision 1;"

Page 1, line 13, after "Subdivision 1;" strike "and"

Page 1, line 14, after "2;" insert "353.657, Subdivision 3; and 353.71, Subdivision 2;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

H. F. No. 3048: A bill for an act relating to municipal housing and redevelopment authorities; permitting public officers and employees to serve as commissioner; amending Minnesota Statutes 1971, Section 462.425, Subdivision 5.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 4, strike "Any public"

Page 1, strike line 5

Page 1, line 6, strike "as a commissioner"

Page 1, line 9, strike the period

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

S. F. No. 884: A bill for an act relating to crimes and criminals; providing compensation for victims of violent crimes; providing a penalty; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [TITLE.] This act shall be known as the Minnesota Crime Victims Reparations Act.

Sec. 2. [DEFINITIONS.] For the purposes of this act the following terms shall have the meanings given them:

(1) "Accomplice" means any person who would be held criminally liable for the crime of another pursuant to Minnesota Statutes, Section 609.05.

(2) "Board" means the crime victims reparation board established by section 5.

(3) "Claimant" means a person entitled to apply for reparations pursuant to this act.

(4) "Collateral source" means a source of benefits or advantages for economic loss otherwise reparable under this act which the victim or claimant has received, or which is readily available to him, from:

(a) the offender;

(b) the government of the United States or any agency thereof, a state or any of its political subdivisions, or an instrumentality of two or more states, unless the law providing for the benefits or advantages makes them excess or secondary to benefits under this act;

(c) social security, medicare, and medicaid;

(d) state required temporary non-occupational disability insurance;

(e) workmen's compensation;

(f) wage continuation programs of any employer;

(g) proceeds of a contract of insurance payable to the victim for economic loss which he sustained because of the crime;

(h) a contract providing prepaid hospital and other health care services, or benefits for disability; or

(i) any private source as a voluntary donation or gift.

The term does not include a life insurance contract.

(5) (a) "Crime" means conduct that

(i) occurs or is attempted in this state,

(ii) poses a substantial threat of personal injury or death, and

(iii) is included within the definition of "crime" in Minnesota Statutes 1971, Section 609.02, Subdivision 1, or would be included within that definition but for the fact that the person engaging in the conduct lacked capacity to commit the crime under the laws of this state.

(b) A crime occurs whether or not any person is prosecuted or convicted but the conviction of a person whose acts give rise to the claim is conclusive evidence that a crime was committed unless an ap-

plication for rehearing, appeal or petition for certiorari is pending or a new trial or rehearing has been ordered.

(c) "Crime" does not include conduct arising out of the use of a motor vehicle, as defined in Minnesota Statutes, Section 169.01, Subdivision 2, an aircraft or watercraft unless

(i) the conduct was intended to cause personal injury or death, or

(ii) the use of the motor vehicle, aircraft or watercraft in the commission of a felony was a proximate cause of the victim's injury or death.

(6) "Dependent" means any person who was dependent upon a deceased victim for support at the time of the crime.

(7) "Economic loss" means actual economic detriment incurred as a direct result of injury or death.

(a) In the case of injury the term is limited to:

(i) reasonable expenses incurred for necessary medical, chiropractic, hospital, rehabilitative and dental products, services, or accommodations, including ambulance services, drugs, appliances and prosthetic devices;

(ii) reasonable expenses incurred for psychological or psychiatric products, services or accommodations where the nature of the injury or the circumstances of the crime are such that the treatment is necessary to the rehabilitation of the victim;

(iii) loss of income the victim would have earned had he not been injured; and

(iv) reasonable expenses incurred for substitute child care or household services to replace those the victim would have performed had he not been injured.

(b) In the case of death the term is limited to:

(i) reasonable expenses incurred for funeral, burial or cremation;

(ii) reasonable expenses for medical, chiropractic, hospital, rehabilitative, psychological and psychiatric services, products or accommodations which were incurred prior to the victim's death and for which the victim's survivors or estate are liable;

(iii) loss of support, including contributions of money, products or goods, but excluding services which the victim would have supplied to his dependents if he had lived; and

(iv) reasonable expenses incurred for substitute child care and household services to replace those which the victim would have performed for the benefit of his dependents if he had lived.

(8) "Injury" means actual bodily harm including pregnancy and mental or nervous shock.

(9) "Victim" means a person who suffers personal injury or death as a direct result of (a) a crime; (b) the good faith effort of any person

to prevent a crime; or (c) the good faith effort of any person to apprehend a person suspected of engaging in a crime.

Sec. 3. [ELIGIBILITY FOR REPARATIONS.] Subdivision 1. Except as provided in subdivision 2, the following persons shall be entitled to reparations upon a showing by a preponderance of the evidence that the requirements for reparations have been met:

- (a) a victim who has incurred economic loss;
- (b) a dependent who has incurred economic loss;
- (c) the estate of a deceased victim if the estate has incurred economic loss;
- (d) any other person who has incurred economic loss by purchasing any of the products, services, and accommodations described in section 2, clauses (a), (i) and (a), (ii) for a victim;
- (e) the guardian, guardian ad litem, conservator or authorized agent of any of these persons.

Subd. 2. No reparations shall be awarded to a claimant otherwise eligible if

- (a) the crime was not reported to the police within five days of its occurrence, or, if it could not reasonably have been reported within that period, within five days of the time when a report could reasonably have been made;
- (b) the victim or claimant failed or refused to cooperate fully with the police and other law enforcement officials;
- (c) the victim is the spouse of or a person living in the same household with the offender or his accomplice or the parent, child, brother or sister of the offender or his accomplice unless the board determined that the interests of justice otherwise require in a particular case;
- (d) the claimant was the offender or an accomplice of the offender or an award to the claimant would unjustly benefit the offender or an accomplice; or
- (e) no claim was filed with the board within one year of victim's injury or death.

Sec. 4. [AMOUNT OF REPARATIONS.] Reparations shall equal economic loss except that:

- (1) reparations shall be reduced to the extent that economic loss is recouped from a collateral source;
- (2) reparations shall be reduced to the extent, if any, that the board deems reasonable because of the contributory misconduct of the claimant or of a victim through whom he claims; and
- (3) reparations paid to all claimants suffering economic loss as a result of the injury or death of any one victim shall not exceed \$15,000 plus attorney fees authorized by this act.

Sec. 5. [CRIME VICTIMS REPARATIONS BOARD.] Subdivision 1. There is created in the executive branch the crime victims reparations board, which shall consist of three members appointed by the governor with the advice and consent of the senate. One of the members shall be designated as chairman by the governor and serve as such at his pleasure. At least one member shall be a person who is admitted to the bar of this state, and at least one member shall be a medical or osteopathic physician licensed to practice in this state.

Subd. 2. The term of office of each board member shall be 6 years except that of the members first appointed one each shall serve for terms of 6, 4, and 2 years. Any person appointed to fill a vacancy shall be appointed for the remainder of the unexpired term.

Subd. 3. Members of the board shall serve part time and receive \$35 per diem and be reimbursed for reasonable and necessary expenses incurred in performance of their duties in the same manner and amount as state employees.

Sec. 6. [POWERS AND DUTIES OF THE BOARD.] Subdivision 1. [DUTIES.] In addition to carrying out any duties specified elsewhere in this act or in other law, the board shall:

(a) provide all claimants with an opportunity for hearing pursuant to Minnesota Statutes, Chapter 15;

(b) establish and maintain a principal office and other necessary offices and appoint employees and agents as necessary and fix their duties;

(c) promulgate within 90 days following the effective date of this act rules to implement this act, including rules governing the method of practice and procedure before the board, prescribing the manner in which applications for reparations shall be made, and providing for discovery proceedings;

(d) publicize widely the availability of reparations and the method of making claims; and

(e) prepare and transmit annually to the governor and the legislature a report of its activities including the name of each claimant, a brief description of the facts in each case, the amount of reparation awarded, and a statistical summary of claims and awards made and denied.

Subd. 2. [POWERS.] In addition to exercising any powers specified elsewhere in this act or other law, the board upon its own motion or the motion of a claimant or the attorney general may:

(a) issue subpoenas for the appearance of witnesses and the production of books, records, and other documents.

(b) administer oaths and affirmations and cause to be taken affidavits and depositions within and without of this state;

(c) take notice of judicially cognizable facts and general, technical, and scientific facts within their specialized knowledge;

(d) order a mental or physical examination of a victim or an autopsy of a deceased victim provided that notice is given to the person to be examined and that the claimant and the attorney general receive copies of any resulting report;

(e) suspend or postpone the proceedings on a claim if a criminal prosecution arising out of the incident which is the basis of the claim has been commenced or is imminent;

(f) request from prosecuting attorneys and law enforcement officers investigations and data to enable the board to perform its duties under this act;

(g) appoint independent hearing officers who are admitted to the bar of this state to conduct hearings, take testimony, and report findings of fact, conclusions of law and the basis therefor to the board for a final determination;

(h) determine and award reasonable attorneys fees to a claimant;

(i) grant emergency reparations pending the final determination of a claim if it is one with respect to which an award will probably be made and undue hardship will result to the claimant if immediate payment is not made; and

(j) reconsider any decision granting or denying reparations or determining their amount.

Sec. 7. [DETERMINATION OF CLAIMS.] Subdivision 1. A claim, when accepted for filing, shall be assigned by the chairman to himself or to another member of the board.

Subd. 2. The board member to whom the claim is assigned shall examine the papers filed in support of the claim and cause an investigation to be conducted into the validity of the claim.

Subd. 3. The board member to whom a claim is assigned may decide the claim in favor of a claimant in the amount claimed on the basis of the papers filed in support of it and the report of the investigation of such claim. If the board member is unable to decide such claim upon the basis of the papers and report, he shall order a hearing.

Subd. 4. After examining the papers filed in support of the claim and the report of investigation, and after a hearing, if any, the board member to whom the claim was assigned shall make a decision either granting an award or deny the claim.

Subd. 5. The board member making a decision shall file with the board a written report setting forth such decision and his reasons therefor. The board shall notify the claimant and furnish him a copy of the report.

Sec. 8. [CONSIDERATION OF DECISIONS BY FULL BOARD.] Subdivision 1. The claimant may, within thirty days after receipt of the report of the decision of the board member to

whom his claim was assigned, make an application in writing to the board for consideration of the decision by the full board.

Subd. 2. Any member of the board may, within thirty days after the filing of the report, make an application in writing to the board for consideration of the decision by the full board.

Subd. 3. The board shall treat all claims considered pursuant to this section as contested cases within the meaning of Minnesota Statutes, Chapter 15.

Sec. 9. [REPARATIONS; HOW PAID.] Reparations may be awarded in a lump sum or in installments in the discretion of the board. The amount of any emergency award shall be deducted from the final award, if a lump sum, or pro-rated over a period of time if the final award is made in installments. Reparations are exempt from execution or attachment except by persons who have supplied services, products or accommodations to the victim as a result of the injury or death which is the basis of the claim. The board, in its discretion may order that all or part of the reparations awarded be paid directly to these suppliers.

Sec. 10. [SUBROGATION.] The state shall be subrogated, to the extent of reparations awarded, to all the claimant's rights to recover benefits or advantages for economic loss from a source which is, or if readily available to the victim or claimant would be, a collateral source.

Sec. 11. [MEDICAL PRIVILEGE.] There is no privilege as to communication or records relevant to an issue of the physical, mental, or emotional condition of the claimant or victim in a proceeding under this act in which that condition is an issue. Nothing contained in this section shall be interpreted to abridge the attorney-client privilege.

Sec. 12. [ENFORCEMENT OF BOARD'S ORDERS.] If a person refuses to comply with an order of the board or asserts a privilege to withhold or suppress evidence relevant to a claim, the board may make any just order including denial of the claim, but may not find the person in contempt. If necessary to carry out any of its powers and duties, the board may petition the district court for an appropriate order, but the court may not find a person in contempt for refusal to submit to a mental or physical examination.

Sec. 13. [USE OF RECORD OF CLAIM; EVIDENCE.] Neither a record of the proceedings on a claim, a decision of the board, nor the fact that an award has been made or denied shall be admissible as evidence in any criminal or civil action against the alleged offender, including an action by the state on its subrogation claim.

Sec. 14. [LAW ENFORCEMENT AGENCIES; DUTY TO INFORM VICTIMS OF RIGHT TO FILE CLAIM.] All law enforcement agencies investigating crimes shall provide forms to each person who may be eligible to file a claim pursuant to this act and to inform them of their rights hereunder. All law enforcement agencies shall obtain from the board and maintain a supply

of all forms necessary for the preparation and presentation of claims.

Sec. 15. [FRAUDULENT CLAIMS.] Any person who knowingly makes a false claim under this act shall be guilty of a gross misdemeanor.

Sec. 16. [EFFECTIVE DATE.] This act shall apply to claims arising as a result of crimes committed or attempted after the day following final enactment of this act.

Sec. 17. [APPROPRIATIONS.] The sum of \$. is appropriated annually from the general fund in the state treasury to the crime victims reparations board for the payment of claims and operating expenses under this act."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 2953: A bill for an act relating to state lands; directing conveyance of a certain parcel of land in Otter Tail county.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 23, after "surveyed" insert ", if necessary,"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3212: A bill for an act relating to game and fish; eligibility for free fishing licenses; amending Minnesota Statutes, 1973 Supplement, Section 98.47, Subdivision 8.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, after "fish" insert "*by angling or spearing*"

Page 1, line 10, after "is" insert "*blind, or is*"

Page 1, line 12, strike "*eligible to receive*" and insert "*a recipient of*"

Page 1, line 14, after "423(d)," insert "*or is a recipient of workmen's compensation based on a finding of total and permanent disability,*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3198: A bill for an act relating to tax forfeited lands; pro-

viding conditions for the sale of tax forfeited riparian lands; amending Minnesota Statutes, 1973 Supplement, Sections 9.071 and 282.018.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3181: A bill for an act relating to game and fish; authorizing the use of portable fish houses within the boundary waters canoe area.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 2105: A bill for an act relating to game and fish; wearing of red or orange clothing; amending Minnesota Statutes 1971, Section 100.29, Subdivision 8.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, after "sinkbox" insert "*, or when traveling to or returning from such a place*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 2497: A bill for an act relating to the village of Hibbing, the town of Stuntz, and Independent School District Number 701; permitting tax levy by joint recreation and park board regardless of existing mill rates and per capita limit.

Reports the same back with the recommendation that the bill be amended as follows:

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

"Section 1. Minnesota Statutes, 1973 Supplement, Section 275.-50, Subdivision 5 is amended to read:

Subd. 5. "Special levies" means those portions of ad valorem taxes levied by governmental subdivisions to:

(a) satisfy judgments rendered against the governmental subdivision by a court of competent jurisdiction in any action other than an action on an express contract or default on an express contract, or to pay the costs of settlements out of court against the governmental subdivision in any action other than an action on an express contract when substantiated by a stipulation for the dismissal of the action filed with the court of competent jurisdiction.

tion and signed by both the plaintiff and the legal representative of the governmental subdivision, but only to the extent of the increase in levy for such judgments and out of court settlements over levy year 1970, taxes payable in 1971;

(b) pay the costs of complying with any written lawful order issued by the state of Minnesota, or the United States, or any agency or subdivision thereof, which is authorized by law, statute, special act or ordinance and is enforceable in a court of competent jurisdiction, or any stipulation agreement or permit for treatment works or disposal system for pollution abatement in lieu of a lawful order signed by the governmental subdivision and the state of Minnesota, or the United States, or any agency or subdivision thereof which is enforceable in a court of competent jurisdiction. The commissioner of taxation shall in consultation with other state departments and agencies, develop a suggested form for use by the state of Minnesota, its agencies and subdivisions in issuing orders pursuant to this subdivision;

(c) pay the costs of complying with any law enacted by the 1971 legislature or a prior or subsequent year's legislature which specifically and directly requires a new or altered activity after levy year 1970, taxes payable in 1971, but only to the extent of the increased cost for such activity after levy year 1970, taxes payable in 1971;

(d) pay the costs of an expanded county court system to the extent of the increase in costs over the amount levied in support of a county court or a probate court in levy year 1970, taxes payable in 1971;

(e) pay amounts required by any public pension plan to the extent that operation of the laws of the state of Minnesota or the United States governing such fund directly causes the level of governmental financial support to exceed the level of such support prior to July 1, 1971, provided that such increases are not the result of amendment by any means to the benefit plan after July 1, 1971 which required the approval of the governing body of the governmental subdivision;

(f) pay amounts required to be levied in support of a volunteer firemen's relief association if resulting from the operation of sections 69.772 and 69.773;

(g) pay the costs to a governmental subdivision for their share of any program otherwise authorized by law, including the administrative costs of social services and of county welfare systems, for which matching funds have been appropriated by the state of Minnesota or the United States, but only to the extent that the costs to the governmental subdivision for the program exceed those expended in calendar year 1970, subject to rules promulgated by the commissioner of taxation pursuant to the administrative procedures act;

(h) pay expenses reasonably and necessarily incurred in preventing, preparing for or repairing the effects of natural disaster. "Natural disaster" as used herein means the occurrence or threat

of widespread or severe damage, injury or loss of life or property resulting from natural causes, including and limited to fire, flood, earthquake, wind storm, wave action, oil spill, or other water contamination requiring action to avert danger or damage, volcanic activity, drought or air contamination. The civil defense division of the state department of public safety shall formulate standards by which an occurrence of any of the aforementioned natural phenomena would be deemed a natural disaster by reason of the level of damage, injury or loss of life or property that has occurred or would occur if preventative action was not taken;

(i) pay the costs not reimbursed by the state or federal government, of payments made to or on behalf of recipients of aid under any public assistance program authorized by law;

(j) pay the costs of principal and interest on bonded indebtedness, or, effective for taxes levied in 1973 and years thereafter, to reimburse for the amount of liquor store revenues used to pay the principal and interest due in the year preceding the year for which the levy limit is calculated on municipal liquor store bonds;

(k) pay the costs of principal and interest on certificates of indebtedness, except tax anticipation or aid anticipation certificates of indebtedness, issued for any corporate purpose except current expenses or funding an insufficiency in receipts from taxes or other sources or funding extraordinary expenditures resulting from a public emergency;

(l) fund the payments made to the Minnesota state armory building commission pursuant to section 193.145, subdivision 2, to retire the principal and interest on armory construction bonds;

(m) provide for the bonded indebtedness portion of payments made to another political subdivision of the state of Minnesota;

(n) pay the amounts required to compensate for a decrease in revenues from public service enterprises, municipal liquor stores, licenses, permits, fines and forfeits and no other, to the extent that the aggregate of revenues from these sources in the calendar year preceding the year of levy are less than the aggregate of revenues from these sources in calendar year 1971. "Revenues" from a public service enterprise or a municipal liquor store shall mean the net income or loss of such public service enterprise or municipal liquor store, determined by subtracting total expenses from total revenues, and before any contribution to or from the governmental subdivision. "Fines" for a municipal court means the net amount remaining after subtracting total municipal court expenses from total collections of municipal court fines. A governmental subdivision shall qualify for this special levy only if the decrease in aggregate revenues as computed herein and divided by the population of the governmental subdivision in the preceding levy year is equal to or greater than two percent of the per capita levy limitation for the preceding levy year;

(o) pay the amounts required to compensate for a decrease in mobile homes property tax receipts to the extent that the governmental subdivision's portion of the total levy in the current levy

year, pursuant to section 273.13, subdivision 3, as amended, is less than the distribution of the mobile homes tax to the governmental subdivision pursuant to section 273.13, subdivision 3, in calendar year 1971;

(p) pay the amounts required to compensate for a decrease in gross earnings tax aids pursuant to sections 276.15 to 276.18, or 368.39 to 368.42, or 373.20 to 373.24, to the extent that the distribution of these aids to the governmental subdivision in the calendar year immediately preceding the current levy year is less than the distribution of these aids to the governmental subdivision in calendar year 1971;

(q) pay the amounts required, in accordance with section 275.075, to correct for a county auditor's error of omission in levy year 1971 or a subsequent levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(r) pay amounts required to correct for an error of omission in the levy certified to the appropriate county auditor or auditors by the governing body of a city, village, borough or town with village powers in levy year 1971 or a subsequent levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(s) pay the increased cost of municipal services as the result of an annexation or consolidation ordered by the Minnesota municipal commission in levy year 1971 or a subsequent levy year, but only to the extent and for the levy years as provided by the commission in its order pursuant to section 414.01, subdivision 15;

(t) pay the increased costs of municipal services provided to new private industrial and nonresidential commercial development, to the extent that the extension of such services are not paid for through bonded indebtedness or special assessments, and not to exceed the amount determined as follows. The governmental subdivision may calculate the aggregate of:

(1) The increased expenditures necessary in preparation for the delivering of municipal services to new private industrial and nonresidential commercial development, but limited to one year's expenditures one time for each such development;

(2) The amount determined by dividing the overall levy limitation established pursuant to sections 275.50 to 275.56, and exclusive of special levies and special assessments, by the total taxable value of the governmental subdivision, and then multiplying this quotient times the total increase in assessed value of private industrial and nonresidential commercial development within the governmental subdivision. For the purpose of this clause, the increase in the assessed value of private industrial and nonresidential commercial development is calculated as the increase in

assessed value over the assessed value of the real estate parcels subject to such private development as most recently determined before the building permit was issued. In the fourth levy year subsequent to the levy year in which the building permit was issued, the increase in assessed value of the real estate parcels subject to such private development shall no longer be included in determining the special levy.

The aggregate of the foregoing amounts, less any costs of extending municipal services to new private industrial and nonresidential commercial development which are paid by bonded indebtedness or special assessments, equals the maximum amount that may be levied as a "special levy" for the increased costs of municipal services provided to new private industrial and nonresidential commercial development;

(u) pay the costs of any levy authorized by special act for joint recreation and park board purposes of any city having a population of 15,000 or more and any town having a population of 4,000 or more, both city and town having assessed value of iron ore, taconite or semi-taconite, and situated within a county having a population of more than 200,000 but less than 300,000.

Sec. 2. This act is effective for levy year 1974 and levy years thereafter."

Further, amend the title as follows:

Strike the title and insert

"A bill for an act relating to taxation; providing a special levy for the costs of any levy authorized by special act for joint recreation park board purposes of certain cities and towns in iron range areas; amending Minnesota Statutes, 1973 Supplement, Section 275.50, Subdivision 5."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3276: A bill for an act relating to animals; estrays; allowing the disposal of certain animals; amending Minnesota Statutes 1971, Section 346.27.

Reports the same back with the recommendation that the bill be amended as follows:

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

"Section 1. Minnesota Statutes 1971, Section 346.215, is amended to read:

346.215 [INVESTIGATION OF CRUELTY COMPLAINTS.]
Subdivision 1. Any person who has reason to believe that a violation of section 346.21 has taken place or is taking place may apply

to any court having jurisdiction over actions alleging violation of such section for a warrant and for investigation. The court shall examine under oath the person so applying and any witnesses he may produce and must take his affidavit or their affidavits in writing, and cause same to be subscribed by the party or parties making same. The affidavit or affidavits must set forth the facts tending to establish the grounds for believing a violation of section 346.21 has occurred or is occurring, or probable cause to believe that they exist. If the court is thereupon satisfied of the existence of the grounds of the application, or that there is probable cause to believe their existence, it shall issue a search warrant and order for investigation, signed by the judge of such court with the name of his office, to a peace officer in such county, commanding him to forthwith proceed to the location of the alleged violation taking with him a doctor of veterinary medicine and commanding such peace officer to search the place designated in such warrant and together with such veterinary doctor conduct an investigation of the facts surrounding the alleged violation, retaining in his custody subject to the order of the court such property or things which are specified in such warrant, including any animal if such warrant so specifies. The warrant shall contain the names of the persons presenting affidavits in support of the application, and the grounds for its issuance. Service shall be made in accordance with the provisions of sections 626.13, 626.14, and 626.16. The warrant must be executed and returned to the court which issued such warrant within ten days after its date; after the expiration of such time the warrant, unless executed, is void. The officer executing such warrant must forthwith return the warrant to the court, and deliver to it a written inventory of the property or things taken, verified by the certificate of the officer at the foot of the inventory. The warrant and order for investigation issued pursuant to this section and section 346.216 shall have the same force and effect as a warrant issued pursuant to chapter 626.

Subd. 2. Upon a proper determination by a licensed doctor of veterinary medicine, any animal taken into custody pursuant to subdivision 1 may be immediately disposed of when such animal is suffering and is beyond cure through reasonable care and treatment.

Sec. 2. Minnesota Statutes 1971, Section 346.27, is amended to read:

346.27 [EXPOSURE OF ANIMALS; DUTY OF OFFICERS.]
Subdivision 1. Any sheriff, constable, village marshal, police officer, or any agent of the Minnesota society or other societies for the prevention of cruelty, may remove, shelter, and care for any horse or other animal found exposed to the weather and not properly blanketed, or remaining more than one hour without attention in cold or inclement weather, or not properly fed and watered, or provided with suitable food and drink, and, when necessary, may deliver such animal to another person to be so sheltered and cared for, and furnished with suitable food and drink; but in all cases the owner, if known, shall be immediately notified, and such officer, or the person having possession of the animal, shall have a lien thereon for its care and keeping

and the reasonable value of the food and drink furnished and the expenses of such notice. If the owner or custodian be unknown, and cannot by reasonable effort be ascertained, or shall not, within five days after notice, redeem such animal by paying the expenses incurred as aforesaid, it may be treated as an estray, and be dealt with as such.

Subd. 2. Upon a proper determination by a licensed doctor of veterinary medicine, any animal taken into custody pursuant to subdivision 1 may be immediately disposed of when such animal is suffering and is beyond cure through reasonable care and treatment. The expenses of such disposal shall be subject to the provisions of Minnesota Statutes, Section 346.216."

Further, amend the title as follows:

Page 1, line 5, strike "Section" and insert "Sections 346.215; and"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3432: A bill for an act relating to the West Pope county hospital district; authorizing the issuance of general obligation hospital bonds to be excluded from the net debt of the district.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, strike "WEST" and insert "WESTERN"

Page 1, line 10, strike "West" and insert "Western"

Page 1, line 30, strike "West" and insert "Western"

Further amend the title as follows:

Page 1, line 2, strike "West" and insert "Western"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3233: A bill for an act relating to the organization of the Minnesota zoological garden with reference to its officers, agents and employees; amending Minnesota Statutes 1971, Section 85A.03, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 19, add a new section to read:

"Sec. 2. [EFFECTIVE DATE.] This act shall take effect the day following its final enactment."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2687: A bill for an act relating to the basic sciences; abolishing the state board of examiners in the basic sciences, examinations, and registration in the basic sciences; amending Minnesota Statutes 1971, Sections 16.20, Subdivision 1; 146.01; 146.15; 146.18; and 146.19; repealing Minnesota Statutes 1971, Sections 146.02; 146.03; 146.04; 146.05; 146.06, as amended; 146.07; 146.08; 146.09, as amended; 146.10; 146.11, as amended; 146.12; 146.16; 146.17; 146.21; 146.22; and 148.47.

Reports the same back with the recommendation that the bill be amended as follows:

Page 5, after line 15, add a new section to read:

"Sec. 7. [EFFECTIVE DATE.] This act shall take effect the day following its final enactment."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3023: A bill for an act relating to municipal industrial development; definitions; amending Minnesota Statutes, 1973 Supplement, Section 474.02, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1971, Section 474.02, is amended by adding a subdivision to read:

Subd. 1a. The term project shall also include any properties, real or personal, used or useful in connection with a revenue producing enterprise, or any combination of two or more such enterprises engaged in any business.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 474.06, is amended to read:

474.06 [MANNER OF ISSUANCE OF BONDS; INTEREST RATE.] Bonds authorized under sections 474.01 to 474.13 shall be issued in accordance with the provisions of chapter 475 relating to bonds payable from income of revenue producing conveniences, except that public sale shall not be required, and the bonds may mature at any time or times within 30 years from date of issue and may be sold at a price equal to such percentage of the par value thereof, plus accrued interest, and bearing interest at such rate or rates, as may

be agreed by the lessee or vendee, the purchaser, and the municipality or redevelopment agency, notwithstanding any limitation of interest rate or cost or of the amounts of annual maturities contained in any other law. *When bonds authorized under sections 474.01 to 474.13 are issued, they shall state whether they are issued for a project defined in section 474.02, subdivision 1, or section 1 of this act.*"

Further amend the title as follows:

Page 1, line 3, after "definitions;" insert "issuance of bonds;"

Page 1, line 4, after "Statutes" strike the comma and insert "1971, Section 474.02, by adding a subdivision; and Minnesota Statutes,"

Page 1, line 5, strike everything after "Section" and insert "474.06."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3194: A bill for an act relating to agriculture; licensing of livestock marketing agencies and livestock dealers; requiring bonds and providing for claims against bonds; requiring records and providing for inspection thereof; requiring livestock weighers and providing for a weighing service; providing penalties; amending Minnesota Statutes 1971, Section 239.27; repealing Minnesota Statutes 1971, Sections 239.05, Subdivisions 2, 3, 4, 5, and 6; 239.13; 239.14; 239.15; 239.16; 239.17; 239.18, as amended; 239.19; 239.21; 239.225; and 239.26.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 32, strike "the Minnesota department of"

Page 2, line 6, strike "such as a federally-posted livestock auction" and insert "but does not include an occasional or special event or disposal sale"

Page 2, strike line 7

Page 2, line 11, after "others" insert ", except persons licensed under Minnesota Statutes, Section 28A.04 who are primarily engaged in the sale of meats at retail"

Page 2, strike line 28 and insert "an assembly point operated as a public livestock market for livestock producers, feeders, market agencies and buyers; providing the services and facilities for loading and unloading, yarding and sale of all classes of livestock, for individuals or organizations granted the privilege of the market by the management of the public stockyards."

Page 3, strike lines 1 and 2

Page 3, line 5, after "agencies" insert "and public stockyards"

Page 3, line 10, after "agency" insert "and public stockyard"

Page 3, line 19, after "agency," insert "public stockyard"

Page 3, line 20, after the period insert "The operation of livestock market agencies, livestock dealers, agents and packers at a public stockyard are exempt from sections 1 to 9, and 12 to 16."

Page 3, line 23, after "both," insert "or a public stockyard"

Page 3, line 23, strike "department" and insert "commissioner"

Page 3, line 24, strike "department" and insert "commissioner"

Page 3, line 26, after "applicant" insert "for a license to operate as a livestock market agency or livestock dealer"

Page 4, line 2, strike "department" and insert "commissioner"

Page 4, line 10, strike "department" and insert "commissioner"

Page 4, line 13, after "required of" insert "a public stockyard or"

Page 4, line 19, strike "department" and insert "commissioner"

Page 4, line 24, strike "department" and insert "commissioner"

Page 4, line 25, after "agency" insert "and public stockyard"

Page 5, line 10, strike "department" and insert "commissioner"

Page 6, line 4, strike "department" and insert "commissioner"

Page 6, line 17, strike "department" and insert "commissioner"

Page 6, line 25, strike "department" and insert "commissioner"

Page 7, line 3, strike "department" and insert "commissioner"

Page 7, line 21, strike "department" and insert "commissioner"

Page 7, line 23, strike "department" and insert "commissioner"

Page 7, line 28, strike "department" and insert "commissioner"

Page 8, line 7, strike "department" and insert "commissioner"

Page 8, line 17, strike "department" and insert "commissioner"

Page 9, line 25, strike "department" and insert "commissioner"

Page 10, line 1, strike "department" and insert "commissioner"

Page 10, line 24, strike "30" and insert "90"

Page 11, line 1, strike "department" and insert "commissioner"

Page 11, line 3, strike "department" and insert "commissioner"

Page 11, line 11, strike "department" and insert "commissioner"

Page 11, line 13, strike "department" and insert "commissioner"

Page 11, line 15, strike the first "department" and insert "commissioner"

Page 11, line 15, after "the" strike "department" and insert "commissioner"

Page 11, line 18, strike "department" and insert "commissioner"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 2898: A bill for an act relating to game and fish; bow and arrow deer seasons; amending Minnesota Statutes 1971, Section 100.27, Subdivision 2, as amended.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3061: A bill for an act relating to parks; prohibiting littering; providing a penalty.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1971, Section 85.20, is amended by adding a subdivision to read:

Subd. 6. No person shall drain, throw, or deposit upon the lands and waters within or adjacent to a state park any substance that would mar the appearance, create a stench, destroy the cleanliness or safety of the land, or would be likely to injure any animal, vehicle, or person traveling upon those lands and waters. The operator of a vehicle, except a school bus or a vehicle transporting passengers for hire and regulated by the interstate commerce commission, shall not permit articles to be thrown or discarded from the vehicle upon any lands or waters within or adjacent to a state park. A person violating the provisions of this subdivision shall be guilty of a misdemeanor. Any person sentenced to pay a fine under this act shall in lieu of the fine be permitted, in the court's discretion, to work at clearing rubbish, trash, and debris from any state park land or adjacent land. Credit shall be allowed against the fine at the rate of \$50 a day and a person performing the cleanup work shall wear an arm band on which appears the letters "LP" meaning litter patrol."

Amend the title as follows:

Line 2, after "to" and before "parks" insert "state"

Line 3, after "penalty" insert ";; amending Minnesota Statutes 1971, Section 85.20, by adding a subdivision"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3175: A bill for an act relating to health; providing for limitations on liability of review organizations; providing for confidentiality of records of review organizations; amending Minnesota Statutes 1971, Sections 145.61, Subdivision 5; 145.63; and 145.64.

Reports the same back with the recommendation that the bill be amended as follows:

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

"Section 1. Minnesota Statutes 1971, Section 145.61, is amended by adding a subdivision to read:

Subd. 4. "Administrative staff" means the staff of a hospital or clinic."

Renumber subsequent sections in sequence.

Page 1, line 13, before the comma insert *"and administrative staff, except where otherwise provided for by state or federal law"*

Page 1, line 14, after the comma insert *"by a clinic,"*

Page 2, line 7, after the semicolon insert *"or"*

Page 2, line 9, strike the semicolon and insert a colon

Page 2, line 10, strike *"(i)"* and insert *(1)"*

Page 2, line 12, strike *"(ii)"* and insert *"(2)"*

Page 2, line 14, after *"them"* insert *"when the matter is referred to a review committee by the professional licensing board"*

Page 2, line 15, strike *"(iii)"* and insert *"(3)"*

Page 2, line 18, strike *"(iv)"* and insert *"(4)"*

Page 2, line 21, strike *"and"* and insert *"or"*

Page 2, line 22, delete *"(v)"* and insert *"(5)"*

Page 2, strike lines 24-27 and insert *"No party shall be bound by a ruling of a review organization pursuant to this clause on a controversy, dispute or question unless he agrees in advance, either specifically or generally, to be bound by the ruling."*

Page 3, line 3, after the comma insert *"who acts in an advisory capacity to"*

Further amend the title as follows:

Page 1, line 8, after "Subdivision 5" and before the semicolon insert *", and by adding a subdivision"*

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 2896: A bill for an act relating to game and fish; contracts

for removal of rough fish; amending Laws 1973, Chapter 720, Section 61, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, after "*and*" insert "*/or*"

Page 1, line 15, strike "*bidder*" and insert "*contractor*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3407: A bill for an act relating to agriculture; local pest control; amending Minnesota Statutes 1971, Section 18.022, Subdivision 1, and by adding a subdivision; and Chapter 18 by adding a section.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3479: A resolution memorializing the President, the Congress and the State Department to refrain from negotiating or approving any treaty with Mexico which would, in effect, reestablish the bracero program.

Reports the same back with the recommendation that the resolution do pass. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3464: A bill for an act relating to natural resources; postponing promulgation and effective date of criteria relating to drainage systems; amending Minnesota Statutes, 1973 Supplement, Section 106.021, Subdivision 6.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 18, strike "*March 15*" and insert "*July 1*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3417: A bill for an act relating to state lands; directing conveyance of a portion of the Gillette Children's Hospital property to the city of St. Paul.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, after "The" and before "commissioner" insert "governor, upon recommendation of the"

Page 1, line 7, after "administration" insert ","

Page 1, line 7, after "shall" insert "transfer and"

Page 1, line 8, after "convey" insert ", by quitclaim deed in such form as the attorney general approves in the name of the state of Minnesota"

Page 1, after line 30, insert

"Sec. 2. The commissioner of administration shall cause the lands to be surveyed and appraised by not less than three appraisers, at least two of whom shall be residents of Ramsey county. Each appraiser shall before entering upon the duties of his office take and subscribe an oath that he will faithfully and impartially discharge his duties as appraiser according to the best of his ability and that he is not interested directly or indirectly in any of the lands to be appraised, which oath shall be attached to the report of such appraisal. The lands agreed to be conveyed shall be sold for not less than the appraised value thereof, plus the cost of the survey and appraisal.

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

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2635: A bill for an act relating to courts; allowing clerks of the district court to accept advance deposits to discharge fees; amending Minnesota Statutes 1971, Section 357.021, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

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

"Section 1. Minnesota Statutes 1971, Section 357.021, is amended by adding a subdivision to read:

Subd. 6. [SECURITY DEPOSITS.] The clerk shall accept security deposits to guarantee payment of fees. Any person desiring to make these deposits may deposit any amount desired with the clerk who shall deposit this in a security fund with the county treasurer. The county treasurer may invest the funds and the income therefrom shall be deposited in the general fund of the county.

The clerk shall extend credit to any person who has made this deposit up to the amount of the deposit.

Any person may withdraw the deposit after any unpaid items are deducted.

Sec. 2. Minnesota Statutes 1971, Section 487.31, is amended by adding a subdivision to read:

Subd. 5. [SECURITY DEPOSITS.] The clerk shall accept security deposits to guarantee payment of fees. Any person desiring to make these deposits may deposit any amount desired with the clerk who shall deposit this in a security fund with the county treasurer. The county treasurer may invest the funds and the income therefrom shall be deposited in the general fund of the county.

The clerk shall extend credit to any person who has made this deposit up to the amount of the deposit.

Any person may withdraw the deposit after any unpaid items are deducted."

Further amend the title as follows:

Page 1, line 3, strike "court" and insert "and county courts"

Page 1, line 5, strike "Section" and insert "Sections"

Page 1, line 6, after "subdivision" insert "; and 487.31 by adding a subdivision"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3095: A bill for an act relating to adoption; establishing a division within the department of administration to facilitate adoption of Vietnamese war orphans; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3406: A bill for an act relating to historic sites; designating additional historical sites; amending Minnesota Statutes 1971, Sections 138.53, by adding subdivisions; 138.54, by adding a subdivision; and 138.58, by adding subdivisions.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1971, Section 138.081, is amended to read:

138.081 [EXECUTIVE COUNCIL AS AGENCY TO ACCEPT FEDERAL FUNDS.] *Subdivision 1.* The executive council of the

Minnesota historical society is hereby designated the state agency with power to accept any and all moneys provided for or made available to this state by the United States of America or any department or agency thereof for surveys, restoration, construction, equipping, or other purposes relating to the state historic sites program in accordance with the provisions of federal law and any rules or regulations promulgated thereunder and are further authorized to do any and all things required of this state by such federal law and the rules and regulations promulgated thereunder in order to obtain such federal moneys.

Subd. 2. The director of the Minnesota historical society, as state historic preservation officer, shall be responsible for the preparation, implementation and administration of the state historic preservation plan and the federal historic preservation act (P.L. 89-665). The director of the Minnesota historical society shall review and approve in writing all grants-in-aid for architectural, archaeological and historic preservation made by state agencies and funded by the state or a combination of state and federal funds in accordance with the state historic preservation plan.

Sec. 2. Minnesota Statutes 1971, Section 138.52, Subdivision 1, is amended to read:

138.52 [DEFINITIONS.] Subdivision 1. Land or water areas containing historic, architectural, or archeological value for the purposes of sections 138.51 to 138.63 are designated as "state historic sites." A "state historic site" is also an area designated by the Minnesota historical society as a site possessing historical value of state or national significance. The term "state historic site" includes the items defined in this section.

Sec. 3. Minnesota Statutes 1971, Section 138.52, is amended by adding a subdivision to read:

Subd. 6. A "state architectural site" is a structure of outstanding and enduring architectural value, designated by the legislature as possessing state or national significance."

Page 1, line 13, strike "*consisting of all area within the following*" and insert in lieu thereof "*is in Ramsey county and consists of the area described in section 11 of this act.*"

Page 1, strike lines 14 to 31

Page 2, strike lines 1 to 15

Page 2, line 28, after "*district*" insert "*is*"

Page 3, line 1, strike "*located within the following boundaries:*" and insert in lieu thereof "*and consists of the area described in section 138.73, subdivision 13.*"

Page 3, strike lines 2 to 28

Page 4, strike lines 1 to 4

Page 4, line 7, after "*59.*" strike "*Brooklyn*" and insert in lieu thereof "*Earle Brown*"

Page 4, line 21, strike "*extending from*" and insert in lieu thereof "*consists of the area described in section 12 of this act.*"

Page 4, strike line 22

Page 4, line 26, strike "*comprises the area*" and insert in lieu thereof "*consists of the area described in section 138.73, subdivision 23.*"

Page 4, strike lines 27 and 28

Strike all of page 5

Page 6, strike lines 1 to 24 and insert in lieu thereof:

"Sec. 11. Minnesota Statutes, 1973 Supplement, Section 138.73, is amended by adding a subdivision to read:

Subd. 24. Irvine Park historic district, partly owned by the city of St. Paul and portions of which are privately owned, consisting of all area within the following description: beginning at the center of the intersection of Walnut and West Seventh Street, thence southeasterly along the center line of Walnut to the intersection of the centerline of the perimeter street surrounding Irvine Park, thence northeasterly to the north corner; thence southeasterly along the center line of the perimeter street to the intersection of the centerline of Ryan; thence northeasterly along the center line of Ryan to the northeast edge of Lot 2, Block 35; thence southeasterly to include Lots 2, 3, 4, Block 35, thence southwesterly to the centerline of Hill street including that portion of Hill vacated; thence southwesterly along the centerline of Hill street to the top of the bluff's concrete retaining wall; thence following the concrete to the top of the retaining wall to the centerline of Sherman; thence northwesterly along the centerline of Sherman to the intersection of the centerline of Ryan; thence southwesterly along the centerline of Ryan to the intersection of the line extending from the southwest edge of Lot 11; thence northwesterly along the southwest of edge of Lots 11, 12 of Block 30, to the intersection of the centerline alleyway parallel to Ryan and Exchange, Block 30; thence southwesterly along the centerline of the alleyway to the intersection of the property line running northwest-southeast dividing in half Lot 3, Block 30; thence along the property line to the intersection of the centerline of South Exchange; then northeasterly along the centerline of South Exchange to the intersection of the centerline of Sherman; thence northwesterly along the centerline of Sherman to the intersection of the centerline of Ramsey; thence westerly along Ramsey to the intersection of the centerline of West Seventh; thence northeasterly to the point of beginning. All in Rice and Irvine's Addition to City of St. Paul.

Sec. 12. Minnesota Statutes, 1973 Supplement, Section 138.73, is amended by adding a subdivision to read:

Subd. 25. Milwaukee Avenue historic district in the city of Minneapolis in Hennepin County, extending from Franklin Avenue to Twenty-Fourth Street."

Renumber the sections accordingly

Amend the title as follows:

Line 3, after "sites" insert "and historic districts"

Line 4, after "Sections" insert "138.081; 138.52, Subdivision 1, and by adding a subdivision;"

Line 6, strike "and"

Line 7, after "subdivisions" insert "; and 138.73, by adding subdivisions"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 3047: A bill for an act relating to operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; changing the funding of post-secondary vocational-technical education to a current funding basis; granting certain powers to school districts and the state board of education; establishing a transitional year procedure; bids for school district contracts; appropriating money; amending Minnesota Statutes 1971, Sections 121.21, Subdivision 5; 123.37, Subdivision 1 and by adding subdivisions; 123.39, Subdivision 1; 124.13; 124.17, Subdivision 2 and by adding a subdivision; 124.28, Subdivision 1; 270.11, Subdivision 2; 275.125, Subdivision 7; Minnesota Statutes, 1973 Supplement, Sections 124.04; 124.17, Subdivision 1; 124.20; 124.212, Subdivision 10; 124.222, Subdivision 1; 124.223; and 275.125, Subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 10, after line 20, insert:

"Sec. 9. Minnesota Statutes 1971, Section 123.39, is amended by adding a subdivision to read:

Subd. 13. The board shall provide for the transportation of resident handicapped persons who fulfill the requirements of Minnesota Statutes, Section 252.23 (1) to licensed daytime activity centers attended by these persons. Any aid received for transportation outside the district must be approved by the commissioner."

Renumber the sections accordingly

Page 29, after line 8, insert:

"Sec. 22. There is appropriated to the department of education the sum of \$300,000 for the fiscal year beginning July 1, 1974. This is to be added to the \$1,751,440 appropriated in Laws 1973, Chapter 768, Section 2, Subdivision 1, and shall be used solely to supplement the \$100,000 designated for the right to read program for the fiscal year beginning July 1, 1974."

Renumber the sections accordingly

Page 29, line 16, strike "4,480,000" and insert "5,480,000"

Further amend the title as follows:

Page 1, line 16, after "Subdivision 1" insert ", and by adding a subdivision"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 3331: A bill for an act relating to the termination of teachers due to discontinuance of position or lack of pupils in Independent School District No. 709, St. Louis county.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 3425: A bill for an act relating to the city of Detroit Lakes; expanding the definition of "project" under Minnesota Statutes 1971, Chapter 474, to include a vocational school facility.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 3345: A bill for an act relating to the city of Hanska and independent school districts Numbers 88, 837, and 840; authorizing the acquisition and leasing of properties for educational purposes; prescribing powers and duties in relation thereto; and authorizing the issuance of bonds.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 3243: A bill for an act relating to education; establishing a program of tuition supplements and a program of equivalency credits for the Minnesota national guard; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 28, after "guard" insert "pursuant to current military rules and regulations"

Page 3, line 17, after "available" insert "basis"

Page 4, line 15, after "guard" insert "pursuant to current military rules and regulations"

Page 5, line 1, after "guard" insert "pursuant to current military rules and regulations"

Page 5, line 1, after "or" insert "withdraws from or"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 3000: A bill for an act authorizing the issuance of certain refunding bonds by independent school district No. 748.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, strike "\$1,193,000" and insert "\$1,130,000"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 2003: A bill for an act relating to education; approval of plans for school buildings; amending Minnesota Statutes 1971, Section 121.15.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, strike "school"

Page 1, line 9, strike "and"

Page 1, line 10, strike "for the mechanical equipment"

Page 1, line 11, strike "change of school buildings" and insert "*modification of buildings used for school purposes and for electrical and mechanical equipment therein*"

Page 1, line 18, strike "such" and insert "*the*"

Page 1, line 18, strike "those made," and insert "*applicable sections*"

Page 1, line 18, after "from" insert "*the state building code.*"

Page 1, strike lines 19 and 20

Page 1, line 21, strike "of sewage in public school buildings."

Page 1, line 21, strike "*also*"

Page 2, line 2, strike the comma and insert a period

Page 2, line 3, strike "containing two classrooms or less."

Page 2, line 6, strike "reserve" and insert "*withhold*"

Page 2, line 7, strike "as to" and insert "*based on*"

Page 2, line 7, after "an" insert "*environmental, economic, or*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2214: A bill for an act relating to courts, defining real property jurisdiction of county court in divorce, annulment and separate maintenance proceedings; amending Minnesota Statutes 1971, Section 487.19, Subdivision 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3318: A bill for an act relating to agriculture; grain weighing, sampling and analysis; providing penalties; amending Minnesota Statutes 1971, Sections 232.08; and 235.01; repealing Minnesota Statutes 1971, Sections 232.05; 233.135; 233.137; 233.17 to 233.21; 233.25 to 233.32; 233.34 to 233.40; 235.03; 235.11; 235.12; 235.14 to 235.17; and 235.19.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, strike "department of agriculture"

Page 1, line 21, strike "the Minnesota department of"

Page 2, line 9, strike "department" and insert "commissioner"

Page 2, line 12, strike "department" and insert "commissioner"

Page 2, line 25, strike "department" and insert "commissioner"

Page 5, line 9, strike "vender" and insert "vendor"

Page 5, line 14, strike "department" and insert "commissioner"

Page 5, line 21, strike "department" and insert "commissioner"

Page 5, line 23, strike "department" and insert "commissioner"

Page 5, line 27, strike "department" and insert "commissioner"

Page 6, line 4, strike "It" and insert "He"

Page 7, line 4, strike "department" and insert "commissioner"

Page 9, line 1, strike "department" and insert "commissioner"

Page 10, line 2, strike "department" and insert "commissioner"

Page 10, line 12, strike "department" and insert "commissioner"

Page 12, line 10, strike "department" and insert "commissioner"

Page 12, line 13, strike "department" and insert "commissioner"

Page 12, line 18, strike "department" and insert "commissioner"

Page 13, line 10, strike "department" and insert "commissioner"

Page 13, line 24, strike "department" and insert "commissioner"

Page 14, line 11, strike "of agriculture"

Page 14, line 12, strike "of agriculture"

Page 16, lines 27 and 28, reinstate the stricken language

Page 17, lines 1 and 2, reinstate the stricken language

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3193: A bill for an act relating to pollution; regulating the details of hazardous waste control; providing a penalty; amending Minnesota Statutes 1971, Sections 116.06, by adding a subdivision; 116.07, Subdivisions 4 and 4a; 400.03, by adding a subdivision; 473D.02, by adding a subdivision; 473D.03, Subdivision 1; 473D.04; 473D.07, by adding a subdivision; Chapter 116, by adding sections; 400, by adding a section; 473D, by adding a section; and Minnesota Statutes, 1973 Supplement, Section 116.07, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 19, after "Subd. 13." strike the rest of the line

Page 1, strike lines 20 to 30 and insert " *"Hazardous waste" means any refuse or discarded material or combinations of refuse or discarded materials in solid, semi-solid, liquid, or gaseous form which cannot be handled by routine waste management techniques because they pose a substantial present or potential hazard to human health or other living organisms because of their chemical, biological, or physical properties. Categories of hazardous waste materials include, but are not limited to: explosives, flammables, oxidizers, poisons, irritants, and corrosives.*"

Page 4, line 26, strike "to prevent and abate water, air"

Page 4, line 27, strike "and land pollution"

Page 7, line 23, after "commission" and before "shall" insert ", in cooperation with the pollution control agency,"

Page 7, line 24, strike "under" and insert "in accordance with Minnesota Statutes,"

Page 8, strike lines 18 to 23

Page 10, line 9, strike "resolution" and insert "ordinance"

Page 10, line 11, after "identification" and before the comma insert "of hazardous waste"

Page 10, line 19, strike "resolution" and insert "ordinance"

Page 10, line 22, after "complete" and before "procedures" insert "such"

Page 10, line 27, strike "resolution" and insert "ordinance"

Page 11, line 1, strike "resolution" and insert "ordinance"

Page 11, line 15, after "Subd. 13." strike the rest of the line

Page 11, strike lines 16 to 26 and insert "*Hazardous waste*" means any refuse or discarded material or combinations of refuse or discarded materials in solid, semi-solid, liquid, or gaseous form which cannot be handled by routine waste management techniques because they pose a substantial present or potential hazard to human health or other living organisms because of their chemical, biological, or physical properties. Categories of hazardous waste materials include, but are not limited to: explosives, flammables, oxidizers, poisons, irritants, and corrosives."

Page 14, line 20, after "description" insert "of the county hazardous waste"

Page 15, line 3, after "identification" and before the comma insert "of hazardous waste"

Page 15, line 13, after "complete" and before "procedures" insert "such"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

S. F. No. 1704: A bill for an act relating to education; establishing a board to examine and review certain organizations, associations and leagues which schools may join; appropriating money; amending Minnesota Statutes 1971, Section 129.12, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 129.121, is amended by adding a subdivision to read:

Subd. 5. The governing board of any high school shall not delegate the control, supervision and regulation of interscholastic athletics and other extracurricular activities referred to in this section unless:

(a) The articles of incorporation or bylaws of the Minnesota state high school league permit the governor with the advice and consent of the senate to appoint six citizens to the board of directors of the Minnesota state high school league and that two of the citizens appointed shall be high school students and shall be appointed for a term of one year; the four other citizens shall not be school teachers, school district employees or school board members and shall be appointed for a term of two years; and

(b) The Minnesota state high school league files annual financial statements showing detailed expenditures and receipts with the commissioner of education no later than October 1 of each year on forms prescribed by him no later than July 15 of each year; and

(c) The board of directors and the representative assembly of the Minnesota state high school league conduct all meetings in

accord with the provisions of Minnesota Statutes, 1973 Supplement, Section 471.705, Subdivision 1; and

(d) *The articles of incorporation or bylaws of the Minnesota state high school league provide that the representative assembly of the league will be constituted so as to assure that the number of representatives from each district in the state bears the same general proportion to the total membership of the assembly as the pupil population of each district bears to the total pupil population of the state and so that each pupil in the state receives equal representation in the assembly.*

Sec. 2. This act shall take effect on January 1, 1975."

Further, strike the title in its entirety and insert in lieu thereof:

"A bill for an act relating to education; providing for the appointment of six citizens to the board of directors of the Minnesota high school league; requiring open league meetings and financial reporting; amending Minnesota Statutes, 1973 Supplement, Section 129.121, by adding a subdivision."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3188: A bill for an act relating to the organization and operation of the state government; regulating the bloc grant system of the department of public welfare; appropriating money; amending Laws 1973, Chapter 765, Section 2, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 30, strike the period and insert a semicolon

Page 1, line 30, strike "*The commissioner shall provide*"

Page 1, strike line 31

Page 2, line 1, strike "*costs in determining the amount of the bloc grants*" and insert "*but the commissioner shall not include the costs of the following supplemental grants*"

Page 2, line 2, after "*appliances,*" insert "*annual*"

Page 2, line 2, after "*utility*" insert "*supplemental payments,*"

Page 2, line 3, strike "*recaps*"

Page 2, line 4, strike "*as well as replacement of household furnishings*"

Page 2, line 4, after the period insert "*The commissioner shall provide by rule and regulation for the payment of these supplemental grants in accordance with the standards in effect for the aid to families with dependent children program on September 30, 1973.*"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2951: A bill for an act relating to retirement; tax levy for certain teachers retirement funds; amending Minnesota Statutes 1971, Section 354.20; repealing Laws 1969, Chapter 1106.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2949: A bill for an act relating to retirement; state contributions to certain teachers retirement associations; amending Minnesota Statutes 1971, Section 354.201, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 3467: A bill for an act relating to independent school district No. 381; providing for a seventh school board member.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3009: A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Pine county to the city of Moose Lake, Minnesota.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, after "Pine" insert "and Carlton"

Page 1, line 15, strike "county" and insert "counties"

Page 2, line 21, strike "Pine" and insert "Carlton"

Further amend the title as follows:

Page 1, line 4, after "Pine" insert "and Carlton"

Page 1, line 4, strike "county" and insert "counties"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 3360: A bill for an act relating to independent school district No. 535 at Rochester; permitting and providing an alley system

for at large election of the school board; amending Laws 1969, Chapter 193, Section 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, after "*or the*" insert "*board of education of the*"

Page 1, line 14, after "*may*" insert "*by resolution*"

Page 1, line 18, delete "*, Incumbent John Doe,*"

Page 1, line 19, delete "*, Incumbent Richard Poe,*"

Page 1, line 25, delete "*to which John Doe was*"

Page 1, line 26, delete "*elected for the regular term*"

Page 1, line 28, delete "*to which Richard Poe was appointed for*"

Page 1, line 29, delete "*the unexpired term*"

Page 1, after line 29, insert the following:

"The names of the candidates for each seat shall be rotated on the ballots to avoid any appearance of preference for incumbents and incumbency shall not be indicated on the ballot."

Page 1, delete line 30

Page 2, delete lines 1 through 6

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 2994: A bill for an act relating to education; buildings; providing for the economical joint use of school and other public buildings; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [POLICY.] It is the policy of the state that new public educational buildings should not be constructed when surplus space is available in other educational or public buildings.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in this act, the terms defined in this section have the meaning ascribed to them.

Subd. 2. "State board" means the state board of education.

Subd. 3. "Construction" means the erection, building, purchase or acquisition of an educational facility which requires a total capital expenditure in excess of \$50,000 for school districts with an average daily membership less than 1000 pupils; \$100,000 for school districts with an average daily membership of more than 1000 and less than 5000 pupils; \$200,000 for school

districts with an average daily membership of more than 5000 and less than 15,000 pupils; \$300,000 for school districts with an average daily membership of more than 15,000 and less than 25,000 pupils; and \$400,000 for school districts with an average daily membership of more than 25,000 pupils.

Sec. 3. Subdivision 1. [PROCEDURE PRIOR TO PROPOSAL.] No local or joint board of education intending to embark upon a program of construction of an educational facility which requires a capital expenditure in excess of the cost limitations of section 2, subdivision 3 of this act shall engage architectural, professional consultation, or bond consulting services with respect to the project until it has notified the state board of education of its intention to engage such services. The notice shall state simply the nature of the architectural, professional consultation, or bond consulting services to be engaged and the nature of the construction contemplated. The state board shall not be required to accept or act upon a proposal if the notice required by this section has not been given. Any applicant submitting such a notice may, at the time of submission, request a written determination by the state board as to whether the project is subject to the provisions of this act and whether a proposal must be submitted. The applicant shall be notified by the state board of its determination in writing not later than 30 days after the request is submitted. Nothing in this section shall be construed to limit in any way the right to engage architectural, professional consultation, or bond consulting services.

Subd. 2. [CONTENT OF PROPOSALS.] Each proposal shall contain information concerning, but not limited to, the following:

(a) the geographic area likely to be served, whether within or outside the boundaries of the school district;

(b) the population likely to be served, including census findings and projections relative to the population of preschool and school aged persons in the area;

(c) the reasonably anticipated need for the facility or service to be provided by the proposal;

(d) a description of the construction in reasonable detail, including

(1) the capital expenditures contemplated; and

(2) the estimated annual operating cost, including the anticipated salary cost and numbers of new staff necessitated by the proposal;

(e) so far as is known, existing institutions within the area to be served that offer the same or similar service; the extent of utilization of existing facilities or services; the extent to which space is available from other sources, including institutions for higher education or other public buildings; and the anticipated effect that the proposal will have on existing facilities and services;

(f) the anticipated benefit to the area that will result from the proposal;

(g) so far as is known, the relationship of the proposed construction to any priorities which have been established for the area to be served; and

(h) the availability and manner of financing of the proposed construction and the estimated date of commencement and completion of the project.

Subd. 3. [PROPOSAL PROCEDURE.] In reviewing each proposal, the state board shall:

(1) within 10 days of the receipt of the proposal, determine whether it is complete and give prompt written notice to the applicant of this determination;

(2) hold a public hearing in the school district submitting the proposal within 90 days of the date the proposal is determined to be complete;

(3) provide notice of the public hearing by publication in a legal newspaper of general circulation in the area for two successive weeks, to be concluded at least 10 days before the date of the hearing;

(4) allow any interested person the opportunity to be heard, to be represented by counsel, to present oral and written evidence, and to confront and cross-examine opposing witnesses at the public hearing;

(5) provide a transcript of the hearing at the expense of any individual requesting it, if the transcript is requested at least three days prior to the hearing;

(6) make findings of fact and recommendations concerning the proposal which findings and recommendations shall be available to any individual requesting them; and

(7) follow any further procedure not inconsistent with Minnesota Statutes, Chapter 15, which it deems appropriate.

Subd. 4. [DETERMINATION.] Within 90 days after the public hearing, the state board of education shall make one of the following decisions:

(a) issue a certificate of need;

(b) reject the application for a certificate of need; or

(c) refer the application back to the local board with comments and instructions for further consideration and recommendations.

If the state board rejects the application or refers the application back to the local board, it shall set forth in detail the reasons for its decision.

Subd. 5. [COMMENCEMENT OF CONSTRUCTION.] No construction of an educational facility which requires a capital expenditure in excess of the cost limitation in section 2, subdivision

3 of this act shall be commenced unless a certificate of need has been issued in accordance with this section.

Subd. 6. [EXPIRATION OF CERTIFICATE.] A certificate of need shall expire if the construction is not commenced within two years following the issuance of the certificate. The holder of a certificate which is about to expire may apply for a new certificate no earlier than 90 days before the expiration of the former certificate. The state board may give priority consideration to the application for a new certificate, but shall comply with other requirements and procedures applicable to the granting of certificates.

Subd. 7. [APPEALS.] Any person may appeal the granting, denial, or modification of an application pursuant to Minnesota Statutes, Sections 15.0424 to 15.0426.

Subd. 8. [EVASIONS.] No local or joint board shall separate portions of a single project into components in order to evade the cost limitation of section 2, subdivision 3 of this act.

Subd. 9. [ENFORCEMENT.] The district court in the county where an alleged violation occurs shall have jurisdiction to enjoin violations of this act. Any person shall have standing to bring an action to enjoin an alleged violation. At the request of the state board of education, the attorney general may bring an action to enjoin an alleged violation.

Subd. 10. [RULES AND REGULATIONS.] The state board of education, pursuant to Minnesota Statutes, Chapter 15, shall promulgate rules and regulations to carry out the purposes of this act, including but not limited to the following:

- (a) procedure and forms for application;
- (b) hearing procedure;
- (c) criteria for issuance or rejection of a certificate of need;
- (d) enforcement procedure.

Sec. 4. [JOINT POWERS AGREEMENTS.] Agreements between governmental units concerning the joint use of buildings may be made pursuant to Minnesota Statutes, Section 471.59.

Sec. 5. [RENTALS.] The state shall not rent facilities to nonpublic agencies if space is needed by a public body. All public bodies shall use suitable and economically competitive space in nearby public buildings before renting space in nonpublic buildings.

Sec. 6. [EFFECTIVE DATE.] This act shall be effective on July 1, 1974 as to the commencement of programs of construction of educational facilities which require a capital expenditure in excess of the cost limitations of section 2, subdivision 3 of this act."

Further, amend the title as follows:

Line 2, after "buildings;" insert "certificates of need;"

Line 4, strike the semicolon and insert a period

Strike line 5

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3080: A bill for an act relating to retirement; coverage for certain employees at the state reformatory for men; amending Minnesota Statutes, 1973 Supplement, Section 352.91.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 8, after "*personnel*" insert "*certified as being regularly*"

Page 2, line 9, after "*supervision*" insert "*of inmates*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 3248: A bill for an act relating to education; area vocational-technical schools; providing for traffic and parking regulation by the school boards or joint school boards.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 8, strike "*day*" and insert "*year*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 3435: A bill for an act relating to education; education planning innovative developmental evaluative services and programs; modifying certain appropriations; amending Minnesota Statutes 1971, Section 3.926, Subdivision 2; and Laws 1973, Chapter 768, Section 2, Subdivisions 4 and 7.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 10, before the period insert "*by section 2 of this act*"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Transportation & General Legislation, to which was referred

S. F. No. 2477: A bill for an act adding a new route to the trunk highway system.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 3355: A bill for an act relating to highway traffic regulations; application thereof; amending Minnesota Statutes, 1973 Supplement, Section 169.03, as amended by Laws 1974, Chapter 23, Section 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 2831: A bill for an act proposing an amendment to the Minnesota Constitution, Article VII, Sections 1 and 7; conforming the age and residency requirements of voters to the federal constitution and setting the general age to hold office at 18 years.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 2, strike "eligibility" and insert "to lower the minimum age"

Page 2, line 4, after "office" insert "to 18"

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 3408: A bill for an act relating to elections; providing for the single joint vote for the governor and lieutenant governor; amending Minnesota Statutes, 1973 Supplement, Section 206.07, Subdivision 1; and Minnesota Statutes 1971, Section 206.07, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was re-referred

H. F. No. 951: A bill for an act relating to ethics in government; regulating lobbyists, conflicts of interest and election expenses and contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; 211.27, by adding a sub-

division; and 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92.

Reports the same back with the recommendation that the printed bill be amended as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. [PUBLIC POLICY.] It is hereby declared to be the public policy of the state of Minnesota that:

(1) Public confidence in the integrity of government is a prerequisite of representative democracy. The public interest is best served when full disclosure is made of the identity and expenditures of persons who engage in substantial efforts to persuade governmental officials to take specific actions;

(2) Public officials should not use their official positions to obtain financial gain for themselves, their households or any organizations with which they are associated in a manner which violates the public trust;

(3) Major political campaign contributions and expenditures should be fully disclosed to the public;

(4) Disclosure of major political campaign contributions and expenditures serves the public interest by (a) preventing undue influence and (b) revealing the sources of campaign financing to the public as well as thereby facilitating future informed decisions regarding alternative methods of public and private financing;

(5) Although small individual contributions to a candidate are unlikely to have an undue influence, a number of small contributions from an individual or small contributions from a number of associated individuals may when cumulated have an undue influence. Thus there is a compelling state interest in requiring the disclosure of all contributions of more than \$50 in the case of legislative campaigns and more than \$100 in the case of campaigns for statewide office;

(6) Limitations upon campaign expenditures are necessary to control the spiraling amount of money required to campaign for public office and to ensure that no individual is denied the opportunity to run for public office for financial reasons;

(7) Candidates for public office and elected officials should not be under the influence of those persons who make large contributions to political campaigns.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 36, the terms defined in this section have the meanings given them unless the context clearly indicates otherwise.

Subd. 2. "Association" means business, corporation, firm, partnership, committee, labor organization, club, or any other group of two or more persons which includes more than an immediate family acting in concert.

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

Subd. 4. "Candidate" means an individual who seeks nomination for election or election to any statewide office or legislative office, other than a judicial office or a federal office for which candidates are required to report under federal laws. An individual shall be deemed to seek nomination for election or election if he has taken the action necessary under the law of the state of Minnesota to qualify himself for nomination for election or election to an office, or has received contributions or made expenditures, or has given his consent, implicit or explicit, for any other person to receive contributions or make expenditures with a view to bringing about his nomination for election or election to an office.

Subd. 5. "Commission" means the state ethics commission.

Subd. 6. "Contribution" means:

(a) A gift, subscription, loan, advance, or deposit of money or anything of value made to influence the nomination for election or election of a candidate to office;

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

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

"Contribution" does not include services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee or political fund.

Subd. 7. "Depository" means any bank, savings and loan association or credit union, organized under federal or state law and transacting business within Minnesota.

Subd. 8. "Election" means a general, special, primary or special primary election, or a convention or caucus of a political party held to nominate or endorse a candidate.

Subd. 9. "Expenditure" means:

(a) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made for the purpose of influencing the nomination for election or election of any candidate to office; or

(b) A transfer of funds between political committees or political funds.

"Expenditure" does not include: (a) Services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee or political fund; or (b) expenses incurred by a member of the legislature or a person holding constitutional office in the executive branch, in performing services for constituents. The commission shall have the power to determine whether the expense was incurred primarily for the purpose of providing a constituent service or is an expenditure within the meaning of this subdivision.

Subd. 10. "Lobbyist" means:

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

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

"Lobbyist" does not include:

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

(b) Parties and their representatives appearing in a proceeding before a state board, commission or agency of the executive branch;

(c) Individuals in the course of selling goods or services to be paid for by public funds;

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

(e) Paid expert witnesses whose testimony is requested by the body before which they are appearing or one of the parties to a proceeding.

For purposes of this subdivision "administrative action" means an action of a quasi-legislative policy making nature by any board, commission or agency of the executive branch, and a nonministerial action by an official of the executive branch.

Subd. 11. "Major political party" means those political parties defined in Minnesota Statutes, Section 200.02, Subdivision 7.

Subd. 12. "Minor political party" means any party other than a major political party which ran a candidate on the statewide or legislative ballot in the last general election or files a petition with the secretary of state which contains the names of 2,000 persons registered to vote in Minnesota and which provides that the signators desire to enable the party to receive money from the state elections campaign fund in the same manner as the major political parties. For the purposes of this act prior to the

general election in 1974, all persons who are eligible to vote in areas where there is no registration shall be considered registered voters.

Subd. 13. "Political committee" means any political party, association or person other than an individual which has as its major purpose to support or oppose any candidate or to influence the nomination for election or election of a candidate.

Subd. 14. "Political fund" means any accumulation of voluntary donations by an association other than a political committee collected or expended for the purpose of influencing the nomination for election or election of a candidate.

Subd. 15. "Political party" means both major political party and minor political party.

Subd. 16. "Public official" means:

- (a) Members of the legislature;
- (b) Persons who hold constitutional office in the executive branch and their chief administrative deputies;
- (c) Members of state boards and commissions who have rule making authority;
- (d) Persons employed by the legislature as secretary of the senate, legislative auditor, chief clerk of the house, revisor of statutes, and researcher or attorney of the office of legislative research;
- (e) Persons who are employed by the executive branch whose positions are specified in Minnesota Statutes, Section 15A.081; and
- (f) Persons employed as chairmen of the metropolitan council, metropolitan transit commission, metropolitan sewer board and metropolitan airports commission.

Sec. 3. [STATE ETHICS COMMISSION.] Subdivision 1. There is hereby created a state ethics commission composed of six members. The members shall be appointed by the governor with the advice and consent of the senate. No more than half of the governor's appointees shall support the same political party.

Subd. 2. The appointments shall be for a term of four years. Of the six original appointees, two shall serve a two-year term, two shall serve a three-year term, and two shall serve a four-year term, as determined by lot. Each of the original terms shall begin on the effective date of this act. All appointments to terms subsequent to the original terms, except one made to fill a vacancy, shall be for terms of four years. All appointments shall be made within 60 days of the date on which a vacancy occurs.

Subd. 3. Four members of the commission shall constitute a quorum and a vacancy in the membership of the commission shall not impair the right of the remaining members to exercise all of the powers of the commission.

Subd. 4. The commission shall hold an organizational meeting within 30 days after the effective date of this act at which time the members of the commission shall elect from among their members a chairman, a vice-chairman and a secretary. The secretary shall keep a record of all proceedings and actions by the commission. Meetings of the commission shall be at the call of the chairman or at the call of any four members of the commission acting together.

Subd. 5. The commission shall appoint an executive director who shall be in the unclassified service. The commission may also employ and prescribe the duties of other permanent or temporary employees in the unclassified service as may be necessary to administer sections 1 to 36, subject to appropriation. The executive director and all other employees shall serve at the pleasure of the commission. All administrative services such as supplies, office space and furnishings, payroll preparation and accounting services shall be provided to the commission by the secretary of state.

Subd. 6. Members of the commission shall receive \$35 for each day spent in the performance of their duties, and necessary and ordinary expenses in the same manner and amount as state employees.

Subd. 7. All members and employees of the commission shall be subject to any provisions of law regulating political activity by state employees. In addition, no member or employee of the commission shall be a candidate for, or holder of, (a) a national, state, congressional district, legislative district or county office in a political party, or (b) an elected public office for which party designation is required by statute. A member or employee may be elected as a delegate to a caucus or convention of a political party for the purpose of endorsing a candidate.

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

(b) Prescribe forms for statements and reports required to be filed under sections 1 to 36 and make the forms available to persons required to file them;

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

(d) Develop a filing, coding, and cross-indexing system consistent with the purposes of sections 1 to 36;

(e) Make the reports and statements filed with it available for public inspection and copying by the end of the second day following the day on which they were received. Any person may

copy a report or statement by hand or by duplicating machine and the commission shall provide duplicating services at cost for this purpose. No information copied from reports and statements shall be sold or utilized by any person for any commercial purpose;

(f) Preserve reports and statements for a period of six years from the date of receipt;

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

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

(i) Prescribe as necessary, pursuant to Minnesota Statutes, Chapter 15, rules and regulations to carry out the purposes of sections 1 to 36.

Subd. 9. The executive director of the commission or his staff shall inspect all material filed with the commission as promptly as is necessary to comply with the provisions of sections 1 to 36. The executive director shall immediately notify the person required to file a document with the commission if a written complaint is filed with the commission by any registered voter alleging, or it otherwise appears, that document filed with the commission is inaccurate or does not comply with the provisions of sections 1 to 36 or that a person has failed to file a document required by sections 1 to 36.

Subd. 10. The commission may make audits and investigations with respect to statements and reports which are filed or which should have been filed under the provisions of sections 1 to 36. In all matters relating to its official duties, the commission shall have the power to issue subpoenas and cause them to be served. If a person does not comply with a subpoena, the commission may apply to the district court of Ramsey county for issuance of an order compelling obedience to the subpoena by a proper order. A person failing to obey the order is punishable by the court as for contempt.

Subd. 11. Any hearing or action of the commission concerning any complaint or investigation shall be confidential and all information obtained by the commission shall be privileged until the commission makes a finding that the commission believes there is reasonable cause to conclude that a violation of this act or other campaign laws has occurred. Any person, including any member or employee of the commission, violating the confidentiality provisions of this subdivision shall be guilty of a gross misdemeanor.

Subd. 12. The commission may, upon request, issue and publish advisory opinions on the requirements of sections 1 to 36 based upon real or hypothetical situations. Applications for an advisory opinion may be made only by those who wish to use the opinion to guide their own conduct. The commission shall issue written opinions on all such questions submitted to it within 14 days after taking the matter under consideration.

Subd. 13. The commission may form committees to discharge the duties established by sections 1 to 36.

Subd. 14. The provisions of Minnesota Statutes, Chapter 15, shall apply to the commission.

Sec. 4. [LOBBYIST REGISTRATION.] Subdivision 1. Each lobbyist shall file a registration form with the commission within 14 days after he commences lobbying.

Subd. 2. The registration form shall be prescribed by the commission and shall include (a) the full name and complete address of the lobbyist, (b) the principal place of business of the lobbyist, (c) the full name and complete address of each person, if any, by whom the lobbyist is retained or employed or on whose behalf the lobbyist appears, and (d) a general description of the subject or subjects on which the lobbyist expects to lobby. If the lobbyist lobbies on behalf of an association, the registration form shall include the name and address of the officers of the association, the approximate number of members and an outline of the procedure by which the association adopts policy positions.

Sec. 5. [LOBBYING REPORTS.] Subdivision 1. Each lobbyist shall file reports of his activities with the commission as long as he lobbies.

Subd. 2. Each report shall cover the time from the last day of the period covered by the last report to 15 days prior to the current filing date. The reports shall be filed with the commission by the following dates:

- (a) February 15
- (b) April 15
- (c) June 15
- (d) October 15

Subd. 3. Each person or association about whose activities a lobbyist is required to report shall provide the information required by sections 4 to 7 to the lobbyist no later than five days before the prescribed filing date.

Subd. 4. The report shall include all information required on the registration form and the following information for the reporting period:

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

(b) Each honorarium, gift or loan, excluding contributions to a candidate, equal in value to \$50 or more, paid to any public official by the lobbyist or any employer of the lobbyist; and

(c) Each original source of funds in excess of \$1,000 used for the purpose of lobbying. The list shall include the name and address of each payer of funds in excess of \$1,000.

Subd. 5. The commission shall notify by registered mail any lobbyist who fails within 14 days after a filing date imposed by section 4 or 5 to file a report or statement required by section 4 or 5. A lobbyist who knowingly fails to file such a report or statement within seven days after receiving notice from the commission is guilty of a misdemeanor.

Sec. 6. [LOBBYIST REPORT.] Within 30 days after each lobbyist filing date set by section 5, the executive director of the commission shall report to the governor, the secretary of the senate and the chief clerk of the house of representatives, the names of the lobbyists registered who were not previously reported, the names of the persons or associations whom they represent as lobbyists and the subject or subjects on which they are lobbying. This report shall be incorporated into the journal of each body of the legislature.

Sec. 7. [CONTINGENT FEES PROHIBITED.] No person shall employ a lobbyist for compensation which is dependent upon the result or outcome of any legislative or administrative action. Any person who violates the provisions of this section is guilty of a gross misdemeanor.

Sec. 8. [CONFLICTS OF INTEREST.] Subdivision 1. Any public official who in the discharge of his official duties would be required to take an official action which would substantially affect his financial interests or those of a business with which he is associated, unless the effect on him is no greater than on other members of his business classification, profession or occupation, shall take the following actions:

(a) He shall prepare a written statement describing the matter requiring action or decision and the nature of his potential conflict of interest;

(b) He shall deliver copies of the statement to the commission and to his immediate superior, if any;

(c) If he is a legislator, he shall deliver a copy of the statement to the secretary of the senate or the chief clerk of the house; and

(d) If a potential conflict of interest presents itself and there is insufficient time to comply with the provisions of clauses (a) to (c), the public official shall verbally inform his superior or the official body, or committee thereof, in which he serves of the potential conflict. He shall file a written statement with the commission within one week after the potential conflict presents itself.

Subd. 2. If the public official is not a legislator, his superior shall assign the matter, if possible, to another employee who does not have a potential conflict of interest. If he has no immediate superior, the public official shall remove himself, if possible,

in a manner prescribed by the commission from influence over the action or decision in question. If the public official is a legislator, the body of which he is a member may, at his request, excuse him from taking part in the action or decision in question.

Sec. 9. [REPRESENTATION DISCLOSURE.] Any public official who represents a client for a fee before any board or commission which has rule making authority in a hearing conducted under Minnesota Statutes, Chapter 15, shall disclose his participation in the action to the commission within 14 days after his appearance.

Sec. 10. [STATEMENTS OF ECONOMIC INTEREST.] Subdivision 1. An individual shall file a statement of economic interest with the commission:

(a) Within 60 days of accepting employment as a public official; or

(b) Within 14 days after filing an affidavit of candidacy or petition to appear on the ballot for an elective public office; or

(c) In the case of a public official requiring senate confirmation, prior to the submission of his name to the senate for confirmation, and in any event, within 60 days after he undertakes the duties of his office.

Subd. 2. The secretary of state or the appropriate county auditor upon receiving an affidavit of candidacy or petition to appear on the ballot from an individual required by this section to file a statement of economic interest, and any official who nominates or employs a public official required by this section to file a statement of economic interest, shall notify the commission of the name of the individual required to file a statement and the date of the affidavit, petition or nomination.

Subd. 3. The commission shall notify the secretary of state or the appropriate county auditor and, when necessary in the case of appointive office, the secretary or chief clerk of the body that will approve or disapprove the nomination, of the name of the individual who has filed a statement of economic interest with the commission and the date on which the statement was filed.

Subd. 4. The commission shall notify by registered mail any candidate for elective office who fails within 14 days after filing for office to submit a statement of economic interest required by this section. A candidate who knowingly fails to submit a statement of economic interest within seven days after receiving notice from the commission is guilty of a misdemeanor.

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

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

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

(c) Real property within the state in which he has a fee simple interest, a contract for deed or an option to buy, whether direct or indirect, and which interest is valued in excess of \$2,500, excluding homestead property. The filing shall indicate the county and municipality, if any, wherein the property is located.

Subd. 6. Each individual who is required to file a statement of economic interest shall file a supplementary statement on April 15 of each year.

Subd. 7. All public officials in office on the effective date of this act shall file with the commission a statement of economic interest within 60 days after the date the commission issues statement of economic interest forms.

Subd. 8. Any public official, except a member of the legislature or a constitutional officer, who is required to file a statement of economic interest and fails to do so by the prescribed deadline may be suspended without pay by the commission and the personnel board in the manner prescribed by Minnesota Statutes, Section 43.06, in the case of a public official in the classified service of the state, and by the commission in the manner prescribed in the contested case procedures in Minnesota Statutes, Chapter 15, in the case of any other public official.

Sec. 11. [PENALTY FOR FALSE STATEMENTS.] A report or statement to be filed by sections 3 to 11 shall be signed and certified as true by the person required to file the report. Any person who signs and certifies to be true a report or statement which he knows contains false information or who knowingly omits required information is guilty of a felony.

Sec. 12. [ORGANIZATION OF POLITICAL COMMITTEES.] Subdivision 1. Every political committee shall have a chairman and a treasurer.

Subd. 2. No contribution shall be accepted and no expenditure shall be made by or on behalf of a political committee at a time when there is a vacancy in the office of treasurer.

Subd. 3. The treasurer of a political committee may appoint as many deputy treasurers as necessary and shall be responsible for their accounts.

Subd. 4. The treasurer of a political committee may designate not more than two depositories in each county in which a campaign is conducted.

Subd. 5. No funds of a political committee shall be commingled with any personal funds of officers, members or associates of the committee.

Subd. 6. Except for transfers of funds between political committees and transfers from the state election campaign fund a political committee shall be financed solely through voluntary donations by natural persons or political funds.

Subd. 7. Any person knowingly violating the provisions of this section is guilty of a misdemeanor.

Sec. 13. [POLITICAL FUNDS.] Subdivision 1. No association shall make a transfer of funds to a candidate or political committee or make an expenditure which has as its purpose the influencing of the nomination for election or election of a candidate unless it is a political committee or unless the funds for the contribution or expenditure come solely from a political fund. The political fund shall have the following characteristics:

(a) The political fund shall be financed solely through voluntary donations by natural persons;

(b) The contents of the political fund shall not be commingled with any other funds or with the personal funds of any officer or member of the fund;

(c) Each association which has a political fund shall elect or appoint a treasurer of the political fund; and

(d) No donations to the political fund shall be accepted and no expenditures from the political fund shall be made while the office of treasurer of the political fund is vacant.

Subd. 2. Notwithstanding subdivision 1, a labor organization as defined in Minnesota Statutes, Section 179.01, may transfer money from its treasury to its political fund. The name and address of a dues paying member of the labor union need not be disclosed pursuant to section 21, subdivision 3, clauses (b) and (c), as to his contributions to the political fund from his dues of \$50 or less.

Subd. 3. Any person who knowingly violates the provisions of this section is guilty of a misdemeanor.

Sec. 14. [ACCOUNTS WHICH MUST BE KEPT.] Subdivision 1. It shall be the duty of the treasurer of a political committee or political fund to keep an account of:

(a) The sum of all contributions except any contribution in kind valued at less than \$20 made to or for the political committee or political fund;

(b) The full name and mailing address, if any, of any person making a contribution in excess of \$20, and the date and amount thereof; and

(c) All expenditures made by or on behalf of the committee or fund.

Any person violating any provision of this subdivision is guilty of a misdemeanor.

Subd. 2. The treasurer shall obtain a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee or political fund of over \$100, and for any expenditure in a lesser amount if the aggregate amount of lesser expenditures to the same person during a year exceeds \$100. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for four years.

Sec. 15. [REGISTRATION OF POLITICAL COMMITTEES AND POLITICAL FUNDS.] Subdivision 1. The treasurer of a political committee or political fund shall register with the commission by filing a statement of organization no later than 14 days after the date upon which the committee or fund has received contributions or made expenditures in excess of \$100. However, in the first year of this act, treasurers shall file within 14 days after the commission issues political committee or political fund registration forms.

Subd. 2. The statement of organization shall include:

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

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

(c) The geographic area in which it will operate and the purpose of the political committee or political fund;

(d) The name, address and position of the custodian of books and accounts;

(e) The name and address of the chairman, the treasurer, and any other principal officers including deputy treasurer, if any;

(f) The name, address, office sought, and party affiliation, if any, of each candidate whom the committee or political fund is supporting or, if the committee or political fund is supporting the entire ticket of any party, the name of the party;

(g) A statement as to whether the committee or political fund is a continuing one;

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

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

Subd. 3. Any change in information required in subdivision 2 shall be forwarded to the commission by the chairman or treasurer of the political committee or political fund within 14 days of the change.

Subd. 4. The commission shall notify any person who fails to file a statement required by this section. A person who knowingly fails to file such a statement within seven days after receiving notice from the commission is guilty of a gross misdemeanor.

Sec. 16. [CONTRIBUTIONS.] Subdivision 1. Anonymous contributions in excess of \$20 shall not be retained by any political committee or political fund, but shall be forwarded to the commission and deposited to the general account of the state elections campaign fund.

Subd. 2. Every person who receives a contribution in excess of \$20 for a political committee or political fund shall, on demand of the treasurer, and in any event within 14 days after receipt of the

contribution, inform the treasurer of the amount, the name and the address, if known, of the person making the contribution and the date it was received.

Subd. 3. All monetary contributions received by or on behalf of any candidate or political committee or political fund shall within five days after the receipt thereof, Sundays and holidays excepted, be deposited in a designated depository in an account designated "Campaign Fund of . . . (name of committee or fund)".

Subd. 4. Any person violating the provisions of this section is guilty of a misdemeanor.

Sec. 17. [EARMARKING.] Any person, political committee or political fund which receives contributions or transfers of funds from any person or association with the condition, express or implied, that those funds or any part of them be directed to a particular candidate shall disclose to the ultimate recipient of such funds and in the reports required by section 21, the original source of the funds, the fact that the funds were earmarked and the candidate to whom they are directed. The ultimate recipient of any funds so earmarked shall also disclose by report to the commission the original source of the funds, and the person, political committee, or political fund through which they were directed. This section applies only to those contributions required to be disclosed by section 21. Any person or association who knowingly accepts earmarked funds and fails to make the required disclosures is guilty of a gross misdemeanor.

Sec. 18. [EXPENDITURES.] Subdivision 1. All expenditures including the transfer of funds between political committees or political funds shall be authorized by the treasurer or deputy treasurer of the committee or fund making that expenditure.

Subd. 2. No person or persons acting in concert other than the candidate and the treasurer of the candidate's principal campaign committee may make expenditures of more than \$20 with the authorization or consent, express or implied, of a candidate or his agent, or under the control, direct or indirect, of a candidate or his agent on behalf of a candidate without receiving from the treasurer of that candidate's principal campaign committee (i) prior written authorization and (ii) certification that the expenditures will not exceed the limits on expenditures as set forth in sections 26 and 28. All such expenditures shall be counted against the spending limitations of the candidate.

Subd. 3. The treasurer or deputy treasurer of a political committee may make an authorization for petty cash in any reporting period of not more than \$100 per week for statewide elections and \$20 per week in legislative elections to be used for miscellaneous expenditures.

Subd. 4. Each authorization shall state the amount and purpose of the expenditure and shall be signed by the treasurer or deputy treasurer of the committee making the expenditure and by the individual making the expenditure.

Subd. 5. Any political committee, political fund or person who solicits or accepts contributions or makes expenditures on behalf

of any candidate without the written authorization of the candidate shall publicly disclose its lack of authorization. In all written communications with those from whom it solicits or accepts contributions or to whom it makes expenditures, the committee, fund or person shall state in writing and in conspicuous type that it is not authorized by the candidate and that the candidate is not responsible for its activities. A similar oral statement shall be included in all oral communications. A similar written statement shall be included in conspicuous type on the front page of all literature and advertisements published or posted and a similar oral statement included at the end of all broadcast advertisements by the committee, fund or person in connection with the candidate's campaign.

Subd. 6. Any violation of the provisions of subdivisions 1, 2, 3, and 5 of this section is a misdemeanor. Any person who falsely claims the lack of authorization is guilty of a misdemeanor.

Sec. 19. [BILLS WHEN RENDERED AND PAID.] Every person who has a bill, charge or claim against any political committee or political fund for any expenditure shall render in writing to the treasurer of the committee or fund the bill, charge or claim within 60 days after the material or service is provided. The willful failure to so present the bill, charge or claim is a misdemeanor.

Sec. 20. [PRINCIPAL CAMPAIGN COMMITTEE.] Subdivision 1. Every candidate shall designate and cause to be formed a single principal campaign committee.

Subd. 2. A candidate may at any time without cause remove and replace the chairman, treasurer, deputy treasurer or any other officer of the candidate's principal campaign committee.

Sec. 21. [CAMPAIGN REPORTS.] Subdivision 1. Every treasurer of a political committee or political fund shall file the reports required by this section if it receives contributions or makes expenditures in excess of \$100 in that year. Each treasurer shall make a good faith effort to ascertain and provide the information required by subdivision 3.

Subd. 2. The reports shall be filed with the commission by the following dates:

(a) In years in which any candidate being supported does not stand for election:

- (1) January 7; and
- (2) June 7;

(b) In years in which any candidate being supported does stand for election:

- (1) January 7;
- (2) June 7;
- (3) August 7;

(4) Five days before any primary election in which the candidate stands for election;

(5) October 7;

(6) Five days before any general election in which the candidate stands for election; and

(7) 30 days after the general election in which a candidate stands for election;

(c) In special or special primary elections in which a candidate stands for election:

(1) 30 days before the election; and

(2) Five days before the election.

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

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

(b) The full name, mailing address and employer, or, if self-employed, occupation, of each person, political committee, or political fund which has made one or more contributions within the year to a candidate's political committee in an aggregate amount or value in excess of \$50 in the case of a candidate for legislative office or in excess of \$100 in the case of a candidate for statewide office including the purchase of tickets for dinners, luncheons, rallies, and similar fund raising events. The disclosure shall include a list of all these contributors in alphabetical order together with the amount and date of the contribution;

(c) The full name, mailing address and employer, or, if self-employed, occupation, of each person, political committee or political fund which has made one or more contributions within the year in an aggregate amount or value in excess of \$100 to or for the reporting political committee or political fund including the purchase of tickets for dinners, luncheons, rallies, and similar fund raising events, if the reporting political committee or political fund makes a contribution within the year in an aggregate amount or value in excess of \$100 to a candidate for statewide office. The disclosure shall include a list of all these contributors in alphabetical order together with the amount and date of the contribution;

(d) The full name, mailing address and employer, or, if self-employed, occupation, of each person, political committee or political fund which has made one or more contributions within the year in an aggregate amount or value in excess of \$50 to or for the reporting political committee or political fund including the purchase of tickets for dinners, luncheons, rallies, and similar fund raising events, if the reporting political committee or political fund makes a contribution with the year in an aggregate amount or value in excess of \$50 to a candidate for legislative office. The disclosure shall include a list of all these contributors in alphabetical order together with the amount and date of the contribution;

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

(f) The full name and mailing address, if known, of each person to whom expenditures have been made by the political committee or political fund or on its behalf within the year in an aggregate amount in excess of \$100, the amount, date and purpose of each expenditure;

(g) The sum of individual expenditures which are not otherwise reported under clause (d);

(h) The sum of expenditures made by the political committee or political fund during the reporting period; and

(i) The amount and nature of debts.

Subd. 4. The reports shall cover the time from the last day of the period covered by the last report to seven days prior to the filing date.

Subd. 5. Every person, other than a political committee or political fund, who makes expenditures, other than by contribution to a political committee or political fund, in an aggregate amount in excess of \$100 within a year shall file with the commission a statement containing the information required of a political committee, political fund or candidate. Statements required by this subdivision shall be filed on the dates on which reports by committees are filed.

Subd. 6. If no contribution is received or expenditure made by or on behalf of a candidate, political fund or political committee during a reporting period, the treasurer of the committee or fund shall file with the commission at the times required by this section a statement to that effect.

Subd. 7. Any person who fails to file a report required by this section is guilty of a petty misdemeanor. The commission shall notify within seven days after a filing date by registered mail any person who fails to file a report or statement required by this section. A person who knowingly fails to file such a report or statement within seven days after receiving notice from the commission is guilty of a gross misdemeanor.

Subd. 8. The commission shall exempt any person, association, or any of its members or contributors from the provisions of this section if disclosure would expose that person or any or all of the members or contributors of or to an association to:

(a) Economic reprisals;

(b) Loss of employment; or

(c) Threat of physical coercion.

An association may seek an exemption for all of its members or contributors only if it proves by clear and convincing evidence that a substantial number of its members or contributors would suffer a restrictive effect on their freedom of association if members were required to seek exemption individually.

Subd. 9. A political committee or a political fund or any of its members or contributors shall have standing to seek an exemp-

tion. All applications for exemption shall be treated as contested cases within the meaning of Minnesota Statutes, Chapter 15. The commission by rule shall establish a procedure so that any individual seeking an exemption may proceed anonymously if he would be exposed to the reprisals listed in subdivision 8 were he to reveal his identity for the purposes of the hearing.

Subd. 10. No person or association shall engage in economic reprisals or threaten loss of employment or physical coercion against any person or association because of that person's or association's political contributions or political activity. This subdivision shall not apply to compensation for employment or loss of employment when the political affiliation or viewpoint of the employee is a bona fide occupational qualification of the employment. Any person or association which violates this subdivision is guilty of a gross misdemeanor.

Sec. 22. [REPORTS TO COUNTY AUDITOR.] Subdivision 1. All reports or statements that must be filed with the commission by the principal campaign committee of legislative candidates shall also be filed with the county auditor of each county in which the legislative district lies.

Subd. 2. The copies of reports filed with the county auditor need not be certified copies.

Subd. 3. Statements and reports filed with county auditors shall be available to the public in the manner prescribed by section 3, subdivision 8, clause (e), and retained until four years after the election to which they pertain.

Sec. 23. [REQUIREMENTS RESPECTING REPORTS AND STATEMENTS.] Subdivision 1. A report or statement required by sections 12 to 36 to be filed by a treasurer of a political committee or political fund, or by any other person, shall be signed and certified as true by the person required to file the report. Any person who signs and certifies to be true a report or statement which he knows contains false information or who knowingly omits required information is guilty of a felony.

Subd. 2. Each contribution in kind shall be valued at fair market value and reported on the appropriate schedule of receipts, identified as to its nature and listed as "contribution in kind". The total amount of goods and services contributed in kind shall be deemed to have been consumed in the reporting period in which received. Each contribution in kind shall be declared as an expenditure at the same fair market value and reported on the appropriate expenditure schedule, identified as "contribution in kind". A candidate may refuse to accept any contribution in kind. For purposes of this subdivision "contribution in kind" means any contribution except money.

Subd. 3. In determining the aggregate of a person's contributions, the treasurer shall list contributions from the same donor under the same name. In each instance when a contribution received from a person in a reporting period is added to previously reported unitemized contributions from the same contributor

and the aggregate exceeds the disclosure threshold of section 21, the name and address of that contributor shall then be listed on the prescribed reporting forms. A candidate may refuse to accept any contribution.

Subd. 4. A political committee or political fund making an expenditure, other than a transfer of funds, for or on behalf of more than one candidate for state or legislative office shall allocate the expenditure among the candidates on a reasonable cost basis and report this allocation for each candidate. The treasurer shall retain for audit any documents supporting the allocation.

Subd. 5. Each person required to file any report or statement shall maintain records on the matters required to be reported, including vouchers, cancelled checks, bills, invoices, worksheets, and receipts, which will provide in sufficient detail the necessary information from which the filed reports and statements may be verified, explained, clarified and checked for accuracy and completeness, and he shall keep the records available for audit, inspection, or examination by the commission or its authorized representatives for four years from the date of filing of the reports or statements or of changes or corrections thereto. Any person violating any provisions of this subdivision is guilty of a misdemeanor.

Subd. 6. The treasurer of a political committee or political fund shall not accept a contribution of more than \$100 from a political committee or political fund not registered in this state unless the contribution is accompanied by a written statement which lists the sources of the contribution in a manner which meets the disclosure requirements imposed by section 21, subdivision 3, clauses (b), (c) and (d). These statements shall be certified as true and correct by an officer of the contributing committee or political fund. The provisions of this subdivision shall not apply when the national affiliate of any political party in this state transfers money to its state affiliate and that money is expended by the state political party on behalf of candidates of that party generally, without referring to any of them specifically, in any advertisement published or posted, on any broadcast, or in any telephone conversation if that conversation mentions three or more candidates.

Subd. 7. The secretary of state shall cause one certified copy of each report or statement filed with him under section 309 of the federal election campaign act of 1971 to be delivered to the commission within 24 hours of the time he receives such report or statement.

Sec. 24. [CHANGES AND CORRECTIONS.] Any material changes in information previously submitted and any corrections to a report shall be reported in writing to the commission in the next report following the date of the event prompting the change or the date upon which the person filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph containing the information to be changed or corrected. Any person who willfully fails to report a material change or correction is guilty of a gross misdemeanor.

Sec. 25. [DISSOLUTION OR TERMINATION.] No political committee or political fund shall dissolve until it has settled all of its debts

and filed a termination report. The termination report shall include all information required in periodic reports and a statement as to the disposition of any residual funds.

Sec. 26. [LIMITS ON CAMPAIGN EXPENDITURES.] Subdivision 1. For the purposes of sections 26 to 36 a candidate for governor and a candidate for lieutenant governor, running together, shall be deemed to be a single candidate, and all expenditures made by or on behalf of the candidate for governor and all expenditures made by or on behalf of the candidate for lieutenant governor shall be considered to be expenditures by or on behalf of the candidate for governor.

Subd. 2. In a year in which a candidate stands for election no expenditures shall be made and no obligations to make expenditures shall be incurred by a candidate, political committee, political fund or individual which makes expenditures with the authorization, express or implied, and under the control, direct or indirect, of the candidate or his agents which results in the aggregate expenditure on behalf of the candidate of an amount in excess of the following amounts;

(a) For governor and lieutenant governor, running jointly, 15 cents per capita;

(b) For attorney general, four cents per capita;

(c) For secretary of state, state treasurer and state auditor, separately, $1\frac{1}{4}$ cents per capita;

(d) For state senator, 25 cents per capita;

(e) For state representative, 25 cents per capita.

Subd. 3. Notwithstanding subdivision 2, a candidate for party endorsement at the convention of a political party may spend five percent of the amount in subdivision 2, prior to the time of endorsement. The money actually spent for endorsement shall be in addition to the money which may be expended pursuant to Subdivision 2.

Subd. 4. Notwithstanding subdivision 2 with respect to the 1974 general election, expenses incurred prior to the effective date of this act shall not be counted against the spending limitations imposed by subdivision 2.

Subd. 5. If the winning candidate in a contested race in a primary election receives less than 70 percent of the vote cast in that election, he shall have added to the aggregate amount which may be expended by him or on his behalf an amount equal to one fourth of the applicable amount as set forth in subdivision 2 of this section, or the amount actually expended by him or on his behalf in the primary election, whichever is less.

Subd. 6. On or before January 31 of each election year, the commission shall determine and cause to be published generally the per capita amounts specified in subdivision 2. In determining the per capita amounts, the commission shall use:

(a) In the case of the elections for governor and lieutenant governor, attorney general, secretary of state, state treasurer and state auditor, the total population of the state;

(b) In the case of the elections for state senator, 1/67 of the total population of the state;

(c) In the case of elections for state representative, 1/134 of the total population of the state.

Subd. 7. On or before January 15 of each election year, the secretary of state shall certify to the commission the estimated total population of the state as of January 1 of that year.

Subd. 8. An expenditure is made in the year in which the goods or service for which it was made are used or consumed.

Sec. 27. [TRANSFERS OF FUNDS EXCEPTED.] A transfer of funds from any political committee or political fund other than a political party to the principal campaign committee of a candidate shall not be considered to be an expenditure of funds on behalf of the candidate by the political committee or political fund.

Sec. 28. [ADDITIONAL LIMITATIONS.] Subdivision 1. No political committee, political fund, or individual, except a political party or the principal campaign committee of a candidate shall make expenditures on behalf of a candidate, or transfer funds to the principal campaign committee of a candidate, in an amount in excess of ten percent of the amount that may be spent by or on behalf of that candidate as set forth in section 26.

Subd. 2. No political party shall make expenditures on behalf of a candidate or transfer funds to the principal campaign committee of a candidate in an amount in excess of 40 percent of the amount that may be spent by or on behalf of that candidate as set forth in section 26.

Subd. 3. Expenditures by a political party on behalf of candidates of that party generally, without referring to any of them specifically in any advertisement published or posted, on any broadcast, or in any telephone conversation, if that conversation mentions three or more candidates, shall not be subject to the limitations of section 26, subdivision 2.

Subd. 4. For the purposes of this section, a political party includes a political party's official organization within congressional districts, counties, legislative districts, municipalities, wards and precincts, and party organizations within a legislative body.

Sec. 29. [PRICE ADJUSTMENT.] At the beginning of each year, the commission shall obtain from the secretary of labor of the United States information as to the percent difference between the national price index for the 12 months preceding the beginning of the year and the price index for the base period which shall be 1973. Each amount determined under section 26 shall be increased by the percent difference. Each amount so increased after being rounded off to the nearest \$10 shall be the amount in effect for the year. For the purpose of this section, the term "price index" means the average over a year of the consumer price index (all items, United States city average published monthly by the United States bureau of labor statistics).

In the event that there is a decline in the price index it shall not result in a reduction in the amounts determined under section 26 and in any year after 1974 in which there is a decline in the price index, the amounts in effect shall be those in effect for the preceding general election.

Sec. 30. [PENALTY FOR EXCEEDING LIMITS.] Any person or association that makes expenditures in excess of the limitations imposed by sections 26 and 28 shall be subject to a fine equal to three times the amount by which its expenditure exceeded the limit. If the commission, a county attorney or the attorney general has reason to believe that a person or association has made such excess expenditures, it or he shall bring an action in the district court of Ramsey county or in the case of a legislative candidate a district court of a county within the legislative district, to impose this penalty. All moneys recovered pursuant to this section shall be deposited in the general account of the state elections campaign fund.

Sec. 31. [CIRCUMVENTION PROHIBITED.] Any attempt by a person to circumvent the provisions of sections 12 to 30 by redirecting funds through, or contributing funds on behalf of, another person is a gross misdemeanor.

Sec. 32. [STATE ELECTIONS CAMPAIGN FUND.] Subdivision 1. There is hereby established an account within the general fund of the state, to be known as the "state elections campaign fund".

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

Sec. 33. [DESIGNATION OF INCOME TAX PAYMENTS.] Subdivision 1. Effective with the taxable years beginning after December 31, 1973, every individual having income tax liability after personal credit for the taxable year may designate that an additional \$1 shall be paid into the state elections campaign fund. In the case of a joint return of husband and wife having an income tax liability, each spouse may designate that an additional \$1 shall be paid.

Subd. 2. The taxpayer may designate that the \$1 be paid into the account of a political party or into the general account.

Subd. 3. The income tax form provided to taxpayers shall include:

(a) A section on the first page in legible type which shall say: "In order to promote financing of election campaigns by the people, the law allows you to allocate \$1 of your taxes to the financing of campaigns of candidates of the party of your choice for state offices. The dollar is an additional tax. It is an allocation of an additional \$1 of your tax to the state elections campaign fund. The allocation is voluntary. If you are filing a joint return you may allocate \$1 each." The form shall state that each \$1 on a joint return may be allocated independently.

(b) The form shall then contain a line stating: "I hereby direct an additional \$1 of my taxes to be distributed to state candidates," and shall then provide for boxes which may be marked designating one of the following: (i) each major political party listed in the sequence they are listed on the last general election ballot; (ii) the name of any minor party which has either appeared on the ballot on a statewide election in the last previous general election or submitted a petition which contains the names of 2,000 persons registered to vote in Minnesota to the secretary of state by June 1 of that taxable year; and (iii) distribution to all qualifying candidates proportionately.

Subd. 4. All moneys designated by individual taxpayers for the state elections campaign fund shall be credited to the appropriate account in the general fund of the state and shall be annually appropriated for distribution as set forth in subdivisions 5, 6, 7 and 8.

Subd. 5. In each fiscal year, ten percent of the moneys in each account, except the general account, shall be distributed directly to the party of the candidates to be funded from that account. The distribution shall occur on September 1 of each year. The remaining 90 percent of the money in each party account, and all of the moneys in the general fund shall be distributed in accordance with subdivisions 6, 7 and 8.

Subd. 6. (a) In each fiscal year, 40 percent of the moneys in each account shall be set aside for candidates for statewide office.

(b) Of the amount set aside in clause (a), 40 percent shall be distributed to the candidates for governor and lieutenant governor jointly; 24 percent shall be distributed to the candidate for attorney general; and 12 percent each shall be distributed to the candidates for secretary of state, state treasurer and state auditor. If there is no nominee of that party for one of the offices, the share set aside for that office shall be distributed to the other statewide candidates of that party in the same proportions as the original amount.

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account, of the state elections fund to the appropriate candidates who are to appear on the ballot for general election as prescribed in clauses (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in the same proportions as provided in clause (b), in an equal amount to each candidate who received at least five percent of the vote cast in the general election for the office for which he was a candidate.

Subd. 7. (a) In each of the fiscal years during the period in which the state senate serves a four year term, 20 percent of the moneys in each account shall be set aside for candidates for state senate. In each of the fiscal years during the period in which the state senate serves a two year term, and in 1975 and 1976, 30 percent of the moneys in each account shall be set aside for candidates for state senate.

(b) The amount set aside in clause (a) shall be distributed in equal shares to each of the candidates for state senate of that party.

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account, to the appropriate candidates who are to appear on the ballot for the general election as prescribed in clauses (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in an equal amount to each candidate who received at least ten percent of the votes cast in the general election for the office for which he was a candidate.

Subd. 8. (a) In each of the fiscal years during the period in which the state senate serves a four year term, 40 percent of the moneys in each account shall be set aside for candidates for state representative. In each of the fiscal years during the period in which the state senate serves a two year term, and in 1975 and 1976, 30 percent of the moneys in each account shall be set aside for candidates for state representatives.

(b) The amount set aside in clause (a) shall be distributed in equal shares to each of the candidates for state representative of that party.

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account, to the appropriate candidates who are to appear on the ballot for the general election as prescribed in clauses (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in an equal amount to each candidate who received at least ten percent of the votes cast in the general election for the office for which he was a candidate.

Sec. 34. [LIMITATIONS UPON THE STATE ELECTION CAMPAIGN FUND.] Subdivision 1. No candidate shall be entitled to receive from the state elections campaign fund an amount greater than the total amount of expenditures which may be made by or on behalf of the candidate under sections 26 and 28.

Subd. 2. No candidate shall be entitled to receive from the state elections campaign fund an amount greater than the total amount actually expended by or on behalf of the candidate during his campaign.

Subd. 3. As a condition of receiving any funds from the state elections campaign fund, any candidate, prior to receipt of the funds, shall agree that his principal campaign committee shall not

accept contributions exceeding 105 percent of the difference between the amount which may legally be expended by or on behalf of that candidate, and the amount which the candidate receives from the state elections campaign fund.

Subd. 4. If a political party for whose candidates funds have been accumulated in the state elections campaign fund does not have a candidate for statewide office, state representative or state senator, the moneys which would be used for distribution to that category or categories shall be transferred to the general account.

Sec. 35. [APPLICATION.] The provisions of sections 32 to 34 shall apply only in general elections and primary elections preceding general elections and shall not include special elections, special primary elections, conventions, and caucuses of a political party.

Sec. 36. [REMEDIES.] Subdivision 1. A person charged with a duty under sections 1 to 36 shall be personally liable for the penalty for failing to discharge it.

Subd. 2. The commission, the attorney general or the county attorney may seek an injunction in the district court to enforce the provisions of sections 1 to 36.

Subd. 3. Unless otherwise provided, a violation of sections 1 to 36 is not a crime.

Sec. 37. [APPROPRIATION.] There is hereby appropriated to the state ethics commission from the general fund \$ for the purposes of this act.

Sec. 38. Minnesota Statutes 1971, Section 290.06, is amended by adding a subdivision to read:

Subd. 11. Effective for taxable years commencing after December 31, 1973, in lieu of the credit against taxable net income provided by section 290.21, subdivision 3, clause (c), a taxpayer may take a credit against the tax due under chapter 290 of 50 percent, but not more than \$12.50, of his contributions to a political party or candidate. A married couple, filing jointly, may take a similar credit of not more than \$25.

Sec. 39. Minnesota Statutes 1971, Section 210.20, is amended to read as follows:

210.20 [FAILURE BY CANDIDATE TO FILE STATEMENT.] Every candidate for nomination or election to any elective office *except governor, lieutenant governor, attorney general, secretary of state, state treasurer, state auditor, state senator and state representative*, who *intentionally* fails to make and file the verified statement of moneys contributed, disbursed, expended, or promised by him, or by any other person, committee, or organization for him, so far as he can learn, in the manner, within the time, and with the details required by law *chapter 211*, or who enters upon the duties of any such office, or receives any salary or emolument therefrom, *with knowledge that before he has so filed such statement has not been filed*, and every officer who issues a commission or certificate of election to any person *before with*

knowledge that such statement shall have has not been so filed, shall be is guilty of a gross misdemeanor.

Sec. 40. Minnesota Statutes 1971, Section 211.01, Subdivision 3, is amended to read as follows:

Subd. 3. "Candidate" means every person for whom it is contemplated or desired that votes may be cast at any election or primary, and who either tacitly or expressly consents to be so considered, except candidates for president and vice president of the United States. *In sections 211.06, 211.16, 211.17, 211.19, 211.20, 211.21, 211.22, 211.25 and 211.32, "candidate" does not mean a person for whom it is contemplated or desired that votes may be cast at any election or primary, and who either tacitly or expressly consents to be so considered, for governor, state officer, state senator, or membership in the house of representatives.*

Sec. 41. Minnesota Statutes 1971, Section 211.06, is amended to read as follows:

211.06 [EXPENDITURES, LIMIT.] No disbursement shall be made and no obligation, express or implied, to make such disbursement, shall be incurred by any candidate or his personal campaign committee for any office under the ~~constitution or laws~~ of this state, or under the ordinance of any municipality of this state in his campaign for nomination and election, which shall be in the aggregate in excess of the amounts herein specified:

(a) ~~For governor, \$7,000, and in addition, five cents for each of the total number of persons who voted in the state at the last general election;~~

(b) ~~For other state officers, \$3,500, and in addition, five cents for each of the total number of persons who voted in the state at the last general election;~~

(c) ~~For state senator, \$800, and in addition, five cents for each of the total number of persons who voted in the district at the last general election;~~

(d) ~~For member of house of representatives, \$600, and in addition, five cents for each of the total number of persons who voted in the district at the last general election;~~

(e) For any county, city, village, or town officer, for any judge or for any officer not hereinbefore mentioned, who, if nominated and elected, would receive a salary, a sum not exceeding one third of the salary for the office in the year that the election is held, with the minimum sum allowed, \$100. If such person, when nominated and elected, would not receive a salary, a sum not exceeding one third of the compensation which his predecessor received during the first year of such predecessor's incumbency, with the minimum sum allowed, \$100. If such officer, when nominated and elected, would not receive a salary and if such officer had no predecessor, and in all cases not specifically provided for, \$100, and no more.

(f) (b) The disbursements authorized in this section by a candidate for elective office shall be deductible as expenses for production of income or a business deduction under chapter 290.

Sec. 42. Minnesota Statutes 1971, Section 211.20, Subdivision 3, is amended to read as follows:

Subd. 3. [STATEMENTS OF POLITICAL COMMITTEES.] Statements shall also be made by any political committee showing the total amount of receipts and disbursements, and for what purpose such disbursements were made. Such statement shall be filed within 30 days after any primary, municipal, or general election, as follows:

(a) When the committee is organized to support a candidate for a federal or state wide office with the filing officer of such candidate;

(b) When the committee is organized to support a candidate for a legislative, judicial district, or county office with the auditor of the county in which such committee has its headquarters;

(c) When the committee is organized to support or oppose any constitutional amendment with the secretary of state;

(d) When the committee is organized to support a candidate for municipal office in municipalities having more than 20,000 population or to support or oppose propositions in elections in such municipalities with the filing officer of the municipality.

Sec. 43. [EFFECTIVE DATE.] This act shall take effect the day following final enactment. The commission shall be appointed within 30 days of the effective date of this act and shall promulgate the rules within 30 days of its appointment. No statement or report required to be filed by this act need be filed until 30 days after the commission adopts and makes available the forms for the statements or reports.

Sec. 44. Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92 are repealed."

Further, strike the title and insert in lieu thereof:

"A bill for an act relating to ethics in government; regulating lobbyists, conflicts of interest and election expenses and contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 210.20; 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; and 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 3388: A bill for an act relating to elections; vacancies in the legislature; amending Minnesota Statutes 1971, Section 203.45, Subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, after "2" insert *"and notwithstanding subdivision 2, if any vacancy in the legislature occurring after the last day of the session in odd-numbered years but more than 33 days prior to the date set for convening the legislature in the next even-numbered year"*

Page 1, line 10, after "writ" insert " ,"

Page 1, line 13, after "legislature" insert *" , or at the reconvening of a session of the congress or of the legislature,"*

Page 1, lines 15 through 19, strike the new language

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 3281: A bill for an act relating to education; requiring each school district to make reports concerning the consumption of energy.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, after "1974" insert "and July 1 of each year thereafter"

Page 1, line 14, after "the" and before "school" insert "previous"

Page 1, line 14, strike "1973-1974"

Page 1, line 22, after "school" insert "and between schools"

Page 2, line 6, strike "in effect" and insert "effective"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 3072: A bill for an act relating to the city of Brooklyn Park; appropriating funds for special assessments levied by the city against property of the North Hennepin community college.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report Adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2832: A bill for an act relating to courts; judges retirement, definitions and effective date; amending Laws 1973, Chapter 744, Section 1, Subdivision 17.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2712: A bill for an act relating to the firemen's relief association of the city of Goodview; providing that years of service with the Goodview volunteer fire department shall be treated as years of service with the Goodview firemen's relief association.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred.

S. F. No. 2744: A bill for an act relating to the Minnesota environmental conservation library; providing for its collections and use; appropriating money; amending Laws 1971, Chapter 864, Sections 1 and 2.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 2972: A bill for an act relating to Dakota county; providing for the filing of surveys with the county surveyor.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1985: A bill for an act relating to courts; providing for tolling of statutes of limitations for reasons of disability; amending Minnesota Statutes 1971, Sections 281.04; 508.79; and 541.15.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 3422: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for the costs of architectural and professional services in the construction of an adult detention, and juvenile center, and security treatment facility at St. Paul-Ramsey hospital.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 1823: A bill for an act relating to highway traffic regulations; speed restrictions; authorizing local authorities to reduce speed limits on certain portions of highways and streets during school hours; amending Minnesota Statutes 1971, Section 169.14, Subdivision 5, and by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, strike lines 3 through 27 and insert in lieu thereof the following:

"Subd. 5a. [SPEED ZONING IN SCHOOL ZONES.] Local authorities may establish a school speed limit within a school zone. Such speed limit shall be in effect when children are present going to or leaving school during opening or closing hours or during school recess periods. The school speed limit shall not be lower than 20 mph in business, residence or urban districts within incorporated municipalities, and shall not be lower than 20 mph nor more than 15 mph below the established speed limit on the affected road or highway in other locations. The establishment of a school speed limit on any trunk highway shall be subject to the consent of the commissioner of highways. Such school speed limit shall be effective upon the erection of appropriate signs designating the speed and indicating the beginning and end of the reduced speed zone. Any speed in excess of such posted school speed limit is unlawful. All such signs shall be erected by the local authorities on those streets and highways under their respective jurisdictions and by the commissioner of highways on trunk highways. For the purpose of this subdivision, "school zone" means that section of a street or highway which abuts the grounds of a school where school children have access to the street or highway from the school property or where an established school crossing is located, provided the school advance sign, prescribed by the manual on uniform traffic control devices adopted by the commissioner of highways pursuant to Section 169.06, is in place."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1888: A bill for an act relating to adoption; providing for appointment of guardian ad litem and attorney for child.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, strike "Subdivision 1."

Page 1, line 8, strike "juvenile"

Page 1, line 9, strike "subject for adoption" and insert "person being adopted"

Page 1, strike lines 10 through 13

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2505: A bill for an act relating to the probate court in Hennepin and Ramsey counties; amending Minnesota Statutes 1971, Sections 525.10; and 526.18; repealing Minnesota Statutes 1971, Section 526.19.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, strike "1971" and insert in lieu thereof "1973 Supplement"

Page 1, line 13, strike "each"

Page 1, line 23, strike "and filed in the office of the secretary of state"

Page 1, line 24, strike "after approval as to form by the attorney general"

Further amend the title as follows:

Page 1, line 4, strike "1971, Sections" and insert in lieu thereof "1973 Supplement, Section"

Page 1, line 5, after "and" insert "Minnesota Statutes 1971, Section"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2042: A bill for an act relating to courts; venue change in civil actions; amending Minnesota Statutes 1971, Section 542.10.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 7, strike the new language

Page 2, line 8, after "accordingly." insert "*Filing fees paid to the county in which the action was commenced shall be waived by the county to which the action is removed.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr Davies from the Committee. on Judiciary, to which was referred

S. F. No. 2504: A bill for an act relating to the district court; second judicial district in Ramsey county and fourth judicial district in Hennepin county; amending Minnesota Statutes 1971, Sections 140.19; 140.20; 140.21; 140.23; 140.24; 140.25; 260.305; 485.01; 508.12; 508.74; 611.26, Subdivision 1; Laws 1923; Chapter 289, Sections 1, 2, 3, 4, 6, 11, and 13, as amended; Laws 1923, Chapter 77, Section 10, as amended; Laws 1951, Chapter 653, Section 1; Laws 1965, Chapter 469, Section 8; Laws 1965, Chapter 709, Section 1; Laws 1969, Chapter 838, Sections 1, 2, and 3; Laws 1969, Chapter 839, Section 1; and repealing Minnesota Statutes 1971, Section 485.015; Laws 1923, Chapter 77, Sections 1 to 9; and Laws 1925, Chapter 52.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, strike lines 15 through 28

Page 5, strike lines 1 through 5

Page 5, line 6, strike "1971" and insert in lieu thereof "1973 Supplement"

Page 5, line 11, strike "county" and insert "state"

Page 9, line 4, after the first "~~such~~" insert "*Ramsey*"; restore the stricken "county"; and strike "*the district*"

Page 9, line 12, after "~~such~~" insert "*Ramsey*"; restore stricken "county"; and strike "*the district*"

Page 9, line 20, restore the stricken "as the judges may approve" and strike "*in*"

Page 9, strike lines 21 through 25 and insert in lieu thereof "*, three principal assistants or division supervisors.*"

Page 11, line 1, strike "*district*" and after "~~such~~" insert "*Ramsey*"; restore the stricken "county" and strike "*the*"

Page 11, line 2, strike "*district*"

Page 14, line 14, strike "PERSONNEL PRACTICES" and strike "Subdivision"

Page 14, line 15, strike "1"; strike "all the"

Page 14, line 16, strike "employees of the department" and insert in lieu thereof "*the three principal assistants or division supervisors*"

Page 14, line 18, strike "*, subject to Ramsey county*" and insert in lieu thereof a period.

Page 14, strike lines 19 through 23.

Page 16, line 28, strike "Section" and insert in lieu thereof "*Sections 260.305 and*"

Renumber the sections in sequence

Further amend the title as follows:

Page 1, line 7, strike "260.305; 485.01;"

Page 1, line 8, after "subdivision 1;" insert "1973 Supplement, Section 485.01"

Page 1, line 18, strike "Section" and insert in lieu thereof "Sections 260.305 and"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 3250: A bill for an act relating to absent and disabled voters; providing for designation by county auditors of municipalities where application for ballots may be made; amending Minnesota Statutes, 1973 Supplement, Section 207.03.

Reports the same back with the recommendation that the bill be amended as follows:

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

"Section 1. Minnesota Statutes, 1973 Supplement, Section 207.03, is amended to read:

207.03 [APPLICATION FOR BALLOTS.] At any time not more than 45 days or less than one day before the day of holding any election, any person may make application in writing subscribed by him to : (a) the auditor of the county in which ~~he~~ *the applicant* is a resident if ~~he resides outside a municipality; or to~~ ; (b) *the full time clerk of the a municipality designated by the county auditor if he the applicant is a resident of a that municipality ; or (c) the full time clerk of a municipality which has requested designation by the county auditor if the applicant is a resident of that municipality* , for ballots and envelopes, by mailing to or filing with such auditor or such clerk an application substantially in the following form:

"APPLICATION FOR BALLOTS

The undersigned, a duly qualified voter in the County of.
 State of Minnesota, residing at.
 (here insert street and number) in said city, village
 or town, because of (absence from home)
 (illness), (physical disability)
, (because of religious discipline or observance of a
 religious holiday) hereby makes application for the ballots to be
 voted upon in said precinct at the next election. Please mail said
 ballots and accompanying envelope to me at
 (insert post office address to which to be sent)

Dated, 19 . . .

(Signature of Applicant)"

An application need not be on an official or standard form. It must be accepted if it contains the information above.

Any person who shall wilfully make or sign any false certificates specified herein; any person who shall wilfully make any false or untrue statement in any "Application for Ballots"; any person who shall wilfully exhibit to any other person any ballot marked by him; any person who shall in any way wilfully do any act contrary to the terms and provisions of this chapter with intent to cast an illegal vote in any precinct or to aid another in so doing shall be guilty of a felony. If the person applying for a ballot resides in a political subdivision which does not accept registration other than on election day and the individual is not registered in that political subdivision, the county auditor shall send a registration card and instructions for completing the registration card along with the ballots and envelopes. *For the purposes of Minnesota Statutes, Chapter 207, "municipal clerk" shall mean the clerk designated pursuant to this section.*

Sec. 2. Minnesota Statutes 1971, Chapter 207, is amended by adding a section to read:

[207.151] [ABSENT VOTING, MUNICIPAL ELECTIONS, DUTIES OF CLERKS.] *In the case of city elections in all cities or town elections in all towns operating under the "Australian Ballot System," voters' applications for ballots shall be filed with the city or town clerk, no fees shall be required to be paid therefor, and the duties prescribed in this chapter for the county auditor shall be performed by the city or town clerk, provided, however, that such duties may be, upon agreement, combined and performed by one of such officers. The cost of carrying out the provisions of this chapter for any such city or town election shall be paid by the city or town in which the same is held.*

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 207.19, is amended to read:

207.19 [REGISTRATION; REQUEST; BALLOT.] Subdivision 1. Registration for the primary and general elections may be made by or for any member of the armed forces who is an eligible voter or who will be an eligible voter on or before the date of the next primary or general election occurring after such registration by the member of the armed forces himself or by a parent, spouse, or a brother, sister, or child over the age of 18 years, by filing in the office of the county auditor of the county in which his place of residence is located, ~~if his place of residence is outside a municipality, or in the office of the clerk of the municipality if his place of residence is within a municipality,~~ a request for ballot in substantially the following form, whether said request for ballot is upon a form prepared and distributed by the war and navy departments or otherwise:

REQUEST FOR BALLOTS

To the County Auditor of County, Minnesota,
United States of America:

Or,

To the clerk of (name of municipality),
..... County, Minnesota, United States of America.

The name of the person for whom ballots are requested is
..... He is a member of the armed forces of the United

States. He expects to be absent from his place of residence in Minnesota on the primary or general election date. Request is therefore made that ballots be furnished to him to be used by him in voting at such elections and be sent to him at the address herein stated. He is a citizen of the United States. He is a resident of the State of Minnesota and has been such resident for more than 30 days last past. He was born on the day of in the year His home and place of residence is and on said election days will be at in the of (Town, or City or Village) County of, State of Minnesota. His voting precinct according to the best information of the undersigned is (Give precinct and ward number or name of precinct if you know it.) Ballots are to be sent to said member of the armed forces at the following address:

(If this request is signed by the spouse, parent, or a brother, sister, or child over the age of 18 years, of the member of the armed forces, fill in the following paragraph.) The relative who signs this request is the of said voter above-named, and is of the age of 18 years or over (signature of member of armed forces or relative) Subscribed and sworn to before me this day of, 19..... (State title of office. If officer of armed forces, must be a commissioned, noncommissioned, or petty officer not below rank of sergeant or its equivalent. Affix seal, if any.)

Subd. 2. Any such communication or request filed with or received by the county auditor ~~or the municipal clerk~~ shall be registered by the county auditor ~~or the municipal clerk~~ in a permanent record kept by him for such purpose, and the entry of said name in such register shall constitute the only registration necessary to entitle any member of the armed forces to vote at a primary or general election. Registrations under sections 207.16 to 207.29 may be challenged in the manner provided for in law, except that the county auditor ~~or the municipal clerk~~ shall not be required to give notice to the voter, and all reasonable doubt shall be resolved in favor of the validity of such registration. If it appears from the communication or request that the applicant is not qualified to vote at the primary election but will be qualified to vote at the general election, then no primary ballot shall be forwarded to the applicant, but such communication or request shall nevertheless constitute a request for ballot for the general election. Should any such request or a communication in the form thereof be addressed to the secretary of state or any other election official, the same shall immediately upon its receipt by said election official be forwarded to the county auditor of the county of residence of such registrant. ~~if his place of residence is outside a municipality, or to the clerk of the municipality if his place of residence is within a municipality,~~ as specified in such request, and shall have the same force and effect as if it were addressed to the county auditor ~~or to the municipal clerk~~. The county auditor ~~or~~

~~the municipal clerk~~ shall, in no event, send more than one set of ballots to any member of the armed forces for each election.

Subd. 3. Every county auditor ~~or every municipal clerk~~ shall forthwith prepare at the expense of his county ~~or municipality~~ a sufficient supply of blank forms to be used to request that ballots be furnished a member of the armed forces and shall furnish such blanks to any person applying therefor.

Sec. 4. Minnesota Statutes, 1973 Supplement, Section 207.20, is amended to read:

207.20 [COUNTY AUDITOR; MUNICIPAL CLERK DUTIES.] Subdivision 1. The county auditor ~~or the municipal clerk~~ shall, as promptly as possible, mail an official ballot, or ballots if more than one are to be voted at the election, to every absent member of the armed forces who has been registered in accordance with the foregoing provisions. Registration for the primary election shall entitle the registrant to receive a general election ballot without further application, notwithstanding that the registrant may have failed to vote in the primary election. Said ballot or ballots shall be mailed by air mail, postage prepaid, in an envelope upon which shall be printed "OFFICIAL BALLOT." There shall also be sent in the same envelope a return air mail stamped envelope, labeled "Official Ballot Return Envelope" and addressed in conformity with the requirements of the "Return Envelope" prescribed in section 207.08; upon the back of the "Official Ballot Return Envelope" shall be an affidavit in the following form:

THIS FORM MUST BE COMPLETED IN ORDER THAT THE
ENCLOSED BALLOT BE COUNTED: I,
do solemnly swear that I am an eligible voter or will be an eligible
voter on or before; (the date of the next primary
or general election in Minnesota) that I am a citizen of the United
States; that my home and place of residence is and on said election
days will be at, in the
(Town ; or City or Village)

of, county of, State
of Minnesota; that I have not cast another vote or returned another
ballot for this election to any voting precinct; and that I am otherwise
qualified to vote the enclosed ballot which I personally marked and
sealed in this envelope without exhibiting it to any other person, or
which, in case of my physical incapacity, has been marked for me and
sealed in this envelope under my personal direction.

Subscribed and sworn to before me this day of 19.....

(State title of office. If officer of armed forces, must be a commissioned, noncommissioned or petty officer (not below the rank of Sergeant or its equivalent). Affix seal, if any.) NOTE: Temporary change of dwelling place made necessary by military service does not affect the voter's residence.

Subd. 2. Priority in mailing shall be given to all ballots to be sent outside the United States. In the event the government of the

United States or any branch, department, agency or other instrumentality thereof shall make provision for sending of any voting matter provided for in sections 207.16 to 207.29 through the mails postage free, or otherwise, the election officials of the several counties and of the several municipalities of the state are authorized to make use thereof."

Further, amend the title, page 1, after line 5, by inserting "providing the duties of clerks for municipal elections; absentee voting for members of the armed forces;"

Page 1, line 7, by deleting "Section" and inserting in lieu thereof "Sections"

Page 1, line 7, after "207.03" by inserting "; 207.19; 207.20; and Minnesota Statutes 1971, Chapter 207, by adding a section"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2450: A bill for an act relating to the fire department relief association of the village of Falcon Heights; providing certain benefits for volunteer firemen and their survivors; amending Laws 1969, Chapter 526, Sections 5, 6, and 7; and by adding a section; repealing Laws 1969, Chapter 526, Section 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 22, strike "\$1,000" and insert "\$600"

Page 1, line 24, after "increase" insert "resulting in a benefit"

Page 1, line 25, strike "an"

Page 1, line 26, strike the entire line and insert "*such an ordinance providing for an increase*"

Page 1, line 27, strike "*by an actuarial survey*" and insert "*and no ordinance shall be considered by the village council unless the request is supported by an actuarial survey showing the fiscal effects of the proposed increase*"

Page 2, strike lines 14 to 22

Page 3, line 5, strike "Section 2, is" and insert "Sections 2 and 6, are"

Renumber sections accordingly

Further, amend the title in line 7 by striking "6;" and in line 9 by striking "Section 2." and inserting "Sections 2 and 6."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3111: A bill for an act relating to the governor's citizens council on aging; duties of council; amending Minnesota Statutes 1971, Section 256.975, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 1, insert:

"Sec. 2. Minnesota Statutes 1971, Section 256.01, Subdivision 10, is amended to read:

Subd. 10. [AUTHORITY TO ACCEPT AND DISBURSE FUNDS.] ~~The commissioner of public welfare~~ *The governor's citizens council on aging* is authorized to accept ~~financial~~ *through the department of public welfare* grants, gifts, and bequests from public or private sources for ~~the program implementing programs~~ and services in on behalf of the aging, and to disburse such funds to public ~~or~~ and private agencies for the purpose of research, demonstration, *planning, training,* and service projects pertaining to the state's aging citizens. *The governor's citizens council on aging shall have sole authority for the awarding of grants and disbursing funds in the interest of Minnesota's older persons."*

Further, amend the title as follows:

Line 3, after "council;" insert "authority over funds;"

Line 5, strike "Section" and insert "Sections 256.01, Subdivision 10; and"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 3352: A bill for an act relating to the city of Richfield, and the offices of fire chief and assistant fire chief therein.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, strike ", and" and insert "in order to"

Page 1, line 14, after "69.011" insert ", provided there is an organized public safety department"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 3019: A bill for an act relating to the city of Eden Prairie; authorizing the planning, construction and financing of a major center area ring road project.

Reports the same back with the recommendation that the bill be amended as follows:

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

"Section 1. The city of Eden Prairie may plan and construct a major center area ring road (project STR 72-9-26). For purposes of planning and construction the city may expand any local, county, state, federal or private funds available therefor.

Sec. 2. Any part of the cost of the project authorized by section 1 may be financed by the levy of special assessments against property within the city benefitted by the project in the manner prescribed by law. In the assessment of benefits city authorities may utilize a combination of assessment methods based upon the area of tracts benefitted, the front footage of tracts benefitted, and the land use of the tracts benefitted in accordance with such categories as may be determined by the city.

Sec. 3. Construction of the project and assessment of benefits may be undertaken in phases consistent with growth and development of the benefitted area, and the benefits derived from the project may be re-determined and the value of the benefits assessed against the benefitted property as the phases are completed.

Sec. 4. This act is effective upon approval by the city council of the city of Eden Prairie and upon compliance with Minnesota Statutes, Section 645.021."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 3196: A bill for an act relating to the metropolitan transit commission; establishing the outer limits of the metropolitan transit taxing district; amending Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, after "district" insert "*as the boundaries existed on October 31, 1973.*"

Page 1, line 20 strike "and" and insert "*The taxing district shall also include*"

Page 1, line 21, strike "*all as existing on*"

Page 1, line 22, strike "*December 31, 1973,*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 3059: A bill for an act relating to county boards; providing for boards of seven members in counties having a population of 200,000 or more; amending Minnesota Statutes 1971, Section 375.01.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, before "Each" insert "*Subdivision 1.*"

Page 1, line 15, strike "200,000" and insert "350,000"

Page 1, line 16, after "members" insert "*, to be chosen from commissioner districts with boundaries to be determined by the redistricting commission appointed pursuant to subdivision 2*"

Page 1, after line 16, insert:

"Subd. 2. [REDISTRICTING COMMISSION.] Within 15 days after the effective date of this act, the district court shall appoint a nonpartisan redistricting commission to establish the districts for the county in accordance with the standards prescribed in subdivision 3. The commission shall be composed of not less than five nor more than nine residents of the county. No officer or employee of county or local government except notaries public shall be eligible for membership on the commission. Members of the commission shall not be eligible for election to the county board until two years after the determination of the district boundaries pursuant to this act. Members of the commission shall serve without pay but may be reimbursed their necessary expenses in the conduct of the business of the commission. The county board shall provide for the necessary expenses of the commission. The commission shall complete its work within 45 days after its appointment.

Subd. 3. [COMMISSIONER DISTRICTS; STANDARDS.] Each district shall be composed of contiguous territory as regular and compact in form and shall be as nearly equal in population as practicable. Except where necessary to comply with the standards set forth in this subdivision, the districts shall be bounded by city, town, ward, or precinct lines. The plan establishing the district boundaries shall be filed in the office of the county auditor, and after filing the plan the commission shall cause notice that the plan is on file to be published in the newspaper having the contract for publishing the commissioner's proceedings for the current year. The plan shall become effective upon the filing of the plan with the county auditor, and shall be effective as to the election of county commissioners in 1974.

Sec. 2. [ELECTION OF COMMISSIONERS.] A commissioner for each district shall be elected at the general election in November 1974. The commissioners for each district numbered 1, 3, 5, and 7 shall be elected for a four-year term, and the commissioner for each district numbered 2, 4, and 6 shall be elected for a two-year term. Thereafter each commissioner shall be elected for a four-year term.

Sec. 3. This act shall be effective the day following enactment."

Further amend the title as follows:

Page 1, line 4, strike "200,000" and insert "350,000"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 2110: A bill for an act relating to natural resources; providing for the establishment of standards for the regulation of the subdivision, use and development of land and water; requiring adoption and enforcement of ordinances therefor.

Reports the same back with the recommendation that the bill be amended as follows:

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

Section 1. [LEGISLATIVE POLICY.] The legislature finds and declares that the rapid spread of urban development in the metropolitan area presents major problems in the management and use of the natural resources of the area. The effects of development policies extend beyond municipal and county boundaries, requiring coordination throughout the metropolitan area and assistance from the state. It is the policy of the state and the purpose of this act to provide for the protection of the health, safety and welfare of the people of the area and the conservation of natural resources by encouraging local governmental units to adopt and enforce sound policies regulating the subdivision, use and development of the limited land and water resources of the metropolitan area, and to provide the assistance of metropolitan and state agencies in achieving that objective.

Sec. 2. [DEFINITIONS.] Subdivision 1. For purpose of this act, the terms defined in this section have the meanings given them.

Subd. 2. "Metropolitan area" means the area defined in Minnesota Statutes, Section 473B.02.

Subd. 3. "Metropolitan council" means the metropolitan council created by Minnesota Statutes, Section 473B.02.

Subd. 4. "Local governmental unit" means a county, city or town in the metropolitan area having planning and zoning authority as defined in Minnesota Statutes, Chapter 394, or Section 462.353.

Sec. 3. [STANDARDS AND CRITERIA.] Subdivision 1. Before January 1, 1976, and thereafter when made necessary by changed conditions or advances in scientific knowledge, the metropolitan council shall promulgate suggested standards and criteria and model ordinances for the regulation of the use and development of the land and water within the metropolitan area which will provide for:

(a) the protection and preservation of those wetlands and lowlands permanently or intermittently covered with waters, such as marshes, swamps, bogs, meadows, potholes and sloughs which are essential to hydrological or ecological systems or for flood control;

(b) the protection of groundwater recharge areas which contribute significantly to the recharge of groundwater aquifers;

(c) the minimum erosion of those slopes which are subject to severe or moderate erosion because of their degree of slope and soil type;

(d) the maximum retention of existing forests and woodlands, the minimum removal of trees for development, and the encouragement of replanting where removal is unavoidable;

(e) the determination of the suitability of soils or bedrock for development, design and construction measures for development which would compensate for existing soil or bedrock problems, and the prevention of the type of development for which such soils or bedrock are unsuitable;

(f) the protection and preservation of the natural watercourses, intermittent or permanent, and the minimum discharge of pollutants into water bodies and water courses by storm runoff and otherwise;

(g) local review and comment on applications for permits to change the course, current, or cross section of public waters pursuant to Minnesota Statutes, Section 105.42, and standards to govern the local review;

(h) the protection and preservation of areas containing unique or endangered species of plants and animals;

(i) the prevention of development for non-agricultural use of prime agricultural lands where such land is essential for agricultural purposes;

(j) the regulation of the extraction of minerals, including sand and gravel, to minimize undesirable environmental effects and provide for future utilization of the lands involved;

(k) the preservation of natural resource areas of particular historical significance.

Subd. 2. In preparation of these standards and criteria, and model ordinances, and in order to assure consistency with regulations, standards, criteria and model ordinances promulgated by other state agencies, the metropolitan council shall, where appropriate, seek the assistance and approval of the department of natural resources and the Minnesota environmental quality council. In addition, the metropolitan council shall, where appropriate, seek the assistance of the state planning agency, the Minnesota pollution control agency, soil and water conservation districts, the University of Minnesota, the department of agriculture, and other appropriate agencies.

Sec. 4. [LOCAL ORDINANCES.] Each local governmental unit in the metropolitan area may, after review and comment by the metropolitan council, adopt ordinances, separately or as a part of its zoning and subdivision ordinances, which meet the minimum standards proposed by the metropolitan council.

Sec. 5. [DISTRICTS.] In addition to all other authority relating to planning and zoning granted by Minnesota Statutes, Sections 394.25 or 462.357, local governmental units may establish zoning districts or zones in which the use of land and water areas are limited to purposes consistent with the standards and criteria established pursuant to this section.

Sec. 6. [COOPERATION.] In adopting and enforcing the ordinances for which standards and criteria are provided by this act, local governmental units may consult and cooperate with affected soil and water conservation districts, watershed districts, and lake conservation districts on matters of common concern.

Sec. 7. [METROPOLITAN COUNCIL ASSISTANCE.] The metropolitan council, in cooperation with local governmental units, shall collect information required for the development of sound standards and criteria in accordance with this act and sound standards and criteria for shoreland and floodplain management. The council may provide technical assistance to local governmental units to expedite adoption and enforcement of local ordinances under this act and Minnesota Statutes, Sections 104.04 and 105.485.

Further, amend the title:

Page 1, line 5, strike “;” and insert “.”

Page 1, strike lines 6 and 7

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 3076: A bill for an act relating to mass transit; approving an accelerated bus improvement program and providing funds therefor; amending Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

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

“Section 1. The twin cities area metropolitan transit commission is hereby authorized to implement its bus service expansion report as adopted by the metropolitan transit commission on February 20, 1974. It is the intent of the legislature to have this program completed by July 1, 1977. The commission shall make a progress report to the legislature in January of each year until the year following the completion of this program. The 1975 report shall also include recommendations for alternative methods of financing.

Sec. 2. Minnesota Statutes 1971, Section 473A.09 is amended by adding a subdivision to read:

Subd. 12. [BUS SYSTEM FARES.] The commission shall charge bus system passengers a fare of not more than \$.25 per ride, without additional charge for distance traveled or transfer; except that the commission may establish separate fares for passengers on express bus service. This subdivision shall be in effect on January 30, 1975.

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1, is amended to read:

473A.111 [TRANSIT TAX LEVIES.] Subdivision 1. [AMOUNT.] For the purposes of chapter 473A and the metropolitan transit system, the metropolitan transit commission may levy upon all taxable property within the metropolitan transit taxing district, defined herein, a transit tax, which shall not in any year exceed the sum of the following:

(a) An amount equal to ~~1.45~~ 3.37 mills times the assessed value of all such property some or all of the proceeds of which may be used to provide for the full and timely payment of its certificates of indebtedness and other obligations of the commission to which collections of the wheelage tax and replacement property tax under Minnesota Statutes 1969, Section 473A.14, have been pledged, plus any amount needed for compliance with any final judgment of a court of competent jurisdiction requiring payment of any amount of the wheelage tax levied by the commission for 1971 and prior years, *except that the amount of taxes which may be levied in any year for the operating costs of the commission shall be further reduced by the amount of any funds received by the commission during the previous year from federal grants to cover operating costs; plus*

(b) *such an additional amount equal to .04 mills times the assessed valuation of all such property all of which shall be used for the operating cost of service programs for the handicapped; plus*

~~(b)~~ (c) *such additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of its certificates of indebtedness and other obligations outstanding on February 1, 1974, plus additional certificates of indebtedness and other obligations in an amount not to exceed \$8,000,000 for the purposes of the transit related elements of the bus improvement program as expressed in the commission's bus service expansion report to the legislature of February 22, 1974, to which property taxes under this section have been pledged, provided that the amount of principal and interest to come due on such obligations shall not exceed \$3,000,000 in any year; plus*

(d) *such additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of certificates of indebtedness in an amount not to exceed \$12,000,000 for the purposes of highway related aspects of the bus improvement program, as expressed in the commission's bus service expansion report to the legislature of February 20, 1974, to which property taxes under this section have been pledged, provided that the principal and interest to come due on such obligations shall not exceed \$1,600,000 in any year. The certificates of indebtedness provided in this paragraph may be issued only after the commission has determined that alternative methods of finance are not available on the same or better terms. Nothing in this section shall be construed as providing funding for the preliminary engineering, studies, or construction for the automated fixed guideway*

system proposed in the 1972 transit development program of the commission.

Sec. 4. Minnesota Statutes 1971, Section 473A.111, Subdivision 4, is amended to read:

Subd. 4. [USE OF PROCEEDS.] (1) A portion of the proceeds of the tax described in this section shall be used to provide transit services, at no cost, between the hours of 9:00 AM and ~~3:00~~ 3:30 PM and from 6:30 PM until the last bus on Monday through Friday of each week, and all day Saturday and Sunday to all those persons 65 years of age or over holding a medicare card or a special golden age identification card issued by the commission, *and to all those persons under the age of 18 who are students.*

(2) Establish an express bus system to those areas within the transit taxing district at the earliest practicable time over existing highways and streets in conjunction with the federal highway administration, the urban mass transportation administration, the Minnesota highway department, the metropolitan council, and other highway agencies."

Further amend the title as follows

Page 1, line 4, after "therefor;" insert "setting bus fares,"

Page 1, line 5, after "Statutes" insert "1971, Sections 473A.09, by adding a subdivision; 473A.111, Subdivision 4; and Minnesota Statutes"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 3036: A bill for an act relating to courts; providing for the active service of retired judges; amending Minnesota Statutes 1971, Sections 2.724, by adding a subdivision; and 484.61.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 9, insert the following:

"Sec. 3. Minnesota Statutes 1971, Section 490.102, Subdivision 2, is amended to read:

Subd. 2. (a) If, at the time of retirement, he has attained the age of at least 70 years and he has served for 15 years as such judge, or as such judge and as judge of a court of record, he shall receive for the remainder of his life, one-half the compensation allotted to the office at the time of his retirement or on July 1, 1967, whichever is greater.

(b) If, at the time of retirement, he has attained the age of at least 65 years and he has served for 25 years as such judge, or as such judge and as a judge of a court of record, he shall receive for the remainder of his life, one-half of the compensation allotted for the office at the time of his retirement or on July 1, 1967, whichever is greater.

Except for per diem payments made pursuant to section 484.62, and retirement pay adjustments pursuant to section 490.025, sub-

division 2, it is unlawful for any public officer to pay a retired judge an amount greater than one half of the compensation allotted to the office of such retired judge at the time of his retirement or on July 1, 1967, whichever is greater, *except when said retired judge shall have been appointed by the district court, or by the supreme court, to serve as a special master in litigation before the district court; in which case per diem payments may be made to said retired judge in amounts equal to per diem payments made pursuant to section 484.62*. Where such payments are hereafter made in violation of this subdivision, it is the duty of the public officer making such payment to recover the amount so paid but without interest. Such recovery may be made by as many as 30 installment deductions from future retirement payments to a retired judge or by action in the district court. Unrecovered overpayments outstanding at the time of the death of a retired judge shall be a lien upon his estate, in favor of the state of Minnesota."

Renumber the remaining section.

Further, amend the title in line 6, by striking "and 484.61" and inserting in lieu thereof "484.61; and 490.102, Subdivision 2"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 3308: A bill for an act creating a legislative commission to study and propose legislation relating to the problem of organized crime; appropriating money therefor.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, strike "identified by the" and insert "relating thereto."

Page 1, strike lines 10 and 11

Page 1, line 18, strike "the conclusion of the 1976" and insert "January 15, 1975"

Page 1, line 19, strike "session of the legislature"

Page 1, line 21, strike "November" and insert "January"; after "1975" strike the comma and insert a period; strike "but may supplement them until May 1,"

Page 1, strike lines 22 and 23

Page 1, line 26, strike ", and may subpoena witnesses"

Page 1, line 27, strike "and records"

Page 2, line 1, strike "The commission may purchase supplies,"

Page 2, strike lines 2 to 6

Page 2, line 7, strike "personnel."

Page 2, line 9, strike "\$50,000" and insert "\$10,000"

Page 2, strike lines 11 to 16

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 3297: A bill for an act relating to the establishment of a new route to the Minnesota trunk highway system to serve the Minnesota zoological garden in Dakota county, Minnesota; appropriating money therefor; establishing deadlines for construction thereof.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 24, strike "creation of a new route to" and insert in lieu thereof "extension of a route on"

Page 1, line 30, strike "Beginning at a" and insert in lieu thereof: "Route No. 279. Beginning at a point in Dakota County southwesterly of Fort Snelling in the proximity of the State Zoological Garden entrance, thence westerly to Dakota County Road 23, thence extending in a general northerly direction across the Minnesota River to a point on Route No. 114 in Minneapolis."

Page 1, strike line 31

Page 2, strike lines 1 through 3.

Page 2, after line 3, insert:

"Sec. 3. The route established in section 2 is a substitute for Route No. 279 as contained and described in Minnesota Statutes 1971, Section 161.115, and said route as so contained and described in said section is discontinued and removed from the trunk highway system."

Renumber the sections in sequence.

Page 2, line 9, after "completed" insert "if possible"

Page 2, strike lines 12 through 14 and insert in lieu thereof:

"Sec. 5. The Revisor of Statutes, in compiling the Minnesota Statutes, shall substitute the route established in section 2 hereof for the route discontinued and removed from the trunk highway system in section 3."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3121: A bill for an act relating to public welfare; creating a program for the prevention of and reporting of child abuse; providing penalties; appropriating money; repealing Minnesota Statutes 1971, Section 626.554.

Reports the same back with the recommendation that the bill be amended as follows:

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

"Section 1. [PUBLIC POLICY.] The legislature hereby declares that the public policy of this state is to protect children whose health or welfare may be jeopardized through injury, neglect or sexual abuse; to strengthen the family and make the home safe for children through improvement of parental and guardian capacity for responsible child care; and to provide a temporary or permanent safe home environment for endangered children. In addition, it is the policy of this state to require the reporting of suspected child abuse; the investigation of such reports; the provision of protective and counseling services for both the child and family; and the provision of a program education regarding child abuse.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in this act, the following terms have the meanings given them unless the specific content indicates otherwise:

Subd. 2. "Neglected child" shall have the meaning defined in Minnesota Statutes, Section 260.015, Subdivision 10.

Subd. 3. "Sexual abuse" means the subjection by the child's parents, guardian, or other custodian, of a child under 12 years of age to any act which constitutes a violation of Minnesota Statutes, Sections 609.291, 609.292, 609.293, 609.295, or 609.296.

Subd. 4. "Abuse" means any physical injury resulting from neglect or inflicted upon the child by other than accidental means or at variance with the history attributed it.

Subd. 5. "Department" means the department of public welfare.

Subd. 6. "Commissioner" means the commissioner of public welfare.

Subd. 7. "Report" means any report filed with the county welfare agency pursuant to this act.

Subd. 8. "Investigative Report" means any report prepared by the county welfare agency regarding a case of child abuse and subsequent actions or recommendations.

Sec. 3. [PERSONS MANDATED TO REPORT.] Subdivision 1. Any professional in the fields of the healing arts, social services, hospital administration, psychological or psychiatric treatment, child care, education, or law enforcement who has knowledge of or reasonable cause to suspect a child is being subjected by his parents, guardian, or other custodian to abuse, sexual abuse, or neglect shall immediately report to the local county welfare agency and/or police department. The appropriate police authority, upon receiving such a report, shall immediately notify the county welfare agency.

Subd. 2. Any person not required to report under the provisions of this section may voluntarily report to the county welfare agency if he has knowledge of or reasonable cause to suspect a child is being subjected to abuse, sexual abuse, or neglect.

Sec. 4. [REPORTING PROCEDURE.] Subdivision 1. Reports

made pursuant to this act shall be made immediately by telephone and shall be followed within 72 hours by a written report.

Subd. 2. Reports shall include, if known:

- (a) the names and address of the child;
- (b) the child's age, sex and race;
- (c) the nature and extent of the abuse, sexual, or neglect;
- (d) the name and address of child's parents, guardian, or other custodian;
- (e) any evidence of previous abuse, sexual abuse, or neglect to the child or his siblings;
- (f) any action taken by the reporter;
- (g) any other pertinent information;
- (h) the reporter's name and address.

Sec. 5. [DUTIES OF COUNTY WELFARE AGENCY UPON RECEIPT OF A REPORT.] Subdivision 1. Upon receipt of a report the county welfare agency, if deemed appropriate, shall file or cause to be filed a petition in the appropriate juvenile or district court or notify the appropriate law enforcement agency.

Subd. 2. The county welfare agency shall also undertake a thorough investigation of the report; and may:

- (a) visit the child's residence;
- (c) interview the child;
- (d) interview the reporter;
- (e) request court order to be issued pursuant to section 260.151 for purposes of a physical, psychiatric, or psychological examination of the allegedly abused child;
- (f) take color photographs of the victims of suspected child abuse;
- (g) request a court order to be issued pursuant to section 260.161, subdivision 3, for purposes of photographing any child taken into protective custody;
- (h) request any other court order necessary to investigate the report of suspected child abuse.

Subd. 3. The county welfare agency may, upon completion of its investigation or at any time during the investigation, recommend appropriate counseling and rehabilitative services.

Subd. 4. The county welfare agency shall upon completion of its investigation, or upon recommending action in relation to the case, prepare an investigative report to include, but not be limited to:

- (a) all the information in the original report;

(b) additional relevant information obtained during investigation of the report;

(c) recommendations for disposition of the case, and plans for counseling, rehabilitative, or protective services;

(d) services offered and accepted;

(e) any other pertinent data.

Sec. 6. [COLOR PHOTOGRAPHS.] Any health professional required to report under this act may, if deemed necessary, cause color photographs of an allegedly abused child to be taken at county expense. Photographs may only be taken if, in the opinion of the health professional, the visible trauma to the child will disappear within forty-eight hours. If, in the opinion of the health professional, the visible trauma will not disappear within forty-eight hours, the professional shall request the county welfare agency to file a petition in the appropriate juvenile court for purposes of obtaining a court order for the examination and photographing of the allegedly abused child. The county welfare agency shall, upon receipt of such a request, proceed immediately to file the petition.

Sec. 7. [IMMUNITY FROM LIABILITY.] Any person participating in good faith and exercising due care in the making of a report or the establishment of protective custody pursuant to this act shall have immunity from any liability, civil or criminal, that otherwise might result by reason of such action.

Sec. 8. [ABROGATION OF PRIVILEGED COMMUNICATIONS.] Any privilege between husband and wife or between any professional persons and their clients, except lawyer and client or clergy and penitent, shall not constitute grounds for withholding or excluding evidence at any proceedings regarding child abuse or neglect.

Sec. 9. [FALSIFIED REPORTS.] If it is determined that any reports of suspected child abuse or neglect were negligently or deliberately falsified, the reporter shall be guilty of a misdemeanor as well as liable in civil suit for any damage or injury to the subject of the report.

Sec. 10. [FAILURE TO REPORT.] Any person required by this act to report suspected child abuse or neglect who willfully fails to do so shall be guilty of a misdemeanor.

Sec. 11. [EVIDENCE.] A written report from persons required by this act to make a report shall be admissible as evidence in any proceeding relating to child abuse or neglect.

Sec. 12. [COURT GUARDIAN.] The court, in any case of abuse, sexual abuse or neglect reaching the court, may appoint a court guardian for the child. That guardian shall, when possible, be an attorney and shall have access to all information and proceedings necessary to ensure he may protect the best interests of the child.

Sec. 13. [MANDATORY REPORTING TO A MEDICAL EXAMINER OR CORONER.] Any person required to report under

the provisions of section 3, subdivision 1, of this act and who has reasonable cause to expect a child has died as a result of abuse, sexual abuse, or neglect shall report that fact to the appropriate medical examiner or coroner. The medical examiner or coroner shall complete an investigation within 48 hours, and report his findings to the appropriate law enforcement authorities and the county welfare agency.

Sec. 14. [ADDITIONAL RESPONSIBILITIES AND POWERS OF THE DEPARTMENT.] Subdivision 1. The department shall develop plans and programs necessary to further the purposes of this act including, but not limited to:

(a) research;

(b) analyzing data;

(c) developing counseling and rehabilitative guidelines for both parents and children to be implemented by the county welfare agency;

(d) providing a statewide program for dissemination to the public of any information regarding child abuse, sexual abuse or neglect, as well as information regarding the provisions of this act.

Subd. 2. The commissioner shall report to the governor and legislature on or before November 15 of each year regarding all operations and activities under this act for the preceding year. The commissioner at that time shall also present a record of all receipts and disbursements made for that year pursuant to this act.

Sec. 15. [CONTRACTING.] Subdivision 1. The commissioner shall have the power to contract or consult with private persons or public or private agencies experienced in the collection and evaluation of information regarding child abuse, sexual abuse or neglect, for research or information.

Subd. 2. Information gained under such contract may be used only for the purposes directed by the commissioner.

Sec. 16. The commissioner shall promulgate all rules and regulations necessary to implement this act.

Sec. 17. Minnesota Statutes 1971, Section 260.165, Subdivision 1, is amended to read:

260.165 [TAKING CHILD INTO CUSTODY.] Subdivision 1. No child may be taken into immediate custody except:

(a) With an order issued by the court in accordance with the provisions of section 260.135, subdivision 5, or by a warrant issued in accordance with the provisions of section 260.145; or

(b) In accordance with the laws relating to arrests; or

(c) By a peace officer

(1) when a child has run away from his parent, guardian, or custodian, or when the peace officer reasonably believes such child has run away from his parent, guardian, or custodian; or

(2) when a child is found in surroundings or conditions which endanger the child's health or welfare or which such peace officer reasonably believes will endanger such child's health or welfare; or

(d) By a peace officer or probation or parole officer when it is reasonably believed that the child has violated the terms of his probation, parole, or other field supervision ; or

(e) By a peace officer, at the request of a professional employee of the county welfare agency subsequent to an investigative report, when the peace officer reasonably believes that a failure to do so would represent an imminent danger to the child's life or health; provided that a child detained pursuant to this clause may only be housed in a place listed in Minnesota Statutes, Section 260.175, clauses (b) or (c).

Sec. 18. [STATUTES REPEALED.] Minnesota Statutes 1971, Section 626.554, is repealed.

Sec. 19. This act takes effect July 1, 1974."

Further amend the title as follows:

Page 1, line 5, strike "appropriating money" and insert "amending Minnesota Statutes 1971, Section 260.165, Subdivision 1"

And when so amended the bill do pass and be re-referred to the Committee on Judiciary. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 3176: A bill for an act relating to Dakota county; authorizing certain requirements for appointees to the Dakota county planning advisory commission.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, strike "provisions of"

Page 1, line 8, strike "to the contrary,"

Page 1, line 12, strike "two appointees" and insert "one appointee"

Page 1, line 13, after "district" strike the period and insert "appointed by the commissioners from that district and five at-large members appointed by the board of commissioners. The chairman shall be appointed as an additional member by the board of commissioners. The term of office and the procedures for removal as well as filling vacancies on the commission shall be as provided by the resolution creating the commission."

Page 1, line 13, strike "Such appointments"

Page 1, line 14, strike "shall be annual."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 3120: A bill for an act relating to waters; creating the Battle Creek watershed district comprised of lands within the counties of Ramsey and Washington.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, after "including" insert "but not limited to"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 2993: A bill for an act relating to the city of Lake St. Croix Beach; authorizing the city to conduct a public or private sale of certain real property, whether or not dedicated to the public for park and recreational purposes, to use the net proceeds of such sale to pay existing debt service, and to acquire other real property for park and recreational purposes in substitution thereof.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 15, strike "conduct a public or private" and insert "negotiate the"

Page 2, line 6, after "area" add "and value"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 2285: A bill for act relating to the city Duluth; expanding the subdivision control and regulatory power of the planning commission; modifying the procedure for approval of plats by such commission; making Minnesota Statutes, Section 462.358, Subdivision 4, applicable to the city; adopting additional building restrictions; amending Laws 1933, Chapter 93, Sections 1, 2, 4, 5, 6, 7 and 10.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 19, after "*residential*" strike "*uses that a*" and add "*, commercial, industrial or other uses, or as a planned development which includes residential, commercial and industrial uses, or any*

combination thereof, that a reasonable portion of each proposed subdivision be dedicated to the public for public use as parks, playgrounds, public open space, or storm water holding areas or ponds, or that the subdivider contribute an equivalent amount in cash based on the fair market value of the undeveloped land as defined by the regulations, provided that cash payments received under such regulations shall be placed in a special fund by the municipality and used only for the acquisition of land for parks, playgrounds, public open space and storm water holding areas or ponds, development of existing park and playground sites, public open space and storm water holding areas or ponds, and debt retirement in connection with land previously acquired for such public purposes.

Such regulations may provide for a procedure for varying the regulations as they apply to specific properties where an unusual hardship on the land exists, but variances may be granted only upon the specific grounds set forth in the regulations."

Page 3, strike all of lines 20 to 28

Page 4, strike all of lines 1 to 3

And when so amended the bill do pass and be placed on Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 3239: A bill for an act relating to Hennepin county; providing for the support and maintenance of the county law library; amending Laws 1933, Chapter 291, Section 12.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, after "funds" reinstate the stricken comma and insert "not to exceed \$150,000"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 3350: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for remodeling and new construction costs at St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 3477: A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted, unconstitutional and obsolete references and text; eliminating certain duplicitious and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1971, Section 3.85, Subdivision 9; 3.925; 6.18; 7.05; 15.38; 16.01; 17.10; 31.495, Subdivisions 4 and 5; 35.605, Subdivision 1; 43.24, Subdivision 2, as amended; 84.03; 85A.02, Subdivision 12; 86.11, Subdivision 5; 94.09, Subdivision 5; 115.42; 116.03, Subdivision 1; 122.02; 122.22, Subdivision 1; 122.23, Subdivision 1; 123.015; 124.76; 126.021; 136.601, Subdivisions 1 and 2; 136.62, Subdivision 4; 136.621, Subdivision 2; 136A.07; 144.71, Subdivision 3; 148.41; 148.75; 152.19, Subdivision 6; 154.16; 168.012, Subdivision 1, as amended; 168.013, Subdivisions 1g as amended, 2, 12 as amended, and 14; 168.014, as amended; 168.11, Subdivision 2; 169.123, Subdivisions 1, 2 as amended, 4, and 6; 169.305, Subdivision 1; 175.171; 176.131, Subdivision 1; 183.51, Subdivision 12; 215.22; 215.24; 252.24, Subdivision 1; 252.27, Subdivision 2; 260.251, Subdivision 3; 270.06; 326.241, Subdivision 3, as amended; 360.015, Subdivision 17; 362.15; 473A.12; 473B.04; 481.02, Subdivision 2; 482.09; 487.03, Subdivision 2, as amended; 517.03; 626A.17, Subdivision 3; Minnesota Statutes, 1973 Supplement, Sections 4.12, Subdivision 2; 80B.01, Subdivisions 8 and 9; 80B.02, Subdivision 1; 80B.03, Subdivision 5; 80B.06, Subdivision 5; 80B.07, Subdivision 1; 80B.13; 290.031, Subdivision 2; 290.0618; 298.22, Subdivision 2; 363.05, Subdivision 1; 412.018, Subdivision 1; Laws 1973, Chapters 561, Section 1, Subdivision 2; 628, Section 1, Subdivision 2; 638, Sections 62, 63, Subdivisions 1 and 3; 65, 67, and 68; 721, Section 3, Subdivision 7; and 744, Section 4, Subdivision 10; repealing Minnesota Statutes 1971, Section 471.47; Laws 1971, Chapters 680, Section 2; and 695, Section 6, Subdivision 3; Laws 1973, Chapters 35, Section 28; 54; 68, Sections 1 and 5; 83; 94, Section 4; 569, Section 5; 638, Sections 59 and 60; 676, Section 31; 725, Sections 3, 16, and 18; and 754, Section 7.

Reports the same back with the recommendation that the bill be amended as follows:

Page 10, line 22, reinstate the stricken language

Page 10, line 26, reinstate the stricken language

And when so amended the bill do pass. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 2005, 3144, 2953, 3212, 3198, 3181, 2105, 2497, 3276, 3432, 3233, 2687, 3023, 3194, 2898, 3061, 3175, 2896, 3407, 3479, 3464, 3417, 2635, 3406, 3047, 3331, 3000, 2003, 2214, 3318, 3193, 1704, 2951, 2949, 3467, 3009, 3360, 2994, 3080, 2477, 3355, 3408, 3388, 3281, 2832, 2712, 2972, 1985, 3422, 1823, 1888, 2505, 2042, 2504, 3250, 2450, 3111, 3352, 3019, 3196, 3059, 2110, 3076, 3036, 3297, 3176, 3120, 2993, 2285, 3239, 3350 and 3477 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 401, 3048 and 3248 were read the second time.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Mr. Coleman moved that the following bills be stricken from General Orders and placed on the Calendar of Ordinary Matters:

S. F. No. 2814 and H. F. No. 2762. The motion prevailed.

MEMBERS EXCUSED

Messrs. Solon and Pillsbury were excused from this afternoon's session. Mr. Keefe, J. was excused from next Monday's session.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Monday, March 4, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.