

ONE HUNDRED FOURTEENTH DAY

St. Paul, Minnesota, Wednesday, March 27, 1974.

The Senate met at 12:00 o'clock noon 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:

Anderson	Frederick	Kirchner	Novak	Schrom
Arnold	Gearty	Kowalczyk	Olhoft	Stassen
Berg	Hansen, Mel	Laufenburger	Olson, A. G.	Stokowski
Bernhagen	Hanson, R.	Lewis	Olson, H. D.	Tennessen
Borden	Hughes	Lord	Olson, J. L.	Ueland
Coleman	Humphrey	McCutcheon	O'Neill	Wegener
Davies	Jensen	Milton	Perpich, G.	Willet
Dunn	Josefson	Moe	Purfeerst	
Fitzsimons	Keefe, S.	Nelson	Renneke	

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:

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

Quorum present.

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

MEMBERS EXCUSED

Messrs. Doty; Perpich, A. J.; Pillsbury and Kleinbaum were excused from the Session of today. Messrs. Patton and Keefe, J. were excused from the early part of today's Session.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 26, 1974

The Honorable Alec G. Olson
President of the Senate

Sir:

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

S. F. No. 2558, An act relating to commerce; interest rates on money; exempting certain loans from maximum interest rates; amending Minnesota Statutes 1971, Section 334.01.

Sincerely,
Wendell R. Anderson, Governor

March 26, 1974

The Honorable Alec G. Olson
President of the Senate

Sir:

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

S. F. No. 2015, An act relating to snowmobiles; operation and regulation; contests; amending Minnesota Statutes 1971, Section 84.87, Subdivision 1a.

S. F. No. 2136, An act relating to counties; providing standards for redistricting of county boards, and the appointment of redistricting commissions; amending Minnesota Statutes 1971, Chapter 375, by adding a section; repealing Minnesota Statutes 1971, Section 375.02.

S. F. No. 2252, An act relating to manpower services; employment security information; amending Minnesota Statutes 1971, Section 268.12, Subdivision 12.

S. F. No. 2264, An act authorizing the commissioner of administration to acquire certain lands for the commissioner of natural resources for wildlife management areas, spawning areas, and trout stream management and angling by the public.

S. F. No. 2332, An act relating to intoxicating liquor; labeling required, providing a penalty; amending Minnesota Statutes 1971, Section 340.461, Subdivision 4, and by adding a subdivision.

S. F. No. 2875, An act relating to the city of Marshall; authorizing land acquisition and development to promote industry and alleviate unemployment.

S. F. No. 3009, An act relating to state lands; authorizing the conveyance of certain state lands in Pine and Carlton counties to the city of Moose Lake, Minnesota.

S. F. No. 3115, An act relating to labor; public employees; powers and duties of the public employment relations board; amending Minnesota Statutes 1971, Section 179.72, Subdivision 4.

S. F. No. 3119, An act relating to labor; public employees; grievances and arbitration; amending Minnesota Statutes 1971, Section 179.70, Subdivision 5, and Minnesota Statutes, 1973 Supplement, Section 179.72, Subdivision 9.

S. F. No. 3212, An act relating to game and fish; eligibility for free fishing licenses; amending Minnesota Statutes, 1973 Supplement, Section 98.47, Subdivision 8.

S. F. No. 3406, An act relating to historic sites; designating additional historical sites and historic districts; amending Minnesota Statutes 1971, Sections 138.081; 138.52, Subdivision 1, and by adding a subdivision; 138.53, by adding subdivisions; 138.54, by adding a subdivision; 138.58, by adding subdivisions; and 138.73, by adding subdivisions.

Sincerely,
Wendell R. Anderson, Governor

The Honorable Martin O. Sabo
Speaker of the House of Representatives

The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
2350		222	March 23, 1974	March 23, 1974
2501		223	March 23, 1974	March 23, 1974
2687		224	March 23, 1974	March 23, 1974
2740		225	March 23, 1974	March 23, 1974
2840		226	March 23, 1974	March 23, 1974
3002		227	March 23, 1974	March 23, 1974
3068		228	March 23, 1974	March 23, 1974
3144		229	March 23, 1974	March 23, 1974
3152		230	March 23, 1974	March 23, 1974
3159		231	March 23, 1974	March 23, 1974
3162		232	March 23, 1974	March 23, 1974
3218		233	March 23, 1974	March 23, 1974
3287		234	March 23, 1974	March 23, 1974
3360		235	March 23, 1974	March 23, 1974

Sincerely,
Arlen Erdahl
Secretary of State

The Honorable Martin O. Sabo
Speaker of the House of Representatives

The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
2285		236	March 23, 1974	March 25, 1974
3331		237	March 25, 1974	March 25, 1974

Sincerely,
Arlen Erdahl
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 974:

H. F. No. 974: A bill for an act relating to public health; authorizing the state board of health to prescribe fees for permits, licenses, registrations and certifications issued by it; amending Minnesota Statutes 1971, Sections 144.169, Subdivision 1; 144.53; 144.60; 144.61; 144.802; 149.02; 149.03; 149.04; 149.08; 156A.03, Subdivision 2; 156A.07, Subdivisions 1 and 3; 157.03; 326.42; 326.60, Subdivision 3; 326.62; 327.15; 327.16, Subdivisions 1, 2 and 3; and Chapter 144, by adding a section.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Swanson; Carlson, L. and Heinitz have been appointed as such committee on the part of the House.

House File No. 974 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 27, 1974

Mr. Conzemius moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 974, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2349:

H. F. No. 2349: A bill for an act relating to the city of Virginia; authorizing one additional on-sale intoxicating liquor license.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Fugina, Newcome and Salchert have been appointed as such committee on the part of the House.

House File No. 2349 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 26, 1974

Mr. Perpich, G. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2349, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

MOTIONS AND RESOLUTIONS

Mr. Coleman moved to take up the Calendar of Ordinary Matters at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

CALENDAR OF ORDINARY MATTERS

H. F. No. 3512: A bill for an act relating to the city of St. Paul; increasing the maximum amount of severance pay; increasing the authorized tax levy for severance pay; amending Laws 1959, Chapter 690, Sections 2 and 3, as amended.

With the unanimous consent of the Senate, Mr. Chenoweth moved to amend H. F. No. 3512, the printed bill, as follows:

Page 1, strike Section 1 by striking lines 1 through 15

Page 2, strike lines 1 through 7

Page 2, line 22, strike "2" and insert "1"

Renumber the following sections accordingly.

Further, amend the title as follows:

Page 1, line 1 of the title, strike "increasing the maximum amount of severance pay;"

Page 1, line 2 of the title, strike "Sections 2 and" and insert in lieu thereof "Section"

The motion prevailed. So the amendment was adopted.

H. F. No. 3512 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

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

Those who voted in the affirmative were:

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

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

H. F. No. 3507: A bill for an act relating to education; education; planning innovative development 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.

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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Committee on Rules and Administration, designated H. F. No. 1634, No. 15

on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1634: A bill for an act relating to commitment proceedings involving mentally ill and inebriate persons; amending Minnesota Statutes 1971, Sections 253A.02, Subdivisions 3 and 4; 253A.07, Subdivisions 13, 17, and 21; 253A.21, Subdivision 5, and by adding a subdivision; and 525.11.

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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

APPOINTMENTS

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. 862, pursuant to the request of the House:

Messrs. North; Chmielewski; Oison, J. L.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to revert to the Order of Business of Messages from the House, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 2950, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 2950: A bill for an act relating to the Minnesota housing finance agency; revising limitations upon agency bonds and notes; providing for rehabilitation loans and grants; appropriating money; amending Minnesota Statutes 1971, Sections 462A.02, Subdivisions 3, 6, and by adding a subdivision; 462A.03, by adding a subdivision; 462A.04, Subdivision 1; 462A.05, by adding subdivisions; 462A.07, Subdivisions 2, 3, 10, and by adding subdivisions; 462A.20, by adding a subdivision; 462A.21, Subdivisions 1 and 5, and by adding a subdivision; Minnesota Statutes, 1973 Supplement, Sections 462A.03, Subdivisions 9 and 11; 462A.06, Subdivision 11; 462A.08, Subdivision 1; 462A.21, Subdivisions 2, 3, 4, and by adding a subdivision; and 462A.22, Subdivision 1.

House File No. 2950 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 27, 1974

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2950

A bill for an act relating to the Minnesota housing finance agency; revising limitations upon agency bonds and notes; providing for rehabilitation loans and grants; appropriating money; amending Minnesota Statutes 1971, Sections 462A.02, Subdivisions 3, 6, and by adding a subdivision; 462A.03, by adding a subdivision; 462A.04, Subdivision 1; 462A.05, by adding subdivisions; 462A.07, Subdivisions 2, 3, 10, and by adding subdivisions; 462A.20, by adding a subdivision; 462A.21, Subdivisions 1 and 5, and by adding a subdivision; Minnesota Statutes, 1973 Supplement, Sections 462A.03, Subdivisions 9 and 11; 462A.06, Subdivision 11; 462A.08, Subdivision 1; 462A.21, Subdivisions 2, 3, 4, and by adding a subdivision; and 462A.22, Subdivision 1.

March 21, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2950, report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendment adopted March 15, 1974, in the Senate amendment adopted March 18, 1974 on Mr. Humphrey's motion, and in the Senate amendment to Page 4, lines 2 and 15 of the printed bill adopted March 18, 1974 on Mr. Coleman's motion.

That the Senate recede from the amendments adopted March 18, 1974 on the motions of Mr. A. G. Olson and Mr. Conzemius and from the amendment to Page 7, line 18 of the printed bill adopted March 18, 1974 on the motion of Mr. Coleman.

That H. F. No. 2950, the typewritten bill, be further amended as follows:

Page 7, line 15, delete "single family"

Page 10, line 9, after "body" insert "or reservation housing authority"

Page 10, line 14, after the period insert:

"In the allocation of federal housing assistance funds provided pursuant to this subdivision, the agency shall give priority to programs which increase opportunities for low cost residential housing on or adjacent to the Indian reservations of this state."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Franklin J. Knoll, E. W. Quirin, Gerald Knickerbocker

Senate Conferees: (Signed) Hubert H. Humphrey III, John Keefe, Winston W. Borden

CALL OF THE SENATE

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

Anderson	Fitzsimons	Kirchner	Novak	Sillers
Arnold	Frederick	Kowalczyk	Ogdahl	Spear
Berg	Gearty	Larson	Olhoft	Stokowski
Blatz	Hansen, Baldy	Lewis	Olson, H. D.	Tennessen
Borden	Hansen, Mel	Lord	Olson, J. L.	Thorup
Brown	Hanson, R.	McCutcheon	O'Neill	Wegener
Chenoweth	Hughes	Milton	Perpich, G.	Willet
Chmielewski	Humphrey	Moe	Purfeerst	
Davies	Josefson	Nelson	Renneke	
Dunn	Keefe, S.	North	Schaaf	

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

Mr. Humphrey moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2950 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 2950: A bill for an act relating to the Minnesota housing finance agency; revising limitations upon agency bonds and notes; providing for rehabilitation loans and grants; appropriating money; amending Minnesota Statutes 1971, Sections 462A.02, Subdivisions 3, 6, and by adding a subdivision; 462A.03, by adding a subdivision; 462A.04, Subdivision 1; 462A.05, by adding subdivisions; 462A.07, Subdivisions 2, 3, 10, and by adding subdivisions; 462A.20, by adding a subdivision; 462A.21, Subdivisions 1 and 5, and by adding a subdivision; Minnesota Statutes, 1973 Supplement, Sections 462A.03, Subdivisions 9 and 11; 462A.06, Subdivision 11; 462A.08, Subdivision 1; 462A.21, Subdivisions 2, 3, 4, and by adding a subdivision; and 462A.22, Subdivision 1.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 34 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Lord	Olson, A. G.	Spear
Arnold	Gearty	McCutcheon	Olson, H. D.	Stokowski
Borden	Hughes	Milton	Perpich, G.	Tennessen
Chenoweth	Humphrey	Moe	Purfeerst	Thorup
Chmielewski	Keefe, S.	North	Schaaf	Wegener
Coleman	Laufenburger	Novak	Schrom	Willet
Conzemius	Lewis	Olhoft	Solon	

Those who voted in the negative were:

Ashbach	Brown	Hanson, R.	Krieger	O'Neill
Bang	Fitzsimons	Jensen	Larson	Renneke
Berg	Frederick	Josefson	Nelson	Sillers
Bernhagen	Hansen, Baldy	Knutson	Ogdahl	
Blatz	Hansen, Mel	Kowalczyk	Olson, J. L.	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

RECONSIDERATION

Mr. Spear moved that the vote whereby H. F. No. 3470 failed to pass the Senate on March 26, 1974, be now reconsidered. The motion prevailed. So the vote was reconsidered.

CALL OF THE SENATE

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

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

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

Pursuant to Rule 21, Mr. Conzemius moved that the following members be excused for a meeting of the Rules Subcommittee on Joint Rule No. 20:

Messrs. Conzemius; Olson, A. G.; Blatz; Brown and Laufenburger. The motion prevailed.

The question recurred on H. F. No. 3470.

H. F. No. 3470: A bill for an act relating to Special School District No. 1; partially restoring employees salary and retirement benefits withheld under law.

Mr. Ashbach moved to amend H. F. No. 3470, the printed bill, as follows:

Page 1, line 3, strike "shall" and insert "may"

The question being taken on adoption of the amendment

And the roll being called, there were yeas 22 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hanson, R.	Olson, J. L.	Stassen
Bang	Fitzsimons	Jensen	O'Neill	Ueland
Berg	Frederick	Krieger	Purfeerst	
Bernhagen	Hansen, Baldy	Larson	Renneke	
Blatz	Hansen, Mel	Olson, H. D.	Sillers	

Those who voted in the negative were:

Arnold	Humphrey	Lewis	Novak	Stokowski
Borden	Josefson	Lord	Ogdahl	Thorup
Chenoweth	Keefe, S.	McCutcheon	Olhoff	Wegener
Davies	Kirchner	Milton	Schaaf	Willet
Dunn	Knutson	Moe	Schrom	
Gearty	Kowalczyk	Nelson	Solon	
Hughes	Laufenburger	North	Spear	

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

H. F. No. 3470 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 35 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Lewis	Olhoff	Solon
Arnold	Gearty	Lord	Olson, A. G.	Spear
Borden	Hughes	McCutcheon	Olson, H. D.	Stokowski
Chenoweth	Humphrey	Milton	Perpich, G.	Tennessen
Chmielewski	Keefe, S.	Moe	Purfeerst	Thorup
Coleman	Larson	Novak	Schaaf	Wegener
Conzemius	Laufenburger	Ogdahl	Schrom	Willet

Those who voted in the negative were:

Ashbach	Dunn	Hanson, R.	Kowalczyk	O'Neill
Bang	Fitzsimons	Jensen	Krieger	Renneke
Berg	Frederick	Josefson	Nelson	Sillers
Bernhagen	Hansen, Baldy	Kirchner	North	Stassen
Blatz	Hansen, Mel	Knutson	Olson, J. L.	Ueland

So the bill passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1810, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1810: A bill for an act providing standards and procedures for tax increment financing; authorizing municipalities to create development districts; authorizing the issuance of bonds to carry out development programs in development districts; authorizing tax increment financing for the payment of principal and interest on such bonds; authorizing municipalities to assess the cost of operation against development districts; authorizing port authorities to segregate tax increments in industrial development districts; providing limitation on extent of districts to which tax increment financing applies; amending Minnesota Statutes 1971, Chapter 273, by adding sections; Sections 462.585, Subdivision 1; and 458.192, Subdivision 1 and adding new subdivisions to the section; and repealing Minnesota Statutes 1971, Sections 462.545, Subdivision 5; 462.585, Subdivisions 2 and 3; and 474.10, Subdivisions 2 and 3.

House File No. 1810 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 27, 1974

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1810

A bill for an act providing standards and procedures for tax increment financing; authorizing municipalities to create development districts; authorizing the issuance of bonds to carry out development programs in development districts; authorizing tax increment financing for the payment of principal and interest on such bonds; authorizing municipalities to assess the cost of operation against development districts; authorizing port authorities to segregate tax increments in industrial development districts; providing limitation on extent of districts to which tax increment financing applies; amending Minnesota Statutes 1971, Chapter 273, by adding sections; Sections 462.585, Subdivision 1; and 458.192, Subdivision 1 and adding new subdivisions to the section; and repealing Minnesota Statutes 1971, Sections 462.545, Subdivision 5; 462.585, Subdivisions 2 and 3; and 474.10, Subdivisions 2 and 3.

March 23, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the

Senate, upon the disagreeing votes as to H. F. No. 1810, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and the bill be amended as follows:

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

"Section 1. [DEVELOPMENT PROGRAM; PURPOSE.] It is found that there is a need for new development in areas of a municipality which are already built up to provide employment opportunities to improve the tax base and to improve the general economy of the state. Therefore, municipalities are authorized to develop a program for improving a district of the municipality to provide impetus for commercial development; to increase employment; to protect pedestrians from vehicle traffic and inclement weather; to provide the necessary linkage between peripheral parking facilities and places of employment and shopping; to provide off-street parking to serve the shoppers and employees of the district; to provide open space relief within the district; and to provide other facilities as are outlined in the development program adopted by the governing body. It is hereby declared by the legislature of the state of Minnesota that the actions required to assist the implementation of these development programs are a public purpose and that the execution and financing of such programs are a public purpose.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 14, the terms defined in this section shall have the meanings given them unless otherwise provided or indicated by the context.

Subd. 2. "Municipality" means any city, however organized.

Subd. 3. A "development district" is a specific area within the corporate limits of any municipality which has been so designated and separately numbered by the governing body. No less than 60 percent of the area of any such district shall consist of land which has been platted and developed. The area of a district shall not be enlarged after five years following the date of designation of the district. At the time of the designation of the first development district in any municipality, the governing body of that municipality shall by formal action adopt one of the three following alternative restrictive options. Once the choice is made, that municipality must use the same option for all succeeding development districts.

(a) The total acreage included in any one development district when designated shall not exceed one percent of the total acreage of the municipality, and when added to the total current acreage within development districts for which unrecovered cost of bonds remain shall not exceed three percent of the total acreage of the municipality.

(b) The total market value of taxable real property of any one development district when designated shall not exceed five per-

cent of the total market value of taxable real property in the municipality as most recently certified by the county auditor, and when added to the current total market value of taxable real property within development districts for which unrecovered cost of bonds remain shall not exceed ten percent of the total market value of taxable real property in the municipality as most recently certified by the county auditor.

(c) No development district shall exceed six acres. At no time shall another development district be designated by the governing body of the municipality until all cost of bonds for the previously designated district has been paid.

Subd. 4. "Substantially residential development district" means any development district in which 40 percent or more of the land area, exclusive of streets and open space, is used for residential purposes at the time the district is designated by the governing body.

Subd. 5. A "development program" is a statement of objectives of the municipality for improvement of a development district which shall contain a complete statement as to the public facilities to be constructed within the district, the open space to be created, the environmental controls to be applied, the proposed reuse of private property, the proposed operations of the district after the capital improvements within the district have been completed.

Subd. 6. "Pedestrian skyway system" means any system of providing for pedestrian traffic circulation, mechanical or otherwise, elevated aboveground, within and without the public right of way, and through or above private property and buildings, and includes overpasses, bridges, passageways, walkways, concourses, hallways, corridors, arcades, courts, plazas, malls, elevators, escalators, heated canopies and accesses and all fixtures, furniture, signs, equipment, facilities, services, and appurtenances which in the judgment of the governing body of the municipality will enhance the movement, safety, security, convenience and enjoyment of pedestrians and benefit the municipality and adjoining properties. The use of a public street or public right of way for pedestrian travel only constitutes a public use and shall not require a vacation of the street or right of way.

Subd. 7. "Special lighting systems" means lights or light displays of any type located within or without the public right of way.

Subd. 8. "Parking structure" means any building the principal use of which is designed for and intended for parking of motor vehicles. Open air parking on parking lots shall also be construed as parking structures for the purpose of this act.

Subd. 9. "Maintenance and operation" means all activities necessary to maintain facilities after they have been developed and all activities necessary to operate the facilities including but not limited to informational and educational programs, and safety and surveillance activities.

Subd. 10. Governing body means the duly elected council of a

city, notwithstanding any contrary definition thereof contained in Chapter 475.

Sec. 3. [AUTHORITY GRANTED.] A municipality may after consultation with its planning agency or planning department and after public hearings, notice of which shall have been published in the official newspaper of the municipality, or if the municipality has no official newspaper, in a newspaper of general distribution within the municipality, designate development districts within the boundaries of the municipality. The municipality shall also provide for relocation pursuant to section 12 and consult with the advisory board created by section 11 before making this designation. Within these districts the municipality may adopt a development program consistent with which the municipality may acquire, construct, reconstruct, improve, alter, extend, operate, maintain, or promote developments aimed at improving the physical facilities, quality of life and quality of transportation. The municipality may acquire land or easements through negotiation or through powers of eminent domain. The municipal council may adopt ordinances regulating traffic in pedestrian skyway systems, public parking structures, and other facilities constructed within the development district. The municipal council may pass ordinances regulating access to pedestrian skyway systems and the conditions under which such access is allowed.

Traffic regulations may include but shall not be limited to direction and speed of traffic, policing of pedestrianways, hours that pedestrianways are open to the public, kinds of service activities that will be allowed in arcades, parks and plazas, fares to be charged on the people movers, and rates to be charged in the parking structures. The municipality shall have the power to require private developers to construct buildings so as to accommodate and support pedestrian systems which are part of the program for the development district. When the municipality requires the developer to construct columns, beams or girders with greater strength than required for normal building purposes, the municipality shall reimburse the developer for the added expense from development district funds. The municipality shall have the authority to install special lighting systems, special street signs and street furniture, special landscaping of streets and public property; to install special snow removal systems; to acquire property for the district; to lease air rights over public buildings and to spend public funds for constructing the foundations and columns in the public buildings strong enough to support the buildings to be constructed on air rights; to lease all or portions of basement, ground and second floors of the public buildings constructed in the district; to negotiate the sale or lease of property for private development if the development is consistent with the development program for the district.

Sec. 4. [TAX STATUS.] The pedestrian skyway system, underground pedestrian concourse, the people mover system, and publicly owned parking structures are all declared to be public property to be used for essential public and governmental purposes which shall be exempt from all taxes and special assessments of

city, county, state, or any political subdivision thereof. Taxes do not include charges for utilities and special services such as heat, water, electricity, gas, sewage disposal, or garbage removal.

Sec. 5. [GRANTS.] A municipality may accept grants or other financial assistance from the government of the United States or any other entity to do studies, construct and operate the pedestrian skyway system, underground pedestrian concourses, people mover systems, and other public improvements authorized by sections 1 to 14.

Sec. 6. [ISSUANCE OF BONDS.] The governing body of the municipality, may authorize, issue and sell general obligation bonds, which shall mature within 30 years from the date of issue, to finance the acquisition and betterment of real and personal property needed to carry out the development program within the development district together with all relocation costs incidental thereto in accordance with Minnesota Statutes, Sections 475.51, 475.53, 475.54, 475.55, 475.56, 475.60, 475.61, 475.62, 475.63, 475.65, 475.66, 475.69, 475.70, 475.71. All tax increments received by the municipality pursuant to section 8 shall be pledged for the payment of these bonds and used to reduce or cancel the taxes otherwise required to be extended for that purpose, and the bonds shall not be included when computing the municipality's net debt.

Sec. 7. Subdivision 1. [TAX INCREMENT FINANCING PLAN.] A tax increment financing plan shall contain a statement of objectives of a municipality for improvement of a development district. Such plan shall contain a complete statement as to the development program for the district. It shall also contain estimates of the following: cost of the development program; sources of revenue to finance these costs including estimates of tax increments; amount of bonded indebtedness to be incurred; and the duration of the program's existence. The plan shall also contain a statement of the estimated impact of tax increment financing on the assessed values of all taxing jurisdictions in which the district is located.

Subd. 2. [NOTICE, HEARING.] Before approving any tax increment financing plan, the governing body shall hold a public hearing thereon after published notice in a newspaper of general circulation in the municipality at least once not less than ten days nor more than 30 days prior to the date of hearing. This hearing may be a part of a hearing on the development program.

Subd. 3. [CONSULTATIONS WITH OTHER JURISDICTIONS.] Before formation of a development district the governing body shall provide a reasonable opportunity to the members of the county board of commissioners of any county in which any portion of the development district is located and to the members of the school board of any school district in which any portion of the development district is located to meet with the governing body. The governing body shall fully inform members of the county boards of commissioners and of the school boards of the fiscal and economic implications of the proposed development district. The members of the county boards of commissioners and of

the school boards may present their recommendations at the public hearing on the tax increment financing plan. A governing body may enter into agreements with the county boards of commissioners, the school boards and the governing body of the municipality in which the district is located to share a portion of the captured assessed value of the district.

Subd. 4. [MODIFICATION OF PLAN.] A tax increment financing plan may be modified provided such modification shall be approved by the governing body upon such notice and after such public hearings and agreements as are required for approval of the original plan.

Sec. 8. [COMPUTATION OF TAX INCREMENT.] Subdivision 1. [ORIGINAL ASSESSED VALUE.] Upon or after formation of a development district, the auditor of the county in which it is situated shall upon request of the municipality certify the original assessed value of the real property within the boundaries of the development district as described in the tax increment financing plan. Property taxable at the time of the request shall be included in the original assessed value at its most recently determined valuation. Property exempt from taxation at the time of the request shall be included at zero unless it was taxable when the tax increment financing plan was approved in which case its most recently determined assessed valuation before it became exempt shall be included. Assessed valuation which is contributed to an area-wide tax base under Minnesota Statutes, Section 473F.08 shall not be included in the original assessed value. Each year thereafter, the auditor shall certify the amount by which the assessed value has increased or decreased from the original assessed value. The auditor shall also certify the proportion which any such increase or decrease bears to the total assessed value of the real property in that district for that year.

Subd. 2. [CAPTURED ASSESSED VALUE.] Any amount by which the current assessed value of a development district exceeds the original assessed value, other than the portion thereof to be contributed to an area-wide tax base under Minnesota Statutes, Section 473F.08, is referred to as the captured assessed value. The county auditor shall certify the amount of the captured assessed value to the municipality each year thereafter.

(a) A municipality may choose to retain any part or all of the captured assessed value for purposes of tax increment financing according to one of the two following options:

(1) If the plan provides that all the captured assessed value is necessary to finance the development program the municipality may retain the full captured assessed value.

(2) If the plan provides that only a portion of the captured assessed value is necessary to finance the development program of the district only that portion shall be set aside and the remainder shall be distributed among the affected taxing districts by the county auditor.

(b) The portion of captured assessed value that a municipality

intends to use for purposes of tax increment financing must be clearly stated in the tax increment financing plan.

Subd. 3. [TAX INCREMENTS.] (a) In each subsequent year the county auditor shall compute assessed valuation, mill rates and tax increments according to the following method:

(1) If the municipality retains the full captured assessed value for the development district the county auditor shall include no more than the original assessed value of the real property in the development district for purposes of determining assessed value for local mill rates. He shall compute the mill rates of all taxes levied by the state, the county, the municipality or town, the school district and every other taxing district in which the district is located on the aforementioned assessed value. He shall extend all mill rates against the current assessed value, including the captured assessed value. In each year for which the current assessed value exceeds the original assessed value the county treasurer shall remit to the municipality that proportion of all taxes paid that year on real property in the district which the captured assessed value bears to the total current assessed value. The amount so remitted each year is referred to in this section as the tax increment for that year.

(2) If the municipality retains only a portion of the captured assessed value for the development district and returns the remaining portion to the tax rolls of all affected taxing districts the county auditor shall include the original assessed value and that portion of the captured assessed value which is shared with all the affected taxing districts in determining the assessed value for computing mill rates. He shall compute the mill rates of all taxes levied by the state, county, municipality, school district, and every other taxing district in which the district is located on this aforementioned assessed value. He shall extend all mill rates against the total current assessed value including that portion of the captured assessed value which the municipality is retaining for the development district only. In each year for which the current assessed value exceeds the original assessed value the county treasurer shall remit to the municipality that proportion of all taxes paid on real property in the district that the retained captured assessed value bears to the total current assessed value in the district. The amount so remitted each year is referred to as the tax increment.

(b) In any year in which the current assessed value of the development district is equal to or less than the original assessed value the county auditor shall compute and extend taxes against the current value. Taxes shall be distributed from the affected property to each of the taxing authorities as determined by the current levy and there is no tax increment.

Subd. 4. [LIMITATION ON USE OF TAX INCREMENTS.] The municipality shall expend the tax increments received for any development program only in accordance with the tax increment financing plan. Revenues derived from tax increments shall be used only to pay off capital costs and administrative expenses incurred in developing the

district. These revenues shall not be used to circumvent existing levy limit laws.

Subd. 5. [ANNUAL DISCLOSURE.] On or before July 1, of each year, the governing body shall submit to the governing body of the municipality, the county board and the school board a report on the status of the account. The report shall include the following information: the amount and source of revenue in the account, the amount and purpose of expenditures from the account, the amount of principal and interest on any outstanding bonded indebtedness, the original assessed value of the district, the captured assessed value retained by the district, the captured assessed value shared with other taxing districts, the tax increments received and any additional information necessary to demonstrate compliance with the tax increment financing plan. An annual statement showing the tax increments received and expended in that year, the original assessed value, captured assessed value, amount of outstanding bonded indebtedness, and any additional information the governing body deems necessary shall be published in a newspaper of general circulation in the municipality.

Sec. 9. [MAINTENANCE AND OPERATION.] Maintenance and operation of the pedestrian systems, special lighting systems, parking structures, and other public improvements constructed under provisions of sections 1 to 14 shall be under the supervision of the administrator as designated in section 10. The cost of maintenance and operation of the nonrevenue facilities together with the excess costs of operation and maintenance of revenue producing facilities, if any, shall be charged against the development district in which it is located. The amount of assessment against each property within the district shall be in proportion to the benefit to the several properties within the district. By July 1 of each year the administrator of the development district shall submit to the governing body of the municipality the maintenance and operating budget for the following year, and the prorata share of the budget to be charged to each property in the district. The governing body of the municipality shall certify the assessments to the county auditor for collection. The governing body shall levy these assessments in accordance with the procedures established in Minnesota Statutes 1971, Section 429.061.

Sec. 10. [ADMINISTRATION.] The governing body of a municipality may create a department or designate an existing department or office, or agency or municipal housing or redevelopment authority, to administer all districts authorized under the act. The head of this department may, subject to such rules and limitations as may be adopted by the governing body be granted the following powers:

- (a) To acquire property or easements through negotiation;
- (b) To enter into operating contracts on behalf of the municipality for operation of any of the facilities authorized to be constructed under the terms of this act;
- (c) To lease space to private individuals or corporations within the buildings constructed under the terms of this act;
- (d) To lease or sell land and to lease or sell air rights over structures constructed under the authority of this act;

(e) To enter into contracts for construction of the several facilities or portion thereof authorized under this act;

(f) Contract with the housing and redevelopment authority of the municipality for the administration of any or all of the provisions of this act;

(g) Certify to the governing body of the municipality for acquisition through eminent domain property that cannot be acquired by negotiation, but is required for implementation of the development program;

(h) Certify to the governing body of the municipality the amount of funds, if any, which must be raised through sale of bonds to finance the program for development districts;

(i) Apply for grants from the United States of America;

(j) Apply for grants from other sources.

Sec. 11. [ADVISORY BOARD.] Subdivision 1. The governing body of the municipality may create an advisory board except in cities of the first class where the governing body shall create an advisory board. Except as provided in subdivision 2, a majority of the members shall be owners or occupants of real property located in or adjacent to the development district which they serve. The advisory board shall advise the governing body and the administrator on the planning, construction and implementation of the development program, and maintenance and operation of the district after the program has been completed.

Subd. 2. In a substantially residential development district the board shall be comprised of owners and occupants of real property within or adjacent to the district's boundaries. The board may be appointed or elected (except in the cities of Minneapolis and St. Paul where the board shall be elected) according to guidelines established by the governing body.

Subd. 3. The governing body shall by resolution delineate the respective powers and duties of the advisory board and the planning staff or agency. The resolution shall establish reasonable time limits for approval by the advisory board of the phases of the development programs, and provide a mechanism for appealing to the governing body for a final decision when conflicts arise between the advisory board and the planning staff or agency, regarding the development program in its initial and subsequent stages.

Sec. 12. [RELOCATION.] Unless they desire otherwise, provision must be made for relocation of all persons who would be displaced by a proposed development district prior to displacement in accordance with the provisions of Minnesota Statutes, 1973 Supplement Sections 117.50 to 117.56. Prior to undertaking any relocation of displaced persons, the governing body of a municipality shall insure that housing and other facilities of at least comparable quality be made available to the persons to be displaced.

Sec. 13. [EXISTING PROJECTS.] This law does not affect any project or program using tax increment financing which was approved

by a city council under Laws 1971, Chapter 548 or 677 or Laws 1973, Chapters 196, 761 or 764 prior to the effective date of this act and such projects or programs may be completed and financed in accordance with the provisions of the laws under which they were initiated notwithstanding any provision of this law. Provided, however, that Laws 1971, Chapters 548 and 677 and Laws 1973, Chapters 196, 761 and 764 are hereby specifically superseded, except as to those projects or programs which have been approved prior to the effective date of this act.

Sec. 14. [EFFECTIVE DATE.] The effective date of this act is July 1, 1974."

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

"A bill for an act authorizing municipalities to create development districts within their corporate boundaries; to acquire, construct, reconstruct, improve, alter, extend, operate, maintain and promote development programs to be carried out in each of the districts created; authorizing the use of eminent domain; authorizing the issuance of bonds to carry out such development programs; authorizing the use of the tax increment created in the development districts to finance development programs; authorizing municipalities to operate pedestrian systems and special lighting and similar systems; authorizing municipalities to assess the cost of operations against the development districts; authorizing municipalities to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) David R. Cummiskey, Ray O. Pleasant, Henry J. Savelkoul

Senate Conferees: (Signed) George R. Conzemius, John Keefe, Winston W. Borden, Mel Frederick

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the balance of today's Session. The following Senators answered to their names:

Anderson	Conzemius	Kirchner	Ogdahl	Purfuerst
Arnold	Davies	Kowalczyk	Olhoft	Schaaf
Berg	Fitzsimons	Laufenburger	Olson, A. G.	Spear
Blatz	Hansen, Mel	Lewis	Olson, H. D.	Stassen
Borden	Hughes	Lord	O'Neill	Thorup
Chenoweth	Humphrey	Milton	Patton	Wegener
Coleman	Josefson	North	Perpich, G.	Willet

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

Mr. Conzemius moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1810 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1810: A bill for an act authorizing municipalities to create development districts within their corporate boundaries; to acquire, construct, reconstruct, improve, alter, extend, operate, maintain and promote development programs to be carried out in each of the districts created; authorizing the use of eminent domain; authorizing the issuance of bonds to carry out such development programs; authorizing the use of the tax increment created in the development districts to finance development programs; authorizing municipalities to operate pedestrian systems and special lighting and similar systems; authorizing municipalities to assess the cost of operations against the development districts; authorizing municipalities to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 40 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Chenoweth	Kirchner	McCutcheon	Patton
Arnold	Chmielewski	Knutson	Milton	Purfeerst
Ashbach	Coleman	Kowalczyk	Nelson	Schaaf
Bang	Conzemius	Krieger	North	Sillers
Berg	Dunn	Larson	Ogdahl	Stassen
Bernhagen	Hansen, Baldy	Laufenburger	Oihoft	Stokowski
Blatz	Hansen, Mel	Lewis	Olson, A. G.	Thorup
Borden	Hanson, R.	Lord	Olson, H. D.	Wegener

Messrs. Keefe, S.; and Spear voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

APPOINTMENTS

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. 974, pursuant to the request of the House:

Messrs. Lewis, Conzemius, Brown.

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

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. 2349, pursuant to the request of the House:

Messrs. Perpich, G.; Solon; Fitzsimons.

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

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. 3090, pursuant to the request of the House:

Messrs. Dunn, Bernhagen, Willet.

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

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2964

A bill for an act relating to welfare; alcohol and drug abuse; establishing an office of native American programs within the state authority on alcohol and drug abuse; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 254A.03.

March 25, 1974

Honorable Alec G. Olson
President of the Senate

Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 2964, report that we have agreed upon the items in dispute and recommend as follows:

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

"Section 1. Minnesota Statutes, 1973 Supplement, Section 254A.02, is amended by adding a subdivision to read:

Subd. 11. "Native American" means a person of one quarter or more Indian blood.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 254A.03, is amended to read:

254A.03 [STATE AUTHORITY ON ALCOHOL AND DRUG ABUSE.] *Subdivision 1.* There is hereby created an alcohol and other drug abuse section in the department of public welfare. This section shall be headed by a director who shall be in the unclassified service. The section shall:

(a) conduct and foster basic research relating to the cause, prevention and methods of diagnosis, treatment and rehabilitation of alcoholic and other drug dependent persons;

(b) coordinate all activities and programs of all the various state departments as they relate to alcohol and other drug dependency and abuse problems;

(c) develop and demonstrate new methods and techniques for the prevention, treatment and rehabilitation of alcohol and other drug abuse and dependency problems;

(d) gather and disseminate facts and information about alcohol-

ism and other drug dependency and abuse to public and private agencies and the courts so requesting such information for guidance to and assistance in prevention, treatment and rehabilitation;

(e) inform and educate the general public on alcohol and other drug dependency and abuse problems;

(f) serve as the state authority concerning alcohol and other drug dependency and abuse;

(g) establish a state plan which shall set forth goals and priorities within a comprehensive alcohol and other drug dependency and abuse program for Minnesota. All governmental units operating alcohol and other drug abuse or dependency programs or administering state or federal funds for such programs shall annually set their program goals and priorities and allocate funds in accordance with the comprehensive state plan;

(h) make contracts with and grants to public and private agencies and organizations, both profit and nonprofit, and individuals for the provision of comprehensive program services;

(i) solicit and accept any gift of money or property for purposes of Laws 1973, Chapter 572, and any grant of money, services, or property from the federal government, the state, any political subdivision thereof, or any private source - ;

(j) *with respect to alcohol and other drug abuse programs serving the native American community, establish guidelines for the employment of personnel with considerable practical experience in alcohol and other drug abuse problems, and understanding of social and cultural problems related to alcohol and other drug abuse, in the native American community.*

Subd. 2. [OFFICE OF NATIVE AMERICAN PROGRAMS.] There is hereby created, within the alcohol and drug abuse section of the department of public welfare, the position of special assistant for native American programs on alcoholism and drug abuse and an assistant to that position. The special assistant position shall be filled by a person with considerable practical experience in and understanding of alcohol and other drug abuse problems in the native American community, who shall be responsible to the director of the alcohol and drug abuse section created in subdivision 1 and shall be in the unclassified service. The special assistant with the approval of the director shall:

(a) Administer funds appropriated for native American groups, organizations and reservations within the state for native American alcoholism and drug abuse programs,

(b) Establish policies and procedures for such native American programs with the assistance of the citizens advisory council created by Minnesota Statutes, 1973 Supplement, Section 254A.04, and the native American advisory board.

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 254A.07, Subdivision 2, is amended to read:

Subd. 2. The department of public welfare may make grants to

community mental health boards for comprehensive programs for prevention, care, and treatment of alcohol and other drug abuse as developed and defined by the state authority. *Grants made for programs serving the native American community shall take into account the guidelines established in section 254A.03, subdivision 1, clause (j).* Grants may be made for the cost of these comprehensive programs and services whether provided directly by community mental health boards or by other public and private agencies and organizations, both profit and nonprofit, and individuals, pursuant to contract. Nothing herein shall prevent the state authority from entering into contracts with and making grants to other state agencies for the purpose of providing specific services and programs.

Sec. 4. The sum of \$35,000 is appropriated from the general fund to the alcohol and drug abuse section of the department of public welfare for the purposes of sections 1, 2, and 3.

Sec. 5. Sections 1 to 4 are effective on April 1, 1974.

Sec. 6. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.065] [VENEREAL DISEASE TREATMENT CENTERS.] *The state board of health shall assist local health agencies and organizations throughout the state with the development and maintenance of services for the detection and treatment of venereal diseases. These services shall provide for diagnosis, treatment, case finding, investigation, and the dissemination of appropriate educational information. The state board of health shall promulgate regulations relative to the composition of such services and shall establish a method of providing funds to local health agencies and organizations which offer such services. The state board of health shall provide technical assistance to such agencies and organizations in accordance with the needs of the local area.*

Sec. 7. There is hereby appropriated to the board of health from the general fund the sum of \$100,000 to be available for the biennium ending June 30, 1975, for the purposes of section 6.

Sec. 8. Subdivision 1. To the extent of the appropriation for this specific purpose, the commissioner shall provide emergency supplementary grants to recipients of aid to dependent children for major home repairs, repair of major home appliances, and supplemental dietary needs medically authorized, but not covered by medical assistance. The commissioner shall immediately by rule and regulation:

(a) Establish procedures for determination of need and verification of proper payment of supplementary grants authorized by this section; and

(b) Establish procedures for the proration among the counties of the funds appropriated for supplementary grants; and

(c) Establish fiscal procedures to assure the sufficiency of the funds appropriated for supplementary grants until June 30, 1975. These emergency rules and regulations shall be promulgated immediately by the commissioner pursuant to the provisions of Minnesota Statutes 1971, Section 15.0412, Subdivision 5.

This shall be a final and nonrecurring appropriation and shall expire June 30, 1975. The commissioner shall submit quarterly reports to the subcommittee on welfare-corrections of finance in the senate and the welfare-corrections division of appropriations in the house regarding expenditures for supplementary grants.

Subd. 2. There is appropriated to the commissioner of public welfare from the general fund the sum of \$250,000 for the purposes of subdivision 1.

Subd. 3. This section is effective July 1, 1974.

Sec. 9. Subdivision 1. The sums hereinafter stated, or so much thereof as may be necessary, are hereby appropriated to the commissioner of public welfare from the general fund in the state treasury not otherwise appropriated; to be expended for the purposes specified in this section, to be available for the biennium ending June 30, 1975.

Subd. 2. There is appropriated from the general fund the sum of \$3,900,000 or so much thereof as may be necessary for medical assistance to the needy, supplemental payments for Supplemental Security Income recipients, and aid to families with dependent children. This appropriation shall be added to the appropriations made in Laws 1973, Chapter 765, Section 2, Subdivision 8.

Subd. 3. There is appropriated from the general fund the sum of \$700,000 for daytime activity centers for the mentally retarded. This appropriation shall be added to the appropriation made in Laws 1973, Chapter 765, Section 2, Subdivision 12. None of the moneys appropriated by this subdivision shall be used to supplant county funds.

Subd. 4. There is appropriated from the general fund the sum of \$20,000 for Red Lake band of Chippewa Indians. This appropriation shall be in addition to the appropriation made in Laws 1973, Chapter 765, Section 2, Subdivision 15.

Subd. 5. There is appropriated from the general fund the sum of \$200,000 for contingent funds for state institutions. This appropriation shall be in addition to the appropriation made in Laws 1973, Chapter 765, Section 9.

Subd. 6. To provide for day care services to children of migrant workers utilizing Title IV-A funds there is appropriated to the division of social services in the department of public welfare from the general fund in the state treasury the sum of \$60,000.

Subd. 7. There is appropriated from the general fund the amount of \$20,000 for regional library for the blind. This appropriation shall be added to the appropriation made in Laws 1973, Chapter 765, Section 2, Subdivision 21(c).

Sec. 10. Any unexpended balance not to exceed \$235,000 remaining on June 30, 1974 from the appropriation made in Laws 1973, Chapter 765, Section 2, Subdivision 2, for special computer projects, shall not cancel but shall be made available for expenditure in fiscal year 1974-1975.

Sec. 11. Subdivision 1. This appropriation shall be available to allocate and to finance statewide operations formerly funded in

whole or in part under the Economic Opportunity Act of 1964, Public Law 88-452, as amended; provided that the recipient municipality or other public body shall have expended all funds received under Title II, Section 221 of the Economic Opportunity Act of 1964, as amended, that no agency or program receiving funds hereunder shall receive more than 20 percent annually of the amount of money received under the last year of funding under the Economic Opportunity Act, and provided further that the recipient agency or program certifies that it has appropriated a sum of no less than 50 percent of the amount to be disbursed to the agency or program by the state.

Subd. 2. A portion of these funds may be expended in those counties currently without economic opportunity programs.

Subd. 3. The funds appropriated by this section shall not be available until the economic opportunity program requests have been reviewed by the welfare-corrections subcommittee on finance in the Senate and the welfare-corrections division of appropriations in the House. At least 30 days before action by the legislative advisory committee the commissioner shall submit the individual project requests to the respective committees enumerated above for review.

Subd. 4. It is the intention of the legislature that this shall be a final and non-recurring appropriation.

Subd. 5. Any unexpended balance not to exceed \$300,000 remaining on June 30, 1974, from the appropriation made in Laws 1973, Chapter 765, Section 8, Subdivision 1, is hereby reappropriated to the commissioner of administration for the biennium ending June 30, 1975.

Subd. 6. The sum of \$900,000 is appropriated to the commissioner of administration for economic opportunity programs from the general fund of the state treasury for the purposes of this section.

Sec. 12. Commencing July 1, 1974, the department of public welfare shall not reimburse any county for administrative expenses appropriated by Laws 1973, Chapter 650, Article XXI, Section 31, until such county is participating in a food stamp quality control system. The department of public welfare shall certify the acceptability of each county plan. No county may discontinue its food stamp program to avoid state sanctions. The department of public welfare shall not be granted additional complement or funds as a result of this section.

Sec. 13. There is appropriated to the commissioner of public welfare from the general fund the sum of \$50,000 for the purpose of providing a grant-in-aid to the Bridge Runaway Youth Inc. of Minneapolis, Minnesota for their activities to assist runaway youth in reestablishing useful associations with their families. The funds shall be expended subject to the direction of the commissioner of public welfare in accordance with the purposes of this act. Notwithstanding Minnesota Statutes, 1973 Supplement, Section 16.17 or other law, this appropriation expires June 30,

1975. It is the intention of the legislature that this shall be a final and non-recurring appropriation.

Sec. 14. Minnesota Statutes 1971, Section 641.11, is amended to read:

641.11. [COMPENSATION FOR BOARDING PRISONERS.] Every sheriff in charge of a county jail shall receive from the county compensation for board and washing for prisoners, as follows:

On the last day of each month he shall render to the county board a verified statement showing the name of each prisoner and the number of days boarded. The pay shall be determined by the county board of commissioners but shall not be less than ~~¢2.50~~ \$3.50 a day nor more than ~~¢3.50~~ \$4.50 for each day or fractional day for each prisoner. In every county where the sheriff's compensation for board of prisoners is fixed by special law it shall so continue unless the county board by unanimous vote shall elect to come under the general law after which it shall be governed by this section provided that the provisions of this section shall not apply to any county in this state now or hereafter having a population of more than 100,000.

Sec. 15. Subdivision 1. Notwithstanding any law to the contrary, welfare allowances for clothing and personal needs for individuals receiving medical assistance while confined in any skilled nursing home or intermediate care facility in this state shall not be less than \$25 per month.

Subd. 2. Neither the skilled nursing home, the intermediate care facility nor the department of public welfare shall withhold or deduct any amount of this allowance for any purpose contrary to this section.

Sec. 16. In addition to the personal allowance established in section 15, any handicapped or mentally retarded recipient of medical assistance confined in a skilled nursing home or intermediate care facility shall also be permitted a special personal allowance drawn solely from earnings from any productive employment under an individual plan of rehabilitation. This special personal allowance shall not exceed (1) the limits set therefor by the commissioner, or (2) the amount of disregarded income the individual would have retained had he or she been a recipient of aid to the disabled benefits in December, 1973, whichever amount is lower.

Sec. 17. Sections 15 and 16 are effective the day following final enactment; however, the personal allowance established in section 15 shall be allowed retroactive to January 1, 1974, and the accumulated amount shall be prorated over the six months immediately following final enactment.

Sec. 18. Minnesota Statutes 1971, Section 256.73, is amended by adding a subdivision to read:

Subd. 5. For the purposes of section 256.72 to 256.87, dependent children shall include the unborn during the final three months of pregnancy and, insofar as possible, the provisions applicable to

dependent children shall also be applicable to the unborn during the final three months of pregnancy. The commissioner of public welfare shall promulgate, pursuant to the administrative procedures act, regulations to implement this subdivision.

Sec. 19. The sum of \$20,000 is appropriated from the general fund to the Indian affairs commission for the expenses of operation for the current biennium ending June 30, 1975. This sum shall be in addition to sums previously appropriated.

Sec. 20. Except as otherwise provided for in this act, the provisions hereof are in effect upon final enactment."

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

"A bill for an act relating to the organization, operation and financing of the state government; appropriating and reappropriating money for various programs relating to public welfare including supplementary aids; authorizing the establishment of alcohol and drug abuse programs for native Americans; providing for venereal disease treatment centers; prescribing fees for boarding prisoners; amending Minnesota Statutes 1971, Chapter 144, by adding a section; Sections 256.73, by adding a subdivision; 641.11; Minnesota Statutes, 1973 Supplement, Sections 254A.02, by adding a subdivision; 254A.03; and 254A.07, Subdivision 2."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Roger D. Moe, Bill McCutcheon, William G. Kirchner, John L. Olson

House Conferees: (Signed) Donald B. Samuelson, Walter R. Hanson, James I. Rice, M. J. McCauley, Mary M. Forsythe

Mr. Moe moved that the foregoing recommendations and Conference Committee Report on S. F. No. 2964 be now adopted, and that the bill be repassed as amended by the Conference Committee.

Mr. Chmielewski moved that the Senate refuse to adopt the Conference Committee Report on S. F. No. 2964, and the report be re-referred to the Conference Committee as formerly constituted, for further consideration.

The question being taken on adoption of the motion of Mr. Chmielewski,

And the roll being called, there were yeas 12 and nays 34, as follows:

Those who voted in the affirmative were:

Bernhagen	Hansen, Baldy	O'Neill	Perpich, G.	Schrom
Brown	Knutson	Patton	Renneke	Ueland
Chmielewski	Kowalczyk			

Those who voted in the negative were:

Arnold	Dunn	Jensen	Lewis	Moe
Bang	Gearty	Keefe, S.	Lord	Nelson
Borden	Hansen, Mel	Kirchner	McCutcheon	North
Coleman	Humphrey	Laufenburger	Milton	Novak

Olhoff	Olson, J. L.	Sillers	Stassen	Thorup
Olson, A. G.	Purfeerst	Solon	Stokowski	Wegener
Olson, H. D.	Schaaf	Spear	Tennessen	

The motion did not prevail.

The question recurred on the motion of Mr. Moe to adopt the recommendations and Conference Committee Report on S. F. No. 2964. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 2964: A bill for an act relating to welfare; alcohol and drug abuse; establishing an office of native American programs within the state authority on alcohol and drug abuse; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 254A.03.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 48 and nays 7, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Laufenburger	Olhoff	Solon
Ashbach	Hansen, Mel	Lewis	Olson, A. G.	Spear
Bang	Hanson, R.	Lord	Olson, H. D.	Stassen
Berg	Humphrey	McCutcheon	Olson, J. L.	Stokowski
Blatz	Jensen	Milton	O'Neill	Tennessen
Borden	Keefe, J.	Moe	Patton	Thorup
Chenoweth	Keefe, S.	Nelson	Purfeerst	Ueland
Coleman	Kirchner	North	Renneke	Wegener
Dunn	Knutson	Novak	Schaaf	
Frederick	Larson	Ogdahl	Sillers	

Those who voted in the negative were:

Bernhagen	Chmielewski	Kowalczyk	Perpich, G.	Schrom
Brown	Hansen, Baldy			

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 3512:

H. F. No. 3512: A bill for an act relating to the city of St. Paul; increasing the maximum amount of severance pay; increasing the authorized tax levy for severance pay; amending Laws 1959, Chapter 690, Sections 2 and 3, as amended.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Messrs. Vento, Salchert and Bell have been appointed as such committee on the part of the House.

House File No. 3512 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 27, 1974

Mr. Chenoweth moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 3512, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

RECONSIDERATION

Mr. Keefe, S. moved that the vote whereby H. F. No. 798 failed to pass the Senate on March 26, 1974, be now reconsidered. The motion prevailed. So the vote was reconsidered.

H. F. No. 798: A bill for an act relating to the juvenile court; amending Minnesota Statutes 1971, Sections 260.015, Subdivision 5; and 260.185, Subdivision 1.

Mr. Keefe, S. moved to amend H. F. No. 798, the printed bill, as follows:

Page 2, line 18, after "(d)," insert "*unless the child has previously appeared before a juvenile court on the same charge, and in the judgment of the court, community resources have been exhausted,*"

The motion prevailed. So the amendment was adopted.

H. F. No. 798 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 49 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kowalczyk	Olhoft	Sillers
Arnold	Frederick	Larson	Olson, A. G.	Solon
Ashbach	Gearty	Laufenburger	Olson, H. D.	Spear
Bang	Hansen, Mel	Lewis	Olson, J. L.	Stassen
Berg	Hanson, R.	Lord	O'Neill	Stokowski
Bernhagen	Humphrey	McCutcheon	Patton	Tennessee
Brown	Jensen	Milton	Purfeerst	Thorup
Chenoweth	Keefe, J.	Nelson	Renneke	Ueland
Chmielewski	Keefe, S.	North	Schaaf	Wegener
Coleman	Kirchner	Novak	Schrom	

Mr. Hansen, Baldy voted in the negative.

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Committee on Rules and Administration, designated H. F. No. 2785, No. 22 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 2785: A bill for an act relating to the operation of state government; revising statutory provisions concerning salary setting authority for unclassified positions in the executive branch by realigning portions of Chapters 15A and 43; defining certain terms; amending Minnesota Statutes 1971, Sections 15.61; and 43.01, by adding subdivisions; Chapter 43 by adding sections; Minnesota Statutes, 1973 Supplement, Sections 43.06; 43.09, Subdivision 6; 43.128; and 43.324; repealing Minnesota Statutes, 1973 Supplement, Sections 15A.021, 15A.031, 15A.041, 15A.081, 15A.084, 15A.085 and 43.02; and Minnesota Statutes 1971, Section 15A.14.

Mr. Borden moved to amend H. F. No. 2785, the printed bill, as amended by the Senate pursuant to Rule 49 and adopted March 26, 1974, as follows:

Strike the amendments adopted by the Senate pursuant to Rule 49 and further amend H. F. No. 2785, the printed bill, as follows:

Page 2, line 7, strike "12" and insert "11"

Page 2, line 8, after "of" insert "*the constitutional officers,*"

Page 2, line 32, after "*determining*" insert "*or recommending*"

Page 5, line 1, after "*auditor,*" insert "*the Minnesota state retirement system, and teachers retirement association,*"

Page 7, line 8, strike "*services*" and insert "*service*"

Page 8, line 9, after "8" insert ", *subdivision 1,*"

Further, amend the title in line 4, by striking "15A.083 by adding a subdivision;" and in line 5, by striking "15A.081, Subdivision 1;"

The motion prevailed. So the amendment was adopted.

Mr. Coleman moved to amend H. F. No. 2785, the printed bill, as follows:

Page 9, after line 30, insert:

"Sec. 14. Minnesota Statutes 1971, Section 43.20, is amended by adding a subdivision to read:

Subd. 6. Notwithstanding any law to the contrary no agency of the state acting pursuant to any express or implied authority to enter into contracts for services shall enter into a contract with a private entity whereby the agency becomes entitled to receive the services of persons who, were they members of the classified service, would occupy positions assigned to schedule C, except as hereinafter provided. Upon the request of an agency requiring the services of such persons, the commissioner shall make a temporary appointment pursuant to subdivision 5. In the event that the eligible list does not contain the names of persons able to perform the requested services the commissioner shall utilize the free employment offices of the department of

manpower services to find persons available for such temporary appointments. In the event that the commissioner determines by written opinion that the agency requiring the services will be unable to obtain qualified persons within a reasonable period of time from the department of manpower services, the agency may enter into a contract with a private entity as described above."

Renumber the sections in sequence

Further, amend the title in line 3, after "terms;" by inserting "providing for the appointment of certain classified employees;"

Line 6, after "43.128;" insert "43.20, by adding a subdivision;"

The motion prevailed. So the amendment was adopted.

H. F. No. 2785 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 45 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	North	Schaaf
Arnold	Frederick	Knutson	Novak	Schrom
Ashbach	Gearty	Laufenburger	Olhoft	Sillers
Bang	Hansen, Baldy	Lewis	Olson, A. G.	Stokowski
Berg	Hansen, Mel	Lord	Olson, H. D.	Tennessen
Bernhagen	Hanson, R.	McCutcheon	Olson, J. L.	Thorup
Borden	Hughes	Milton	Patton	Ueland
Chmielewski	Jensen	Moe	Purfeerst	Wegener
Coleman	Keefe, J.	Nelson	Renneke	Willet

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Committee on Rules and Administration, designated H. F. No. 2334, No. 25 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 2334: A bill for an act relating to child welfare; requiring agency placement prior to adoption; amending Minnesota Statutes 1971, Section 259.22.

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 45 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Gearty	Keefe, J.	Milton
Arnold	Chmielewski	Hansen, Baldy	Knutson	Moe
Ashbach	Coleman	Hansen, Mel	Kowalczyk	Nelson
Bang	Cenzemius	Hanson, R.	Laufenburger	North
Berg	Dunn	Hughes	Lewis	Novak
Bernhagen	Frederick	Jensen	Lord	Olhoft

Olson, A. G.	Patton	Schaaf	Stassen	Ueland
Olson, H. D.	Purfeerst	Schrom	Stokowski	Wegener
Olson, J. L.	Renneke	Sillers	Thorup	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Committee on Rules and Administration designated H. F. No. 2918, No. 14 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 2918: A bill for an act relating to courts; witnesses; increasing the fee and mileage allowance paid to witnesses; amending Minnesota Statutes 1971, Section 357.22.

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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Nelson	Schaaf
Arnold	Davies	Keefe, J.	North	Schrom
Ashbach	Dunn	Kirchner	Olhoft	Sillers
Bang	Frederick	Knutson	Olson, A. G.	Stokowski
Berg	Gearty	Larson	Olson, H. D.	Tennessen
Bernhagen	Hansen, Baldy	Laufenburger	Olson, J. L.	Thorup
Borden	Hansen, Mel	Lord	O'Neill	Ueland
Chenoweth	Hanson, R.	McCutcheon	Patton	Wegener
Chmielewski	Hughes	Milton	Purfeerst	Willet
Coleman	Jensen	Moe	Renneke	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Milton moved that his name be stricken and the name of Mr. Chenoweth be added as chief author to S. F. No. 101. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Committee on Rules and Administration, designated H. F. No. 47, No. 24 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 47: A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 1; providing the majority necessary to pass constitutional amendments.

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 39 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	North	Solon
Arnold	Gearty	Larson	Novak	Spear
Bang	Hansen, Mel	Laufenburger	Olhofs	Stokowski
Borden	Hughes	Lewis	Olson, A. G.	Tennessen
Chenoweth	Humphrey	Lord	O'Neill	Thorup
Coleman	Jensen	McCutcheon	Purfeerst	Wegener
Conzemius	Keefe, S.	Milton	Schaaf	Willet
Davies	Kirchner	Moe	Schrom	

Those who voted in the negative were:

Berg	Hanson, R.	Nelson	Patton	Sillers
Bernhagen	Keefe, J.	Olson, H. D.	Perpich, G.	Stassen
Frederick	Kowalczyk	Olson, J. L.	Renneke	Ueland
Hansen, Baldy				

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Committee on Rules and Administration, designated H. F. No. 3054, No. 23 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 3054: A bill for an act relating to education; providing for free admission to age 18 and authorizing local boards of education to provide free admission for those between the ages of 18 and 21 years; amending Minnesota Statutes 1971, Sections 120.06, Subdivision 1; 120.08, Subdivision 1; 120.095, 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 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kirchner	Novak	Sillers
Arnold	Gearty	Knutson	Olhofs	Solon
Ashbach	Hansen, Baldy	Larson	Olson, A. G.	Spear
Bang	Hansen, Mel	Laufenburger	Olson, H. D.	Thorup
Berg	Hanson, R.	Lewis	Olson, J. L.	Ueland
Bernhagen	Hughes	Lord	O'Neill	Wegener
Borden	Humphrey	McCutcheon	Patton	Willet
Chenoweth	Jensen	Milton	Perpich, G.	
Conzemius	Josefson	Moe	Purfeerst	
Davies	Keefe, J.	Nelson	Renneke	
Dunn	Keefe, S.	North	Schrom	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Committee on Rules and Administration, designated H. F. No. 3288, No. 20 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 3288: A bill for an act relating to courts; lien; conciliation court judgment; amending Minnesota Statutes, 1973 Supplement, Section 487.23, Subdivision 7a.

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 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Larson	Olson, A. G.	Solon
Arnold	Gearty	Laufenburger	Olson, H. D.	Spear
Bang	Hansen, Baldy	Lewis	Olson, J. L.	Stokowski
Berg	Hansen, Mel	Lord	O'Neill	Thorup
Bernhagen	Hanson, R.	McCutcheon	Patton	Ueland
Borden	Hughes	Milton	Perpich, G.	Wegener
Chenoweth	Humphrey	Moe	Purfeerst	Willet
Chmielewski	Jensen	Nelson	Renneke	
Conzemius	Keefe, S.	North	Schaaf	
Davies	Kirchner	Novak	Schrom	
Dunn	Knutson	Olhoft	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Committee on Rules and Administration, designated H. F. No. 3310, No. 7 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 3310: A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act, amending Minnesota Statutes, 1973 Supplement, Sections 490.121, Subdivisions 2, 4, and 17; 490.124, Subdivisions 1, 2, 3, 6, 8, 9, and 10; 490.125, Subdivision 2; and 490.128, by adding subdivisions.

Mr. Chenoweth moved to amend H. F. No. 3310, the typewritten bill, as amended under Rule 49 and adopted by the Senate March 11, 1974, as follows:

Strike the Rule 49 amendment, and further amend H. F. No. 3310, the typewritten bill, as follows:

Page 2, lines 2 to 5, strike the new language

Page 2, strike lines 27 and 28

Page 3, strike lines 1 to 12

Page 3, line 16, strike "a normal or early retirement" and insert "an"

Page 3, line 16, strike "at normal"

Page 3, line 17, strike "or early retirement date"

Page 3, lines 18 to 22, strike the new language

Page 6, line 3, after "of" insert "Minnesota Statutes 1971,"

Page 6, lines 17 and 18, reinstate the stricken language and strike the new language

Page 6, line 19, strike "*preceding such judge's death*"

Page 6, strike lines 24 to 28

Page 7, strike lines 1 and 2

Page 9, line 18, strike "*To the extent that the*"

Page 9, strike lines 19 to 23

Page 9, line 28, strike "*the director of the Minnesota state retirement*"

Page 10, lines 1 and 2, strike "*system shall pay out of the judges' retirement fund an amount for each member*" and insert "*the employer shall pay an amount for each member*"

Page 10, strike lines 8 to 10

Page 10, line 11, strike "*subdivisions*" and insert "*subdivision*"

Page 10, line 11, strike "*and*"

Page 10, line 12, strike "*14*"

Further, amend the title as follows:

Page 1, line 7, after "9," insert "and" and after "10" strike the comma and insert a semicolon and strike "and"

Page 1, line 8, strike "by adding a subdivision;"

The motion prevailed. So the amendment was adopted.

H. F. No. 3310 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 41 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Olhoft	Stokowski
Arnold	Hansen, Baldy	Kowalczyk	Olson, A. G.	Thorup
Berg	Hansen, Mel	Laufenburger	Olson, H. D.	Ueland
Bernhagen	Hanson, R.	Lewis	Olson, J. L.	Wegener
Chenoweth	Humphrey	Lord	Perpich, G.	Willet
Chmielewski	Jensen	Milton	Renneke	
Coleman	Josefson	Moe	Schaaf	
Davies	Keefe, J.	North	Schrom	
Fitzsimons	Keefe, S.	Novak	Solon	

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Stokowski moved that S. F. No. 3520, No. 21 on General Orders, be stricken and returned to its author. The motion prevailed.

Mr. Solon moved that S. F. No. 3064 be recalled from the Governor for further consideration. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of Introduction of Bills.

INTRODUCTION OF BILLS

Messrs. Willet, Dunn and Arnold introduced—

S. F. No. 3585: A bill for an act relating to outdoor recreation; establishing the Minnesota outdoor recreation system; classifying units of the outdoor recreation system and specifying the purposes and administration of each class of units; providing for authorization, acquisition, and establishment of units; requiring master plans for all units; establishing an outdoor recreation advisory committee; requiring a registry of units and reports on existing units and new units; providing for review of present classifications; changing names; amending Minnesota Statutes 1971, Sections 84.029, Subdivision 1; 84.03; 85.20, Subdivision 1; 97.48, Subdivisions 15 and 25; 97.481; 99.251; 138.09; 138.52, Subdivision 1; 138.56, Subdivision 1; 138.585, Subdivision 1, and by adding subdivisions; 138.60, Subdivision 2; 161.10; Minnesota Statutes, 1973 Supplement, Sections 84.033; 97.48, Subdivision 13; 138.53, Subdivision 49, by adding subdivisions; 138.56, by adding subdivisions; and repealing Minnesota Statutes 1971, Sections 85.013, Subdivisions 2, 3, 4, 5b, 6, 7, 11, 17, 18, 25, 25a, and 27; 85.20, Subdivisions 2, 3, 4, and 5; 92.46, Subdivision 2; 138.08; 138.52, Subdivisions 2, 3, 4, and 5; 138.53, Subdivisions 4, 11, 12, 17, 30, and 48; 138.54; 138.55, Subdivisions 18 and 19; 138.57, Subdivisions 6 and 7; 138.60, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 138.54, Subdivision 4.

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

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

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. 3512, pursuant to the request of the House:

Messrs. Chenoweth, Kirchner, Gearty.

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

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that H. F. No. 1123, No. 4 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 1123: A bill for an act relating to insurance; nonresident insurance agents; requiring a license to do business; amending Minnesota Statutes 1971, Section 60A.17, 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 44 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, J.	Olson, A. G.	Spear
Arnold	Frederick	Keefe, S.	Olson, J. L.	Stassen
Bang	Gearty	Kirchner	O'Neill	Stolowski
Bernhagen	Hansen, Baldy	Lewis	Patton	Tennessen
Borden	Hansen, Mel	Lord	Perpich, G.	Thorup
Chenoweth	Hanson, R.	Nelson	Renneke	Ueland
Coleman	Hughes	North	Schaaf	Wegener
Davies	Humphrey	Novak	Schrom	Willet
Dunn	Jensen	Olhoft	Sillers	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to revert to the Order of Business of Messages from the House, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 951, and repassed said bill in accordance with the report of the Committee, so adopted.

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 subdivision; 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.

House File No. 951 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 27, 1974

CONFERENCE COMMITTEE REPORT ON 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 subdivision; 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.

March 23, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 951, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 951 be further amended as follows:

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

“Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 34, the terms defined in this section have the meanings given them unless the context clearly indicates otherwise.

Subd. 2. “Administrative action” means an action of a non-ministerial nature by any official, board, commission or agency of the executive branch.

Subd. 3. “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. 4. “Business with which he is associated” means any 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. 5. “Candidate” means an individual who seeks nomination for election or election to any statewide office or legislative office, other than a federal office for which candidates are required to report under federal laws. The term candidate shall also include supreme court and district court judges of the state. An individual shall be deemed to seek nomination for election or election if he has taken the action necessary under the law of the state of Minnesota to qualify himself for nomination for election or election to an office, has received contributions or made expenditures in excess of \$100, or has given his consent, implicit or explicit, for any other person to receive contributions or make expenditures in excess of \$100 with a view to bringing about his nomination for election or election to an office.

Subd. 6. “Commission” means the state ethics commission.

Subd. 7. "Contribution" means:

(a) A gift, subscription, loan, advance, the providing of supplies, materials or equipment, or deposit of money or anything else of value made to influence the nomination for election or election of a candidate to office;

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

(c) The payment 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 by any person other than that candidate, political committee or political fund.

"Contribution" does not include services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee or political fund, or coverage by news media, but only while acting in the ordinary course of business of publishing or broadcasting news items, editorials or other comments.

Subd. 8. "Depository" means any bank, savings and loan association or credit union, organized under federal or state law and transacting business within Minnesota.

Subd. 9. "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. 10. "Expenditure" means:

(a) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made for the purpose of influencing the nomination for election or election of any candidate to office; or

(b) A transfer of funds between political committees or political funds.

"Expenditure" does not include: (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. 11. "Lobbyist" means any:

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

(b) Officially designated representatives of any person or association which has as a major purpose the influencing of legislative

or administrative action who attempt to influence an action by communicating with public officials; or

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

“Lobbyist” does not include:

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

(b) Parties and their representatives appearing in a proceeding before a state board, commission or agency of the executive branch unless the board, commission or agency is acting in a non-ministerial capacity;

(c) Individuals in the course of selling goods or services to be paid for by public funds; or

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

(e) Paid expert witnesses whose testimony is requested by the body before which they are appearing or one of the parties to a proceeding, but only while acting in the ordinary course of preparing or delivering testimony.

Subd. 12. “Major political party” means a political party as defined in Minnesota Statutes, Section 200.02, Subdivision 7.

Subd. 13. “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 containing the names of 2,000 persons registered to vote in Minnesota and declaring that the signators desire to enable the party to receive money from the state elections campaign fund in the same manner as a major political party. 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. 14. “Non-ministerial action” means making rules, regulations or general policy and does not include the application or administration of those rules, regulations or policies in specific instances, except in cases of rate-setting, power plant siting, and others which the commission may specify.

Subd. 15. “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. 16. “Political fund” means any accumulation of dues or voluntary donations by an association other than a political com-

mittee, which accumulation is collected or expended for the purpose of influencing the nomination for election or election of a candidate.

Subd. 17. "Political party" means either a major political party or a minor political party.

Subd. 18. "Public official" means any:

- (a) Member of the legislature;
- (b) Person holding a constitutional office in the executive branch and his chief administrative deputy;
- (c) Member of a state board or commission which has rule making authority, as "rule" is defined in Minnesota Statutes, Section 15.0411, Subdivision 3;
- (d) Person employed by the legislature as secretary of the senate, legislative auditor, chief clerk of the house, revisor of statutes, or researcher or attorney in the office of legislative research;
- (e) Person employed by the executive branch in any position specified in Minnesota Statutes, Section 15A.081; and
- (f) Member of the metropolitan council, metropolitan transit commission, metropolitan sewer board or metropolitan airports commission.

Sec. 2. [STATE ETHICS COMMISSION.] Subdivision 1. There is hereby created a state ethics commission composed of six members. The members shall be appointed by the governor with the advice and consent of three-fifths of both the senate and the house of representatives acting separately. Failure by either house to confirm the appointment of a commission member within 45 legislative days after his appointment shall be deemed to be a refusal to advise and consent and his appointment shall terminate immediately after 45 legislative days or non-confirmation, whichever is earlier. One member shall be a former state legislator from a political party different from that of the governor; one member shall be a former state legislator from the same political party as the governor; two members shall be persons who have not been public officials, held office in a political party other than precinct delegate, or been elected to public office for which party designation is required by statute in the three years prior to the time of their appointment; and the other two members shall not support the same political party. No more than three of the members of the commission shall support the same political party.

Subd. 2. The appointments shall be for a term of four years. One of the original six appointees shall serve for a one-year term, two shall serve a two-year term, one shall serve a three-year term, and two shall serve a four-year term, as determined by lot. All appointments to terms subsequent to the original term, except one made to fill a vacancy, shall be for terms of four years. Any appointment to fill a vacancy in an original or subsequent term shall be made only for the unexpired term of a member who is

being replaced and shall be made within 60 days of the date on which a vacancy occurs and shall retain the same stated qualifications as the member being replaced.

Subd. 3. The concurring vote of four members of the commission shall be required to decide any matter before the commission.

Subd. 4. The commission shall hold an organizational meeting within 45 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 34, 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. Expenses of the commission shall be approved by the chairman or such other member as the rules of the commission may provide and the expenses shall then be paid in the same manner as other state expenses are paid.

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, county or precinct office in a political party, or (b) an elected public office for which party designation is required by statute.

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

(b) Prescribe forms for statements and reports required to be filed under sections 1 to 34 and make the forms available to persons required to file them;

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

(d) Develop a filing, coding and cross-indexing system consistent with the purposes of sections 1 to 34;

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

(f) 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; and

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

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 34. 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 a document filed with the commission is inaccurate or does not comply with the provisions of sections 1 to 34 or that a person has failed to file a document required by sections 1 to 34.

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 34. 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. 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 or is not probable 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. After determination of its findings the commission shall report any finding of probable cause to the appropriate law enforcement authorities.

Subd. 12. The commission may issue and publish advisory opinions on the requirements of sections 1 to 34 based upon real or hypothetical situations. An application 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 30 days after receipt of written application, unless a majority of the commission agrees to extend the time limit.

Subd. 13. The provisions of Minnesota Statutes, Chapter 15, shall apply to the commission including the power to prescribe rules and regulations to carry out the purposes of sections 1 through 34.

Sec. 3. [LOBBYIST REGISTRATION.] Subdivision 1. Each lobbyist shall file a registration form with the commission within five days after he commences lobbying.

Subd. 2. The registration form shall be prescribed by the commission and shall include (a) the name and address of the lobbyist, (b) the principal place of business of the lobbyist, (c) the name and 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 and directors of the association.

Sec. 4. [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) March 15
- (c) April 15
- (d) June 15
- (e) October 15

Subd. 3. Each person or association about whose activities a lobbyist is required to report shall provide the information required by sections 3 to 5 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 \$20 or more, given or paid to any public official by the lobbyist or any employer or any employee of the lobbyist. The list shall include the name and address of each public official to whom the honorarium, gift, loan, item or benefit was given or paid and the date it was given or paid; and

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

Subd. 5. The commission shall notify by registered mail any lobbyist who fails after five days after a filing date imposed by section 3 or 4 to file a report or statement required by section 3 or 4. 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. 5. [LOBBYIST REPORT.] Within 30 days after each lobbyist filing date set by section 4, the executive director of the commission shall report to the governor, and the presiding officer of each house of the legislature, 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.

Sec. 6. [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. 7. [CONFLICTS OF INTEREST.] Subdivision 1. Any public official who in the discharge of his official duties would be required to take an action or make a decision 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 presiding officer of the house in which he serves; 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 house of which he is a

member may, at his request, excuse him from taking part in the action or decision in question.

Sec. 8. [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. 9. [STATEMENTS OF ECONOMIC INTEREST.] Subdivision 1. Except for a candidate for elective office in the judicial branch, 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 the advice and consent of the senate, prior to the submission of his name to the senate, 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 presiding officer of the house 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) A listing of all real property within the state, excluding homestead property, in which he has a fee simple interest, a contract for deed or an option to buy, whether direct or indirect, and which in-

terest is valued in excess of \$2,500. The filing shall indicate the municipality, if any, and the county 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 shall be suspended without pay by the commission in the manner prescribed in the contested case procedures in Minnesota Statutes, Chapter 15.

Sec. 10. [PENALTY FOR FALSE STATEMENTS.] A report or statement required to be filed by sections 2 to 9 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. 11. [ORGANIZATION OF POLITICAL COMMITTEES.] Subdivision 1. Every political committee shall have a chairman and a treasurer. Nothing in this act shall prohibit them from being the same person.

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 who knowingly violates the provisions of this section is guilty of a misdemeanor.

Sec. 12. [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 or defeat of a candidate unless it is a political committee or unless the funds for the contribution or expenditure come solely from a political fund.

Subd. 2. The contents of a political fund shall not be commingled with any other funds or with the personal funds of any officer or member of the fund.

Subd. 3. Each association which has a political fund shall elect or appoint a treasurer of the political fund.

Subd. 4. 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. 5. Notwithstanding subdivision 1, any association may, if not prohibited by law, transfer to its political fund money from that part of its treasury financed by dues or membership fees. Pursuant to section 20, the source of the dues or membership fees must be disclosed if an aggregate amount in excess of \$50 of any member's dues, membership fees and voluntary contributions are transferred to the political fund within one year.

Subd. 6. Any person who knowingly violates the provisions of this section is guilty of a misdemeanor.

Sec. 13. [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 name and 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 who knowingly violates 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. 14. [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 30 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 treasurers, if any;

(f) The name, address, office sought, and party affiliation, if any, of each candidate whom the committee or political fund is supporting, or, if the committee or political fund is supporting the entire ticket of any party, the name of the party;

(g) A statement as to whether the committee or political fund is a continuing one;

(h) 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 the statement within seven days after receiving notice from the commission is guilty of a gross misdemeanor.

Sec. 15. [CONTRIBUTIONS.] Subdivision 1. Any anonymous contribution 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, if known, the address 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 14 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. 16. [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 20, 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 20. Any person or association who knowingly accepts earmarked funds and fails to make the required disclosures is guilty of a gross misdemeanor.

Sec. 17. [EXPENDITURES.] Subdivision 1. All expenditures 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 25 and 27. 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 committee, fund or person in connection with the candidate's campaign.

Subd. 6. Any person who knowingly violates the provisions of subdivisions 1, 2, 3 or 5 of this section or who falsely claims the lack of authorization is guilty of a misdemeanor.

Sec. 18. [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. Failure to so present the bill, charge or claim is a misdemeanor.

Sec. 19. [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. 20. [CAMPAIGN REPORTS.] Subdivision 1. Every treasurer of a political committee or political fund shall file the reports required by this section in any year it receives contributions or makes expenditures in excess of \$100.

Subd. 2. The reports shall be filed with the commission by the following dates:

(a) In years in which any candidate being supported does not stand for election:

- (1) January 7; and
- (2) July 7;

(b) In years in which any candidate being supported does stand for election:

- (1) January 7;
- (2) July 7;
- (3) Five days before any primary election in which the candidate stands for election;
- (4) Five days before any general election in which the candidate stands for election; and
- (5) 30 days after the last election in which a candidate stands for election;

(c) In special or special primary elections in which a candidate stands for election:

- (1) 30 days before the election; and
- (2) Five days before the election.

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

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

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

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

(d) The name and address of each political committee, political fund or candidate from which the reporting committee or fund received, or to which that committee made, any transfer of funds, together with the amounts and dates of all transfers. The lists shall be in alphabetical order;

(e) Each loan to or from any person within the year in an aggregate amount or value in excess of \$100, together with the full names and mailing address, occupations and the principal places of business, if any, of the lender or endorsers, if any, and the date and amount of the loans;

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

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

(h) The name, address, occupation and the principal place of business, if any, of each person to whom expenditures have been made by the political committee or political fund or on its behalf within the year in an aggregate amount in excess of \$100, the amount, date and purpose of each expenditure and the name and address of, and office sought by, each candidate on whose behalf the expenditure was made;

(i) The sum of individual expenditures which is not otherwise reported under clause (h);

(j) The name, address, occupation and the principal place of business, if any, of each person to whom an expenditure for personal services, salaries, and reimbursable expenses in excess of \$100 has been made, and which is not otherwise reported, including the amount, date and purpose of the expenditure;

(k) The sum of individual expenditures for personal services, salaries and reimbursable expense which is not otherwise reported under (j);

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

(m) The amount and nature of debts and obligations owed by or to the political committee or political fund, and a continuous reporting of their debts and obligations after the election until the debts and obligations are extinguished;

(n) The amount and nature of any contract, promise or agreement, in writing, whether or not legally enforceable, to make a contribution or expenditure;

(o) The name of each person, committee or political fund, which has been authorized by the treasurer to make expenditures on behalf of the candidate and the nature and amount of each authorized expenditure.

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. In any statewide election any contribution or contributions from a person or association totaling \$2,000 or more, or in any legislative election any contribution of \$200 or more, received after the period covered in the last report prior to an election and prior to the election shall be reported to the commission by telegram within 48 hours after its receipt and in the next required report.

Subd. 6. 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. 7. 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 time required by this section a statement to that effect.

Subd. 8. The commission shall exempt any association or any of its members or contributors from the provisions of this section if disclosure would expose any or all of them to economic reprisals, loss of employment or 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 exemptions individually.

Subd. 9. The commission shall exempt any individual from the provisions of this section who, by written request, demonstrates by clear and convincing evidence that disclosure would expose him to economic reprisals, loss of employment or threat of physical coercion.

The commission shall issue a written order to exempt the individual.

Subd. 10. A political committee or a political fund or any of its members or contributors shall have standing to seek an exemption. All applications by associations 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 than any individual seeking an exemption may proceed anonymously if he would be exposed to the reprisals listed in subdivision 9 were he to reveal his identity for the purposes of the hearing.

Subd. 11. 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 bonafide occupational qualification of the employment. Any person or association which violates this subdivision is guilty of a gross misdemeanor.

Sec. 21. [REPORTS TO COUNTY AUDITOR.] Subdivision 1. All reports or statements that must be filed with the commission by the principal campaign committee of legislative candidates shall also be 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 auditor shall be available to the public in the manner prescribed by section 2, subdivision 8, clause (e) and retained until four years after the election to which they pertain.

Sec. 22. [REQUIREMENTS RESPECTING REPORTS AND STATEMENTS.] Subdivision 1. A report or statement required by sections 11 to 34 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. Contributions and expenditures in the nature of debts and other contracts, agreements, and promises to make contributions or expenditures shall be reported in separate schedules. In determining aggregate amounts of contributions and expenditures, such debts and other contracts, agreements and promises shall not be considered as part of the totals of receipts or expenditures until actual payment is made, but shall be reported according to section 20, subdivision 3, clause (n).

Subd. 3. Each contribution in kind shall be valued at fair market value and reported on the appropriate schedule of receipts, iden-

tified 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".

Subd. 4. 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 20, the name, address and employer, or, if self-employed, occupation of that contributor shall then be listed on the prescribed reporting forms. A candidate may refuse to accept any contribution.

Subd. 5. 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. 6. 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 who knowingly violates any provisions of this subdivision is guilty of a misdemeanor.

Subd. 7. 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 meets the disclosure requirements imposed by section 20. This statement 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. 8. 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 com-

mission within 24 hours of the time he receives the report or statement.

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

Sec. 24. [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. 25. [LIMITS ON CAMPAIGN EXPENDITURES.] Subdivision 1. For the purposes of sections 11 to 34 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 or by a political committee, political fund or individual which makes expenditures with the authorization, express or implied, and under the control, direct or indirect, of the candidate or 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, 12½ cents per capita or \$600,000, whichever is greater;

(b) For attorney general, 2½ cents per capita or \$100,000, whichever is greater;

(c) For secretary of state, state treasurer and state auditor, separately, 1¼ cents per capita or \$50,000, whichever is greater;

(d) For state senator, 20 cents per capita or \$15,000, whichever is greater;

(e) For state representative, 20 cents per capita or \$7,500, whichever is greater.

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

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 twice as many votes as any one of his opponents 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 fifth 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. In a year in which a candidate does not stand for election, no expenditures shall be made and no obligations to make expenditures shall be incurred by a candidate or by a political committee, political fund or individual which makes expenditures with the authorization, express or implied, and under the control, direct or indirect, of the candidate or his agents which shall result in the aggregate expenditure on behalf of the candidate in that year of an amount in excess of 20 percent of the amount of the aggregate expenditure permitted by subdivision 2. Expenditures permitted by this subdivision shall be in addition to expenditures permitted by subdivision 2.

Subd. 7. On or before January 15 of each year, the commissioner of health shall certify to the commission the population of the state of Minnesota for the last calendar year ending before the date of certification. In determining the per capita amounts for each office in section 25, subdivision 2, 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. 8. On or before January 31 of each year, the commission shall determine and publish the amount, rounded off to the nearest hundred dollars, of the limits on campaign expenditures in section 25, subdivision 2.

Subd. 9. An expenditure is made in the year in which the goods or services for which it was made are used or consumed.

Sec. 26. [TRANSFERS OF FUNDS EXCEPTED.] Any transfer of funds or anything of pecuniary value from any political committee, political fund or political party to a 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, political fund or political party, but shall be reported as required by this act.

Sec. 27. [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 or in opposition to the opponent 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 25.

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 50 percent of the amount that may be spent by or on behalf of that candidate as set forth in section 25.

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 25, subdivision 2.

Subd. 4. For the purposes of this section, a political party includes a political party's organization within congressional districts, counties, legislative districts, municipalities, wards, precincts, and any legislative body.

Sec. 28. [PENALTY FOR EXCEEDING LIMITS.] Any person or association that makes expenditures in excess of the limitations imposed by sections 25 and 27 shall be subject to a fine equal to four times the amount by which its expenditure exceeded the limit. If the commission or county attorney has reason to believe that a person or association has made such excess expenditures, the commission or county attorney shall bring an action in the district court of Ramsey county or, in the case of a legislative candidate, the 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 state elections campaign fund.

Sec. 29. [CIRCUMVENTION PROHIBITED.] Any attempt by a person to circumvent the provisions of sections 11 to 41 by redirecting funds through, or contributing funds on behalf of, another person is a gross misdemeanor.

Sec. 30. [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. 31. [DESIGNATION OF INCOME TAX PAYMENTS.] Subdivision 1. Effective with the taxable years beginning after December 31, 1973, every individual whose income tax liability after personal credit for the taxable year is \$1 or more may designate that \$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 of \$2 or more, each spouse may designate that \$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 commissioner of the department of revenue shall on the first page of the income tax form notify the taxpayer of his right to allocate \$1 of his taxes (\$2 if filing a joint return) to finance the election campaigns of state candidates. The form shall also contain language prepared by the commissioner which permits the taxpayer to direct the state to allocate the \$1 (or \$2 if filing a joint return) to one of the following: (i) the major political parties; (ii) the name of any minor political party provided that if a petition is filed to qualify as a minor political party it be filed by June 1 of that taxable year; and (iii) distribution to all qualifying candidates as provided by this section.

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 and 7.

Subd. 5. (a) In each fiscal year, 40 percent of the moneys in each account shall be set aside for candidates for statewide office.

(b) Of the amount set aside in clause (a), 40 percent shall be distributed to the candidates for governor and lieutenant governor jointly; 24 percent shall be distributed to the candidate for attorney general; and 12 percent each shall be distributed to the candidates for secretary of state, state treasurer and state auditor. If there is no nominee of that party for one of the offices, the share set aside for that office shall be distributed to the other statewide candidates of that party in the same proportions as the original amount.

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account, of the state elections fund to the appropriate candidates who are to appear on the ballot for the general election as prescribed in clauses (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in the same proportions as provided in clause (b), in an equal amount to each candidate who received at least five percent of the vote cast in the general election for the office for which he was a candidate.

Subd. 6. (a) In each of the fiscal years during the period in which the state senate serves a four year term which commences after the effective date of this act, 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. 7. (a) In each of the fiscal years during the period in which the state senate serves a four year term which commences after the effective date of this act, 40 percent of the moneys in each account shall be set aside for candidates for state representatives. In each of the fiscal years during the period in which the state senate serves a two year term, and in 1975 and 1976, 30 percent of the moneys in each account shall be set aside for candidates for state representatives.

(b) The amount set aside in clause (a) shall be distributed in equal shares to each of the candidates for state representative of that party.

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account, to the appropriate candidates who are to appear on the ballot for the general election as prescribed in clauses (a) and (b).

(d) Within two weeks of the 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. 32. [LIMITATIONS UPON THE STATE ELECTION CAMPAIGN FUND.] Subdivision 1. No candidate shall be entitled to receive from the state elections campaign fund an amount greater than the total amount of expenditures which may be made by or on behalf of the candidate under sections 25 and 27.

Subd. 2. No candidate shall be entitled to receive from the state election campaign fund an amount greater than the total amount actually expended by 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. 33. [APPLICATION.] The provisions of sections 30 to 32 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. 34. [REMEDIES.] Subdivision 1. A person charged with a duty under sections 2 to 34 shall be personally liable for the penalty for failing to discharge it.

Subd. 2. The commission or a county attorney may seek an injunction in the district court to enforce the provisions of sections 2 to 34.

Subd. 3. Unless otherwise provided, a violation of sections 2 to 34 is not a crime.

Sec. 35. 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 (e), 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 and candidate. A married couple, filing jointly, may take a similar credit of not more than \$25. However, the taxpayer may take a credit for contributions of no more than \$5 in the case of an individual return or \$10 in the case of a joint return for contributions to a political party. For purposes of this subdivision, "candidate" means a candidate as defined in section 1, subdivision 5. Any taxpayer taking this credit shall attach to his individual income tax form a receipt or receipts substantiating his claim. The department of revenue shall provide on the first page of the Minnesota tax form an appropriate provision for the credit provided by this act.

Sec. 36. Minnesota Statutes 1971, Chapter 211, is amended by adding a section to read:

[211.035] [ADVERTISING RATES.] *To the extent that any person sells advertising space used on behalf of any candidate, the charges made shall not exceed the charges made for any other comparable purpose or use according to the seller's rate schedule.*

Sec. 37. Minnesota Statutes 1971, Section 210.20, is amended to read:

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, before he has so filed with knowledge that 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. 38. Minnesota Statutes 1971, Section 211.01, Subdivision 3, is amended to read:

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. 39. Minnesota Statutes 1971, Section 211.06, is amended to read:

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. 40. Minnesota Statutes 1971, Section 211.20, Subdivision 3, is amended to read:

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. 41. [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. The commission has emergency power to issue rules and regulations through December 31, 1974. 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. 42. [APPROPRIATION.] There is appropriated to the state ethics commission from the general fund \$120,000 for the purposes of this act.

Sec. 43. 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:

"A bill for an act relating to conduct of public officers including campaigns for the offices; authorizing tax credits for cam-

paign contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 210.20; Chapter 211, by adding a section; 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Tom Berg, Harry A. Sieben, Jr., Henry J. Savelkoul

Senate Conferees: (Signed) Stephen Keefe, Robert O. Ashbach, Robert J. Tennesen

Mr. Keefe, S. moved that the foregoing recommendations and Conference Committee Report on H. F. No. 951 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 951: A bill for an act relating to conduct of public officers including campaigns for the offices; authorizing tax credits for campaign contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 210.20; Chapter 211, by adding a section; 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 41 and nays 17, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Lewis	Olson, A. G.	Stassen
Arnold	Gearty	Lord	Olson, H. D.	Stokowski
Ashbach	Hughes	McCutcheon	O'Neill	Thorup
Borden	Humphrey	Milton	Patton	Wegener
Chenoweth	Keefe, J.	Moe	Purfeerst	Willet
Chmielewski	Keefe, S.	Nelson	Schaaf	
Coleman	Kirchner	North	Schrom	
Conzemius	Kowalczyk	Novak	Solon	
Dunn	Laufenburger	Olhoft	Spear	

Those who voted in the negative were:

Bang	Brown	Jensen	Larson	Renneke
Berg	Frederick	Josefson	Ogdahl	Sillers
Bernhagen	Hansen, Baldy	Krieger	Olson, J. L.	Ueland
Blatz	Hanson, R.			

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 3707:

H. F. No. 3707: A bill for an act relating to taxation; providing for the taxation of oleomargarine and liquor; amending Minnesota Statutes 1971, Section 33.10, Subdivision 1 and by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Section 340.47, Subdivision 1.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Pavlak, R.; Sabo; Anderson, I.; Johnson, D.; and Dirlam have been appointed as such committee on the part of the House.

House File No. 3707 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 27, 1974

Mr. Coleman moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 3707, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

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. 3707, pursuant to the request of the House:

Messrs. Coleman; Conzemius; Borden; Olson, A. G.; Frederick.

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

RECESS

Mr. Coleman moved that the Senate do now recess until 9:15 o'clock p.m. The motion prevailed.

The hour of 9:15 o'clock p.m. having arrived, the President called the Senate to order.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House wishes to recall for the purpose of further consideration Senate File No. 2477.

S. F. No. 2477: A bill for an act adding a new route to the trunk highway system.

Edward A. Burdick, Chief Clerk, House of Representatives
March 27, 1974

Mr. Arnold moved that the Senate accede to the request of the House for the return of Senate File No. 2477 for further consideration. The motion prevailed.

Mr. Arnold moved that S. F. No. 2477 be recalled from the Governor for further consideration. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of Reports of Committees and Second Reading of Senate Bills.

REPORTS OF COMMITTEES

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

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

S. F. No. 3342: A bill for an act relating to the joint coordinating committee; prescribing powers and duties; amending Minnesota Statutes, 1973 Supplement, Sections 3.303, by adding subdivisions; 3.304, Subdivision 2, and 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:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 3.304, Subdivision 2, is amended to read:

Subd. 2. All employees of the office of legislative research are employees of the legislature *in the unclassified service of the state*. ~~The committee may designate certain employees of the office as permanent for the purpose of conferring employee benefits.~~

Sec. 2. Minneaota Statutes, 1973 Supplement, Section 3.304, is amended by adding a subdivision to read:

Subd. 7. During the biennium ending June 30, 1975, with the approval of the committee, the senate committee on rules and administration, and the house committee on rules and legislative administration, the director of research when full time personnel

are not available to carry out the duties of the office of legislative research, may contract for legal, technical or research services. A contractor under this subdivision shall be subject to the prohibitions and limitations otherwise applicable to the office of legislative research. The authority conferred may be redelegated to other officers within the office of legislative research by the director.

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

Further amend the title as follows:

Page 1, line 5, strike "Sections 3.303 by" and insert "Section"

Page 1, line 6, strike "adding subdivisions;"

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

SECOND READING OF SENATE BILLS

S. F. No. 3342 was read the second time.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 3059

A bill for an act relating to the counties of Hennepin and Ramsey; providing for boards of seven members; providing for redistricting commissions; amending Minnesota Statutes 1971, Section 375.01; repealing Special Laws 1871, Chapter 73, Sections 1, 2, 3, 4, and 5; Special Laws 1891, Chapter 438, as amended; and Laws 1963, Chapter 789.

March 27, 1974

Honorable Alec G. Olson
President of the Senate

Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 3059, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 3059 be amended as follows:

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

"Section 1. Minnesota Statutes 1971, Section 375.01, is amended to read:

375.01 [MEMBERS, NUMBER OF.] Each county shall have a board of five commissioners who shall be known as the county board and whose terms of office shall be four years and until their successors qualify; but, in *St. Louis, Hennepin, and Ramsey* counties ~~having an area of over 5,000 square miles and a population exceeding 75,000~~, the board shall consist of seven members.

Sec. 2. [RAMSEY COUNTY.] Subdivision 1. Within 15 days of the effective date of this section the board of Ramsey county commissioners shall redistrict commission district boundaries to establish seven districts for the county in accordance with the standards prescribed in subdivision 3. The plan establishing the district boundaries shall be filed with the Ramsey County Auditor and the chief judge of the District Court for Ramsey County, and published as provided in subdivision 3.

Subd. 2. In event the county commissioners do not file a redistricting plan with the county board upon the expiration of 15 days from the effective date of this section the district court shall appoint a redistricting commission on a bipartisan or nonpartisan basis 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 section. 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. [DISTRICTS; STANDARDS.] At least three of the districts shall be composed entirely of area within the city of St. Paul and two of the districts shall be composed entirely of area outside the city of St. Paul. 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.

Subd. 4. [REPEALER.] Special Laws 1871, Chapter 73, Sections 1, 2, 3, 4, and 5 and Special Laws 1891, Chapter 438, as amended by Laws 1971, Chapter 386 are repealed effective November 1, 1974.

Subd. 5. Except as provided in subdivision 4, the provisions of section 1 applying to Ramsey County and this section shall be effective upon final enactment.

Sec. 3. [HENNEPIN COUNTY.] Subdivision 1. [REDIS-TRICTING.] The board of county commissioners of Hennepin county shall redistrict commissioner districts boundaries to provide seven districts as provided in section 1, and set the term of office therefor, except as hereinafter provided.

Subd. 2. [COMMISSIONER DISTRICTS.] Each district shall be composed of contiguous territory as regular and compact in form and as nearly equal in population as practicable. The plan shall provide that except for county commissioners elected in 1974 who shall serve for a four year term, five county commissioners shall be elected in 1976. Two of the commissioners elected in 1976 shall be elected for a two-year and three for a four-year term. Commencing in 1978 each commissioner shall be elected for a four-year term. The plan establishing the district boundaries shall be filed with the Hennepin county auditor and the secretary of state and the chief clerk of the house of representatives by July 15, 1975. After filing the plan shall be published in the newspaper having the contract for publishing the commissioners' proceedings for that year. The plan shall become effective as to the election of county commissioners in 1976.

Subd. 3. [REPEALER.] Laws 1963, Chapter 789 are repealed effective November 1, 1976.

Subd. 4. Except as provided in subdivision 3, the provisions of section 1 applying to Hennepin county and this section shall become effective upon final enactment and shall apply to the election of county commissioners in 1976.

Sec. 4. [DAKOTA COUNTY.] Subdivision 1. The board of county commissioners of Dakota County shall redistrict commissioner districts to provide seven districts.

Subd. 2. The redistricting shall be done pursuant to the provisions of Laws 1974, Chapter 240 except that commissioners from the new districts shall be first elected in 1976.

Subd. 3. This section is effective upon its approval by the board of county commissioners of Dakota county and upon compliance with Minnesota Statutes, Section 645.021 and shall apply to the election of county commissioners in 1976.

Sec. 5. Commencing with the 1980 federal census redistricting of the counties as provided in sections 2, 3, and 4 shall be in accordance with Laws 1974, Chapter 240."

Further amend the title in line 2 thereof, at the end of the line strike "and" and insert ";

In line 3 after "Ramsey" insert "and Dakota"

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Eugene Stokowski, John C. Chenoweth, Robert D. North, William G. Kirchner, Harmon T. Ogdahl.

House Conferees: (Signed) John J. Salchert, John D. Tomlinson, Ray W. Faricy, Harry A. Sieben, Jr.

Mr. Stokowski moved that the foregoing recommendations and Conference Committee Report on S. F. No. 3059 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 3059: A bill for an act relating to the counties of Hennepin and Ramsey; providing for boards of seven members; providing for redistricting commissions; amending Minnesota Statutes 1971, Section 375.01; repealing Special Laws 1871, Chapter 73, Sections 1, 2, 3, 4, and 5; Special Laws 1891, Chapter 438, as amended; and Laws 1963, Chapter 789.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

Mr. Keefe, J. moved that those not voting be excused from voting. The motion did not prevail.

And the roll being called, there were yeas 43 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Lewis	Olson, A. G.	Solon
Arnold	Dunn	Lord	Olson, H. D.	Spear
Ashbach	Gearty	McCutcheon	O'Neill	Stokowski
Berg	Hanson, R.	Milton	Patton	Tennessen
Bernhagen	Hughes	Moe	Purfeerst	Thorup
Borden	Jensen	North	Renneke	Wegener
Chenoweth	Keefe, S.	Novak	Schaaf	Willet
Coleman	Kirchner	Ogdahl	Schrom	
Conzemius	Laufenburger	Olhoft	Sillers	

Those who voted in the negative were:

Bang	Hansen, Mel	Knutson	Larson	Stassen
Brown	Josefson	Kowalczyk	Nelson	Ueland
Fitzsimons	Keefe, J.	Krieger	Olson, J. L.	

So the bill, as amended by the Conference Committee, was re-passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to revert to the Order of Business of Messages from the House, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested.

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

Senate File No. 3213 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 27, 1974

CONCURRENCE AND REPASSAGE

Mr. Arnold moved that the Senate do now concur in the amendments by the House to S. F. No. 3213 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 3213 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 67: A bill for an act relating to natural resources; authorizing the commissioner of administration to acquire by eminent domain, under certain conditions, land or interests in land being acquired for natural resource purposes; amending Minnesota Statutes 1971, Sections 85.012, Subdivision 1; 85.013, Subdivision 1.

Senate File No. 67 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 27, 1974

CONCURRENCE AND REPASSAGE

Mr. Kirchner moved that the Senate do now concur in the amendments by the House to S. F. No. 67 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 67: A bill for an act relating to natural resources; authorizing the establishment of additional state trails; amending Minnesota Statutes, 1973 Supplement, Section 85.015, by adding subdivisions.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended.

And the roll being called, there were yeas 41 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Knutson	Olson, A. G.	Stokowski
Arnold	Dunn	Kowalczyk	Olson, H. D.	Tennessen
Ashbach	Fitzsimons	Krieger	Olson, J. L.	Thorup
Bang	Gearty	Lord	O'Neill	Ueland
Blatz	Hansen, Mel	Milton	Patton	Willet
Borden	Hanson, R.	Moe	Purfeerst	
Brown	Hughes	Nelson	Renneke	
Chenoweth	Jensen	North	Schaaf	
Conzemius	Kirchner	Olhoff	Sillers	

Those who voted in the negative were:

Berg	Keefe, J.	Novak	Spear	Wegener
Bernhagen	Keefe, S.	Schrom		

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 2703, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 2703: A bill for an act relating to metropolitan public transit; directing the metropolitan transit commission to plan an automated small vehicle fixed guideway system; authorizing tax levies upon property within the metropolitan transit taxing district.

Senate File No. 2703 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 27, 1974

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Conzemius moved that the Senate do now adjourn until 9:30 o'clock a.m. Thursday, March 28, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.