

FIFTY-SEVENTH DAY

St. Paul, Minnesota, Monday, May 19, 1975

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

CALL OF THE SENATE

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

| | | | | |
|-----------|---------------|--------------|----------------|-----------|
| Anderson | Doty | Kirchner | Olson, A. G. | Spear |
| Ashbach | Dunn | Kleinbaum | Olson, J. L. | Stassen |
| Bang | Fitzsimons | Kowalczyk | O'Neill | Stokowski |
| Berg | Frederick | Laufenburger | Patton | Stumpf |
| Bernhagen | Gearty | Lewis | Perpich, A. J. | Ueland |
| Blatz | Hansen, Baldy | McCutcheon | Perpich, G. | Willet |
| Brataas | Hansen, Mel | Milton | Pillsbury | |
| Brown | Hanson, R. | Nelson | Purfeerst | |
| Coleman | Hughes | North | Schaaf | |
| Conzemius | Josefson | Ogdahl | Schmitz | |
| Davies | Keefe, S. | Olhoft | Schrom | |

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

Prayer was offered by the Chaplain, Rev. Nicholas J. Finn.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS**May 16, 1975**

**The Honorable Alec 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. 1015, An Act relating to commerce; providing qualifications for legal newspapers; amending Minnesota Statutes 1974, Section 331.02, Subdivision 1.

**Sincerely,
Wendell R. Anderson, Governor**

May 16, 1975

**The Honorable Alec 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. 1114, An Act relating to the operation of state government; providing for salary setting authority and classification for certain positions in the office of attorney general; amending Minnesota Statutes 1974, Sections 8.02; 15A.081, Subdivision 1; and 43.064.

S. F. No. 1169, An Act relating to school districts; providing for specifications for school bids; amending Minnesota Statutes 1974, Section 471.35.

S. F. No. 1697, An Act relating to claims against the state; appropriating moneys for the payment thereof.

**Sincerely,
Wendell R. Anderson, Governor**

May 19, 1975

**The Honorable Alec 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. 102, An act relating to aeronautics; technical services to municipalities; authorizing a reasonable charge by the department for such services.

S. F. No. 303, An act relating to game and fish; authorizing use of portable fish houses within the boundary waters canoe area.

S. F. No. 114, An act relating to no-fault automobile insurance; requiring that a plan of reparation security be maintained for certain motor vehicles only during the period of their contemplated operation or use.

S. F. No. 332, An act relating to education; correcting and eliminating certain obsolete provisions and text dealing with school district organization, reporting and finance.

S. F. No. 413, An act relating to natural resources; authorizing acquisition of perpetual conservation restrictions by the commissioner of natural resources and certain nonprofit corporations.

S. F. No. 458, An act relating to game and fish; removing the raccoon from the unprotected list and authorizing the commissioner of natural resources to prescribe a season thereon.

S. F. No. 987, An act relating to Hennepin county; reestablishing the jurisdiction of the Hennepin county personnel board as to court reporters in the fourth judicial district.

S. F. No. 1055, An act relating to financial institutions; authorizing and regulating face amount certificate investment companies.

S. F. No. 1098, An act relating to natural resources; clarifying the authority of the commissioner of natural resources to designate and manage certain waters for wildlife use; reporting of game taken; providing certain limitations on the taking of fox; and altering certain seasons for the taking of deer.

S. F. No. 1142, An act relating to state parks; prohibiting littering; providing a penalty.

S. F. No. 1166, An act relating to public health; authorizing county board to determine amount of per diems to members of county public health nursing committees.

S. F. No. 1196, An act relating to energy; defining terms; requiring certain reports to be filed with the director of the Minnesota energy agency at specified times; providing that no large energy facility be constructed or sited in this state after a certain date without a certificate of need issued therefor.

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 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

| S. F. No. | H. F. No. | Session Laws Chapter No. | Date Approved 1975 | Date Filed 1975 |
|--------------|--------------|-----------------------------|-----------------------|--------------------|
| | 47 | 117 | May 15 | May 16 |
| | 155 | 118 | May 15 | May 16 |
| | 254 | 119 | May 15 | May 16 |
| | 351 | 120 | May 15 | May 16 |
| | 530 | 121 | May 15 | May 16 |
| | 535 | 122 | May 15 | May 16 |
| | 540 | 123 | May 15 | May 16 |
| | 939 | 124 | May 15 | May 16 |
| | 944 | 125 | May 15 | May 16 |
| | 1049 | 126 | May 15 | May 16 |
| | 1136 | 127 | May 15 | May 16 |
| | 1292 | 128 | May 15 | May 16 |
| | 1494 | 129 | May 15 | May 16 |
| 72 | | 130 | May 15 | May 16 |
| 93 | | 131 | May 15 | May 16 |
| 307 | | 132 | May 15 | May 16 |
| 426 | | 133 | May 15 | May 16 |
| 523 | | 134 | May 15 | May 16 |
| 571 | | 135 | May 15 | May 16 |
| 605 | | 136 | May 15 | May 16 |
| 637 | | 137 | May 15 | May 16 |
| 665 | | 138 | May 15 | May 16 |
| 765 | | 139 | May 15 | May 16 |
| 876 | | 140 | May 15 | May 16 |
| 923 | | 141 | May 15 | May 16 |
| 935 | | 142 | May 15 | May 16 |
| 1057 | | 143 | May 15 | May 16 |
| 1101 | | 144 | May 15 | May 16 |

Sincerely,

Joan Anderson Growe
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 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

| S. F. No. | H. F. No. | Session Laws Chapter No. | Date Approved 1975 | Date Filed 1975 |
|--------------|--------------|-----------------------------|-----------------------|--------------------|
| 1131 | | 145 | May 15 | May 16 |
| 1183 | | 146 | May 15 | May 16 |
| 1391 | | 147 | May 15 | May 16 |
| 1442 | | 148 | May 15 | May 16 |
| 1451 | | 149 | May 15 | May 16 |
| | 113 | 150 | May 16 | May 16 |
| | 428 | 151 | May 16 | May 16 |
| | 774 | 152 | May 16 | May 16 |
| | 1008 | 153 | May 16 | May 16 |
| | 1175 | 154 | May 16 | May 16 |
| 1015 | | 155 | May 16 | May 16 |
| 1114 | | 156 | May 16 | May 16 |
| 1169 | | 157 | May 16 | May 16 |
| 1697 | | 158 | May 16 | May 16 |

Sincerely,

Joan Anderson Growe
Secretary of State

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Messrs. Keefe, S.; Sillers and Spear introduced—

S. F. No. 1769: A bill for an act relating to banks and banking; authorizing branch banks in economically depressed areas; permitting certain consolidation of banks; amending Minnesota Statutes 1974, Chapter 48, by adding a section; repealing Minnesota Statutes 1974, Section 48.34.

Referred to the Committee on Labor and Commerce.

Mr. Anderson introduced—

S. F. No. 1770: A bill for an act relating to courts; changing the position of clerk of court to court administrator.

Referred to the Committee on Judiciary.

Messrs. Milton and Keefe, S. introduced—

S. F. No. 1771: A bill for an act relating to public welfare; eligibility for assistance; raising the allowable real estate equity; amending Minnesota Statutes 1974, Section 256.73, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Milton, Mrs. Brataas and Mr. Schmitz introduced—

S. F. No. 1772: A bill for an act relating to health; providing

for a statewide breast cancer screening and early detection network; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Milton, Mrs. Brataas and Mr. Schmitz introduced—

S. F. No. 1773: A bill for an act relating to health insurance; requiring insurance companies to cover the cost of screening of persons for breast cancer; amending Minnesota Statutes 1974, Chapter 62A, by adding a section.

Referred to the Committee on Labor and Commerce.

Messrs. Hughes, Ashbach and Gearty introduced—

S. F. No. 1774: A bill for an act relating to building contractors; directing the commissioner of administration to promulgate certain uniform statewide standards for the licensing of building contractors.

Referred to the Committee on Governmental Operations.

Messrs. Moe, Knutson and Borden introduced—

S. F. No. 1775: A bill for an act relating to public welfare; authorizing grants for chemical dependency care and treatment programs for special need populations and domiciliary care programs for chronic chemically dependent populations; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Mr. O'Neill introduced—

S. F. No. 1776: A bill for an act relating to workmen's compensation; providing that compensation for injury to internal organs will be based on that injury's contribution to the individual's general physical disability; amending Minnesota Statutes 1974, Section 176.101, Subdivision 3.

Referred to the Committee on Labor and Commerce.

Mr. O'Neill introduced—

S. F. No. 1777: A bill for an act relating to unemployment compensation; providing that no person will be disqualified from benefits for failing to accept or seek employment requiring a greater number of work hours per week than the individual worked in his previous employment; amending Minnesota Statutes 1974, Sections 268.08, Subdivision 1; and 268.09, Subdivision 1.

Referred to the Committee on Labor and Commerce.

Messrs. O'Neill and Hansen, Baldy introduced—

S. F. No. 1778: A bill for an act relating to bonds and securities; requiring sureties to pay for all materials supplied to the insured; allowing coverage for collection costs and interest accrued; amending Minnesota Statutes 1974, Sections 574.26 and 574.29; and Chapter 574, by adding a section.

Referred to the Committee on Labor and Commerce.

Messrs. O'Neill and Kleinbaum introduced—

S. F. No. 1779: A bill for an act relating to licensed premises and the operation of gambling devices; amending Minnesota Statutes 1974, Sections 325.53, Subdivision 2, and by adding a subdivision; and 340.14, Subdivision 2.

Referred to the Committee on Labor and Commerce.

Messrs. Borden, Bang and Laufenburger introduced—

S. F. No. 1780: A bill for an act relating to credit unions; allowing credit unions to permit draft withdrawals by their members; amending Minnesota Statutes 1974, Section 52.04.

Referred to the Committee on Labor and Commerce.

Mr. Perpich, G. introduced—

S. F. No. 1781: A bill for an act relating to dentistry; authorizing continuing education requirements for dental assistants; amending Minnesota Statutes 1974, Section 150A.10, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Renneke introduced—

S. F. No. 1782: A bill for an act relating to metropolitan government; defining the metropolitan area to exclude Belle Plaine in Scott county; amending Laws 1975, Chapter 13, Section 1, Subdivision 2.

Referred to the Committee on Metropolitan and Urban Affairs.

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. 578: A bill for an act relating to public health; authorizing the state board of health to establish mobile health

clinics; prescribe fees and requirements for licenses, inspections, and permits; receive funds; enter into agreements for performance of duties by local agents; inspect, license, and regulate hotels and restaurants; providing penalties; amending Minnesota Statutes 1974, Sections 62D.21; 144.01; 144.02; 144.076; 144.12; 144.121; 144.122; 144.53; 144.653, Subdivisions 2, 6 and 8; 144.802; 145.866; 149.02; 149.03, Subdivisions 1 and 2; 149.08; 156A.07, Subdivisions 5, 6 and 7; 157.01; 157.02; 157.03; 157.04; 157.05, Subdivisions 1, 2 and 3; 157.08; 157.09; 157.12; 157.13; 157.14; 326.42; 326.62; 327.15; 327.16, Subdivision 3; Chapters 144 and 145, by adding sections; repealing Minnesota Statutes 1974, Sections 157.05, Subdivisions 4, 5, 6 and 7; 157.06; 157.07; and 157.11; and Laws 1974, Chapter 205.

Senate File No. 578 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 17, 1975

CONCURRENCE AND REPASSAGE

Mr. North moved that the Senate concur in the amendments by the House to S. F. No. 578 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 578: A bill for an act relating to public health; authorizing the state board of health to establish mobile health clinics; prescribe fees and requirements for licenses, inspections, and permits; receive funds; enter into agreements for performance of duties by local agents; inspect, license, and regulate hotels and restaurants; providing penalties; amending Minnesota Statutes 1974, Sections 62D.21; 144.02; 144.076; 144.12; 144.121; 144.122; 144.53; 144.653, Subdivisions 2, 6 and 8; 144.802; 145.866; 149.02; 149.03, Subdivisions 1 and 2; 149.08; 156A.07, Subdivisions 5, 6 and 7; 157.01; 157.02; 157.03; 157.04; 157.05, Subdivisions 1, 2 and 3; 157.08; 157.09; 157.12; 157.13; 157.14; 326.42; 326.62; 327.15; 327.16, Subdivision 3; Chapters 144 and 145, by adding sections; repealing Minnesota Statutes 1974, Sections 157.05, Subdivisions 4, 5, 6 and 7; 157.06; 157.07; and 157.11; and Laws 1974, Chapter 205.

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

Pursuant to Rule 21, Mr. Wegener moved that the following members be excused for a Conference Committee on S. F. No. 1308:

Messrs. Wegener, Jensen and Olson, H. D. The motion prevailed.

Pursuant to Rule 21, Mr. Perpich, G. moved that the following members be excused for a Conference Committee on H. F. No. 1743:

Messrs. Perpich, G.; Olson, J. L.; Renneke; Doty and Moe. The motion prevailed.

Pursuant to Rule 21, Mr. Anderson moved that the following members be excused for a Conference Committee on H. F. No. 235:

Messrs. Anderson, Hughes, Humphrey, O'Neill and Sillers. The motion prevailed.

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

And the roll being called, there were yeas 41 and nays 10, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|--------------|----------------|-----------|
| Arnold | Davies | Kleinbaum | Olhoft | Spear |
| Ashbach | Doty | Kowalczyk | Olson, A. G. | Stassen |
| Bang | Dunn | Larson | O'Neill | Stokowski |
| Blatz | Fitzsimons | Laufenburger | Perpich, A. J. | Stumpf |
| Brataas | Gearty | Lewis | Pillsbury | Ueland |
| Brown | Hansen, Mel | McCutcheon | Purfeerst | |
| Chenoweth | Hanson, R. | Milton | Schaaf | |
| Coleman | Keefe, S. | Nelson | Schmitz | |
| Conzemius | Kirchner | North | Solon | |

Those who voted in the negative were:

| | | | | |
|-----------|---------------|--------------|---------|--------|
| Berg | Chmielewski | Josefson | Patton | Schrom |
| Bernhagen | Hansen, Baldy | Olson, J. L. | Renneke | 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 that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1466, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 1466: A bill for an act relating to intoxicating liquor; removing the general limitation on the number of county on-sale licenses; amending Minnesota Statutes 1974, Section 340.11, Subdivision 10.

Senate File No. 1466 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 17, 1975

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. 1446, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 1446: A bill for an act relating to Dodge and Olmsted counties; authorizing a judge of the county court district of

Dodge-Olmsted to take a leave of absence for purposes of study and research.

Senate File No. 1446 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 17, 1975

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. 211, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 211: A bill for an act relating to counties; altering compensation of county officers; amending Minnesota Statutes 1974, Sections 38.38; 106.431, Subdivision 1; 123.56, Subdivision 9; 273.061, Subdivision 6; 282.09, Subdivision 1; 282.19; 344.19; 375.055, Subdivisions 1 and 5; 375.06, Subdivision 1; 375.47; Chapter 375, by adding a section; 376.58, Subdivision 2; 393.03; and 394.30, Subdivision 3; repealing Minnesota Statutes 1974, Sections 274.15; 375.055, Subdivision 3; 375.43; 384.151, Subdivision 2; 385.373, Subdivision 2; 386.015, Subdivision 3; 387.20, Subdivision 3; 388.18, Subdivision 3; and 485.018, Subdivision 3.

Senate File No. 211 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 17, 1975

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. 66, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 66: A bill for an act relating to game and fish; authorizing certain handicapped hunters to transport uncased but unloaded firearms; providing permanent permits for handicapped hunters; amending Minnesota Statutes 1974, Section 98.48, Subdivision 12.

Senate File No. 66 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 17, 1975

Mr. President:

I have the honor to announce the passage by the House of the

following Senate Files, herewith returned: S. F. Nos. 1415, 1299, 767, 795, 869 and 1434.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 17, 1975

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 92 and 1026.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 17, 1975

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

H. F. No. 92: A bill for an act relating to historic sites; Hinckley depot restoration committee; appropriating money to the committee.

Referred to the Committee on Natural Resources and Agriculture.

H. F. No. 1026: A bill for an act relating to land use planning; establishing a land use planning assistance program of grants for local government units to be administered by the state planning agency and the metropolitan council; appropriating money; amending Laws 1975, Chapter 13, Section 18, Subdivision 2.

Mr. Purfeerst moved that H. F. No. 1026 be laid on the table. The motion prevailed.

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

H. F. No. 1293 for proper reference, recommends the above House File be re-referred to its respective Committee as follows:

H. F. No. 1293 to the Committee on Finance.

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

MOTIONS AND RESOLUTIONS

Mr. Doty moved that S. F. No. 1347, No. 77 on General Orders, be stricken and returned to the author. The motion prevailed.

Mr. Doty moved that S. F. No. 559, No. 91 on General Orders, be stricken and returned to the author. The motion prevailed.

Mr. Coleman moved that S. F. No. 595, No. 67 on General Orders, be stricken and returned to the Committee on Judiciary. The motion prevailed.

Mr. Milton moved that S. F. No. 1170, No. 8 on General Orders, be stricken and returned to the author. The motion prevailed.

Mr. Conzemius moved that S. F. No. 175, No. 78 on General Orders, be stricken and returned to the Committee on Finance. The motion prevailed.

Mr. Laufenburger moved that H. F. No. 525, No. 89 on General Orders, be stricken and returned to the Committee on Finance. The motion prevailed.

Mr. McCutcheon moved that S. F. No. 100, No. 88 on General Orders, be stricken and returned to the Committee on Finance. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 476

A bill for an act relating to pensions; invalidating provisions limiting pension or profit sharing rights if the employee joins a competing employer; amending Minnesota Statutes 1974, Chapter 181B, by adding a section.

May 16, 1975

The Honorable Alec G. Olson
President of the Senate

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

We, the undersigned conferees for S. F. No. 476 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment to S. F. No. 476 and that S. F. No. 476 be adopted.

We request adoption of this report and repassage of the bill.
Senate Conferees: (Signed) Eugene Stokowski, John Keefe, Steve Keefe.

House Conferees: (Signed) Al Patton, Donald M. Moe.

Mr. Stokowski moved that the foregoing recommendations and Conference Committee Report on S. F. No. 476 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. 476: A bill for an act relating to pensions; invalidating provisions limiting pension or profit sharing rights if the employee joins a competing employer; amending Minnesota Statutes 1974, Chapter 181B, by adding a section.

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 44 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|---------------|--------------|----------------|-----------|
| Arnold | Chmielewski | Kirchner | North | Schrom |
| Ashbach | Conzemius | Kowalczyk | Ogdahl | Solon |
| Bang | Dunn | Larson | Olhoff | Spear |
| Berg | Fitzsimons | Laufenburger | Olson, A. G. | Stassen |
| Bernhagen | Gearty | McCutcheon | Patton | Stokowski |
| Blatz | Hansen, Baldy | Merriam | Perpich, A. J. | Stumpf |
| Brataas | Hanson, R. | Milton | Pillsbury | Ueland |
| Brown | Josefson | Moe | Purfeerst | Willet |
| Chenoweth | Keefe, S. | Nelson | Schmitz | |

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

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1425

A bill for an act relating to the city of Saint Paul; authorizing the city to directly negotiate and enter into contracts for solid waste collection and disposal; exempting such contracts from the Minnesota antitrust law of 1971.

May 16, 1975

The Honorable Alec G. Olson
President of the Senate

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

We, the undersigned conferees for S. F. No. 1425 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the House amendments and that S. F. No. 1425 be further amended by adding a section to follow the section added by Mr. Berg's amendment as follows:

"Sec. 3. Before the city of St. Paul may commence any activities or enter into any contract for the purposes described in section 1, the city of St. Paul shall submit the proposed contract or activities to the metropolitan council for review and approval. The metropolitan council shall review the proposed contract or activities to determine their consistency with the solid waste comprehensive plan of the council, the report of the metropolitan council to the 1975 session of the legislature on solid waste recycling, and proposed or existing projects of other cities, counties or metropolitan commissions. The council shall require that all costs of operation, administration, maintenance and debt service of the proposed solid waste management or resource recovery activities will be covered by reasonable rates and charges. In

addition, the metropolitan council shall not approve a contract involving the city of St. Paul for resource recovery activities unless it determines that adequate markets exist for the materials to be recycled."

Renumber the sections accordingly

Further, amend the title as follows:

Line 6, after "1971" insert "; requiring approval of such contracts by the metropolitan council"

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

Senate Conferees: (Signed) John C. Chenoweth, Robert D. North, Peter Stumpf.

House Conferees: (Signed) Walter Hanson, James Casserly, Ronald Sieloff.

Mr. Chenoweth moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1425 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. 1425: A bill for an act relating to the city of Saint Paul; authorizing the city to directly negotiate and enter into contracts for solid waste collection and disposal; exempting such contracts from the Minnesota antitrust law of 1971; requiring approval of such contracts by the metropolitan council.

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 49 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|---------------|--------------|----------------|-----------|
| Arnold | Chmielewski | Keefe, S. | Nelson | Schaaf |
| Ashbach | Conzemius | Kirchner | North | Schmitz |
| Bang | Doty | Kleinbaum | Ogdahl | Solon |
| Berg | Dunn | Kowalczyk | Olhoff | Spear |
| Bernhagen | Fitzsimons | Larson | Olson, A. G. | Stassen |
| Blatz | Gearty | Laufenburger | Olson, J. L. | Stokowski |
| Borden | Hansen, Baldy | McCutcheon | Patton | Stumpf |
| Brataas | Hanson, R. | Merriam | Perpich, A. J. | Ueland |
| Brown | Josefson | Milton | Perpich, G. | Willet |
| Chenoweth | Keefe, J. | Moe | Pillsbury | |

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 919, No. 83 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 919: A bill for an act relating to the environment; directing creation of an environmental permits coordination unit within the environmental quality council; authorizing an optional consolidated application and hearing procedure for certain permits; directing establishment of permit information centers; appropriating money.

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 | Dunn | Kirchner | North | Schaaf |
| Ashbach | Fitzsimons | Knutson | Ogdahl | Schmitz |
| Bang | Frederick | Kowalczyk | Olhoft | Schrom |
| Berg | Gearty | Larson | Olson, A. G. | Solon |
| Bernhagen | Hanson, R. | Laufenburger | Olson, J. L. | Spear |
| Blatz | Hughes | McCutcheon | O'Neill | Stokowski |
| Brataas | Humphrey | Merriam | Patton | Stumpf |
| Brown | Josefson | Milton | Perpich, A. J. | Ueland |
| Chenoweth | Keefe, J. | Moe | Perpich, G. | Willet |
| Doty | Keefe, S. | Nelson | Pillsbury | |

So the bill passed and its title was agreed to.

Pursuant to Rule 21, Mr. Milton moved that the following members be excused for a Conference Committee on H. F. No. 645:

Messrs. Milton, Anderson and Kirchner. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1313, No. 76 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1313: A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act; appropriating money; amending Minnesota Statutes 1974, Chapter 490, by adding a section; and Section 490.124, Subdivisions 2 and 9.

Mr. Chenoweth moved that the amendment made to H. F. No. 1313 by the Committee on Rules and Administration in the report adopted May 17, 1975, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 1313 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|---------|-------------|------------|------------|
| Anderson | Blatz | Chenoweth | Doty | Gearty |
| Bang | Borden | Chmielewski | Dunn | Hanson, R. |
| Berg | Brataas | Coleman | Fitzsimons | Hughes |
| Bernhagen | Brown | Conzemius | Frederick | Humphrey |

| | | | | |
|-----------|--------------|--------------|----------------|-----------|
| Josefson | Larson | Nelson | Patton | Solon |
| Keefe, J. | Laufenburger | North | Perpich, A. J. | Spear |
| Keefe, S. | Lewis | Ogdahl | Perpich, G. | Stokowski |
| Kirchner | McCutcheon | Olhoft | Pillsbury | Stumpf |
| Kleinbaum | Merriam | Olson, A. G. | Renneke | Ueland |
| Knutson | Milton | Olson, J. L. | Schmitz | Willet |
| Kowalczyk | Moe | O'Neill | Schrom | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 90, No. 85 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 90: A bill for an act relating to corrections; providing for participation in educational programs in the community by selected inmates of state correctional institutions; providing for the payment of room and board charges by inmates; amending Minnesota Statutes 1974, Section 241.26, Subdivisions 1, 5, and 7.

Mr. Brown moved to amend S. F. No. 90 as follows:

Page 4, line 7, after the stricken word "auditor" insert "*provided that the commissioner shall not waive the payment where it is demonstrated that the inmate is financially able to make the payment*"

The motion prevailed. So the amendment was adopted.

S. F. No. 90 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 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Bang | Doty | Keefe, J. | Ogdahl | Schrom |
| Berg | Dunn | Keefe, S. | Olhoft | Sillers |
| Bernhagen | Fitzsimons | Knutson | Olson, A. G. | Spear |
| Blatz | Frederick | Kowalczyk | Olson, J. L. | Stassen |
| Borden | Gearty | Laufenburger | Patton | Stokowski |
| Brataas | Hansen, Baldy | Lewis | Perpich, A. J. | Stumpf |
| Brown | Hanson, R. | McCutcheon | Perpich, G. | Tennessen |
| Chmielewski | Hughes | Merriam | Pillsbury | Ueland |
| Coleman | Humphrey | Nelson | Purfeerst | Willet |
| Conzemius | Josefson | North | Schmitz | |

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

Pursuant to Rule 21, Mr. Purfeerst moved that the following members be excused for a Conference Committee on H. F. No. 1741:

Messrs. Kirchner, Ogdahl, Merriam, Willet and Purfeerst. The motion prevailed.

Pursuant to Rule 21, Mr. Hansen, Baldy moved that the follow-

ing members be excused for a Conference Committee on S. F. No. 733:

Messrs. Larson, Lewis and Hansen, Baldy. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1014, No. 86 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1014: A bill for an act relating to the collection, security and dissemination of data on individuals by the state and its political subdivisions; clarifying necessary definitions; changing reporting requirements; restructuring the duties of responsible authorities and the rights of subjects of data; providing for issuance of rules relating to the implementation of the act by the commissioner of administration; providing for the establishment of a privacy study commission; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 15.162; 15.163; 15.165; 15.166; 15.167; and Chapter 15, by adding sections; repealing Minnesota Statutes 1974, Sections 15.164 and 15.168.

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 43 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|------------|--------------|----------------|-----------|
| Bang | Dunn | Keefe, S. | Olson, A. G. | Sillers |
| Berg | Fitzsimons | Kleinbaum | Olson, J. L. | Spear |
| Bernhagen | Frederick | Knutson | Patton | Stassen |
| Blatz | Gearty | Kowalczyk | Perpich, A. J. | Stokowski |
| Brataas | Hanson, R. | Laufenburger | Perpich, G. | Stumpf |
| Brown | Hughes | McCutcheon | Pillsbury | Tennessee |
| Chmielewski | Humphrey | Nelson | Renneke | Ueland |
| Conzemius | Josefson | North | Schmitz | |
| Doty | Keefe, J. | Olhoff | Schrom | |

So the bill passed and its title was agreed to.

Pursuant to Rule 21, Mr. Humphrey moved that the following members be excused for a Conference Committee on H. F. No. 1137:

Messrs. Humphrey; Keefe, J. and Borden. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 704, No. 84 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 704: A bill for an act relating to the Minnesota zoological garden; enabling the state zoological board to acquire lands; authorizing the director to add to and promote the opera-

tion; establishing the Minnesota zoological garden operating receipts investment account; authorizing the investment of its assets; assigning income to the Minnesota zoological garden general account; defining "matching funds"; amending Minnesota Statutes 1974, Chapter 11, by adding a section; Sections 85A.02, Subdivision 12, and by adding subdivisions; 85A.03, Subdivisions 4, 4a, and by adding a subdivision; 85A.04, Subdivisions 1 and 2, and by adding subdivisions; and 85A.05, Subdivisions 4 and 6.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

| | | | | |
|-------------|------------|--------------|----------------|-----------|
| Arnold | Conzemius | Josefson | Olson, A. G. | Sillers |
| Ashbach | Davies | Keefe, J. | Olson, J. L. | Spear |
| Bang | Doty | Kleinbaum | Patton | Stassen |
| Bernhagen | Fitzsimons | Knutson | Perpich, A. J. | Stokowski |
| Blatz | Frederick | Kowalczyk | Pillsbury | Stumpf |
| Borden | Gearty | Laufenburger | Renneke | |
| Brataas | Hanson, R. | Nelson | Schaaf | |
| Brown | Hughes | North | Schmitz | |
| Chmielewski | Jensen | Olhoft | Schrom | |

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that General Orders be made a Special Orders Calendar for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 146: A bill for an act relating to commerce; requiring that tents and sleeping bags be flame resistant; providing a penalty.

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 43 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Arnold | Coleman | Jensen | Nelson | Schrom |
| Ashbach | Davies | Josefson | North | Sillers |
| Bang | Fitzsimons | Keefe, J. | Olhoft | Spear |
| Berg | Frederick | Keefe, S. | Olson, A. G. | Stassen |
| Bernhagen | Gearty | Kleinbaum | Patton | Stokowski |
| Blatz | Hansen, Baldy | Knutson | Perpich, A. J. | Stumpf |
| Borden | Hansen, Mel | Kowalczyk | Pillsbury | Wegener |
| Brown | Hanson, R. | Laufenburger | Renneke | |
| Chmielewski | Hughes | Lewis | Schmitz | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 470: A bill for an act relating to pharmacy and drugs; requiring certain information on labels affixed to containers of certain drugs; amending Minnesota Statutes 1974, Section 151.212.

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 37 and nays 26, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|--------------|--------------|-----------|
| Anderson | Dunn | Kowalczyk | Olhoft | Stokowski |
| Arnold | Gearty | Laufenburger | Olson, A. G. | Stumpf |
| Borden | Hansen, Mel | Lewis | O'Neill | Tennessen |
| Chenoweth | Hughes | Merriam | Purfeerst | Wegener |
| Coleman | Humphrey | Milton | Schaaf | Willet |
| Conzemius | Keefe, J. | Moe | Schmitz | |
| Davies | Keefe, S. | North | Solon | |
| Doty | Knutson | Ogdahl | Spear | |

Those who voted in the negative were:

| | | | | |
|-----------|---------------|--------------|----------------|---------|
| Ashbach | Brown | Jensen | Perpich, A. J. | Stassen |
| Bang | Chmielewski | Kirchner | Perpich, G. | Ueland |
| Berg | Fitzsimons | Kleinbaum | Pillsbury | |
| Bernhagen | Frederick | Larson | Renneke | |
| Blatz | Hansen, Baldy | Olson, J. L. | Schrom | |
| Brataas | Hanson, R. | Patton | Sillers | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 52: A bill for an act relating to employment; providing that employees shall be issued written statements of employment benefits.

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

The question being taken on the passage of the bill,

Mr. Chenoweth moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 29 and nays 30, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|--------------|----------------|-------------|-----------|
| Arnold | Humphrey | Merriam | Perpich, G. | Stokowski |
| Borden | Keefe, S. | Milton | Purfeerst | Stumpf |
| Coleman | Kleinbaum | North | Schaaf | Tennessen |
| Conzemius | Laufenburger | Olson, A. G. | Solon | Wegener |
| Gearty | Lewis | O'Neill | Spear | Willet |
| Hughes | McCutcheon | Perpich, A. J. | Stassen | |

Those who voted in the negative were:

| | | | | |
|-----------|-------------|------------|--------------|-----------|
| Ashbach | Brown | Frederick | Kowalczyk | Patton |
| Bang | Chenoweth | Hanson, R. | Larson | Pillsbury |
| Berg | Chmielewski | Jensen | Nelson | Schmitz |
| Bernhagen | Doty | Keefe, J. | Ogdahl | Schrom |
| Blatz | Dunn | Kirchner | Olhoft | Sillers |
| Brataas | Fitzsimons | Knutson | Olson, J. L. | Ueland |

So the bill failed to pass.

RECONSIDERATION

Mr. Tennesen moved that the vote whereby H. F. No. 1014 was passed by the Senate on May 19, 1975, be now reconsidered. The motion prevailed.

H. F. No. 1014: A bill for an act relating to the collection, security and dissemination of data on individuals by the state and its political subdivisions; clarifying necessary definitions; changing reporting requirements; restructuring the duties of responsible authorities and the rights of subjects of data; providing for issuance of rules relating to the implementation of the act by the commissioner of administration; providing for the establishment of a privacy study commission; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 15.162; 15.163; 15.165; 15.166; 15.167; and Chapter 15, by adding sections; repealing Minnesota Statutes 1974, Sections 15.164 and 15.168.

Mr. Tennesen moved to amend H. F. No. 1014, as amended pursuant to Rule 49, adopted by the Senate May 17, 1975, as follows:

Page 2, line 7, after "*the*" insert "*medical or*"

The motion prevailed. So the amendment was adopted.

H. F. No. 1014 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|-------------|--------------|----------------|-----------|
| Arnold | Conzemius | Jensen | North | Schmitz |
| Ashbach | Davies | Keefe, J. | Ogdahl | Schrom |
| Bang | Doty | Keefe, S. | Olhoft | Sillers |
| Berg | Dunn | Kleinbaum | Olson, A. G. | Solon |
| Bernhagen | Fitzsimons | Kowalczyk | O'Neill | Stassen |
| Blatz | Frederick | Larson | Patton | Stokowski |
| Brataas | Gearty | Laufenburger | Perpich, A. J. | Stumpf |
| Brown | Hansen, Mel | Lewis | Perpich, G. | Tennesen |
| Chenoweth | Hanson, R. | McCutcheon | Pillsbury | Ueland |
| Chmielewski | Hughes | Merriam | Renneke | Wegener |
| Coleman | Humphrey | Nelson | Schaaf | Willet |

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

SPECIAL ORDER

H. F. No. 25: A bill for an act relating to housing; providing warranties on the sale of new housing upon the seller.

Mr. Hanson, R. moved to amend H. F. No. 25 as follows:

Page 1, line 14, after "*habitation*" insert "*in the metropolitan area as defined in Laws 1975, Chapter 13, Section 1, Subdivision 2*"

The motion prevailed. So the amendment was adopted.

Mr. Nelson moved to amend H. F. No. 25 as follows:

Page 2, line 14, after "constructs" insert "more than twenty"

Page 2, line 14, after "dwellings" insert "in a calendar year"

Mr. Tennesen moved that H. F. No. 25 be re-referred to the Committee on Judiciary. The motion prevailed.

RECONSIDERATION

The question recurred on the motion of Mr. Davies that the vote whereby H. F. No. 216 was passed by the Senate on May 17, 1975, be now reconsidered. The motion prevailed.

H. F. No. 216: A bill for an act relating to estates; affairs of decedents, missing persons, protected persons, minors, incapacitated persons and certain others; revising aspects of the law relating to wills, intestacy, administration and distribution of estates; taxation of inheritances; ordering the powers and proceedings of the court and certain officials concerned with the administration of estates of decedents and others; amending Minnesota Statutes 1974, Sections 287.22; 291.005; 291.07, and by adding a subdivision; 291.09, Subdivision 1; 291.14, Subdivision 1, and by adding subdivisions; 502.71; 508.22; 508.68; 508.69; 524.1-102; 524.1-107; 524.1-108; 524.1-201; 524.1-301; 524.1-302; 524.1-303; 524.1-307; 524.1-401; 524.1-403; 524.3-101; 524.3-102; 524.3-104; 524.3-105; 524.3-108; 524.3-109; 524.3-203; 524.3-204; 524.3-301; 524.3-303; 524.3-305; 524.3-306; 524.3-310; 524.3-311; 524.3-401; 524.3-402; 524.3-403; 524.3-406; 524.3-409; 524.3-412; 524.3-413; 524.3-502; 524.3-601; 524.3-602; 524.3-603; 524.3-604; 524.3-605; 524.3-606; 524.3-609; 524.3-703; 524.3-706; 524.3-711; 524.3-715; 524.3-717; 524.3-720; 524.3-901; 524.3-906; 524.3-910; 524.3-913; 524.3-914; 524.3-915; 524.3-1001; 524.3-1008; 524.3-1101; 524.3-1203; 524.3-1204; 524.4-201; 524.4-202; 524.4-203; 524.4-204; 524.4-205; 524.4-206; 524.4-301; 524.4-303; 524.8-101; 525.02; 525.03; 525.07; 525.08; 525.091, Subdivisions 1, 2, and 4; 525.112; 525.12; 525.122; 525.15; 525.161; 525.202; 525.212; 525.215; 525.223, Subdivisions 1 and 2; 525.253, Subdivision 1; 525.393; 525.48; 525.484; 525.491; 525.51; 525.515; 525.532, Subdivisions 4 and 5; 525.591; 525.62; 525.63; 525.64; 525.641; 525.642; 525.65; 525.652; 525.66; 525.661; 525.662; 525.67; 525.68; 525.69; 525.691; 525.692; 525.70; 525.702; 525.71; 525.83; 525.84; 525.841; 541.16; 559.013, by adding a subdivision; 576.142, Subdivision 5; 576.16; amending Chapters 507, by adding a section; 524 and 525, by adding sections; repealing Minnesota Statutes 1974, Sections 524.1-105; 524.1-304; 524.1-305; 524.3-304; 524.3-705; 525.18; 525.181; 525.182; 525.183; 525.184; 525.19; 525.191; 525.203; 525.211; 525.26; 525.261; 525.262; 525.27; 525.271; 525.272; 525.33; 525.39; 525.41; 525.411; 525.412; 525.413; 525.42; 525.421; 525.43; 525.431; 525.44; 525.441; 525.442; 525.45; 525.46; 525.475; 525.521; 525.522; 525.523; 525.524; 525.525; 525.526; 525.527; 525.53; 525.531; 525.693; 525.701; 525.86; and 525.87.

Mr. Ashbach moved that the vote whereby Mr. McCutcheon's amendment to H. F. No. 216 was adopted by the Senate on May 17, 1975 be now reconsidered. The motion prevailed.

The question being taken on the adoption of the McCutcheon amendment,

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

H. F. No. 216 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 1, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|------------|-----------|----------------|---------|
| Anderson | Coleman | Josefson | Ogdahl | Renneke |
| Arnold | Davies | Keefe, J. | Olhoft | Schaaf |
| Ashbach | Dunn | Keefe, S. | Olson, A. G. | Schmitz |
| Berg | Fitzsimons | Kleinbaum | Olson, J. L. | Sillers |
| Bernhagen | Frederick | Kowalczyk | O'Neill | Spear |
| Blatz | Gearty | Larson | Patton | Stassen |
| Brataas | Hanson, R. | Merriam | Perpich, A. J. | Stumpf |
| Brown | Hughes | Milton | Perpich, G. | Wegener |
| Chmielewski | Jensen | Nelson | Pillsbury | Willet |

Mr. McCutcheon voted in the negative.

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

SPECIAL ORDER

H. F. No. 1536: A bill for an act relating to crimes; permitting certain ticket sale service fees; amending Minnesota Statutes 1974, Section 609.805, by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|---------|
| Anderson | Conzemius | Keefe, S. | Olhoft | Schmitz |
| Arnold | Davies | Kleinbaum | Olson, H. D. | Schrom |
| Ashbach | Dunn | Kowalczyk | Olson, J. L. | Sillers |
| Bang | Fitzsimons | Larson | O'Neill | Stassen |
| Berg | Frederick | Laufenburger | Patton | Stumpf |
| Bernhagen | Gearty | Lewis | Perpich, A. J. | Ueland |
| Blatz | Hansen, Baldy | Merriam | Perpich, G. | Willet |
| Brataas | Hanson, R. | Milton | Pillsbury | |
| Brown | Hughes | Nelson | Purfeerst | |
| Chmielewski | Humphrey | North | Renneke | |
| Coleman | Josefson | Ogdahl | Schaaf | |

So the bill passed and its title was agreed to.

Pursuant to Rule 21, Mr. Conzemius moved that the following members be excused for a Conference Committee on H. F. No. 1798 from 12:00-1:00 p.m.:

Messrs. Kirchner, Arnold and Purfeerst. The motion prevailed.

Pursuant to Rule 21, Mr. Conzemius moved that the following

members be excused for a Conference Committee on H. F. No. 1741 from 1:00-2:00 p.m.:

Messrs. Purfeerst, Kirchner, Merriam, Ogdahl and Willet. The motion prevailed.

SPECIAL ORDER

H. F. No. 153: A bill for an act relating to elections; prohibiting interference with candidacy; permitting public officials time off to attend meetings of their public offices; prohibiting retaliatory action by employers; amending Minnesota Statutes 1974, Section 211.10.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 8, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|--------------|--------------|-----------|
| Anderson | Chmielewski | Keefe, S. | Olhoft | Spear |
| Arnold | Coleman | Kleinbaum | Olson, A. G. | Stokowski |
| Bang | Davies | Kowalczyk | Olson, H. D. | Stumpf |
| Blatz | Fitzsimons | Laufenburger | Perpich, G. | Ueland |
| Borden | Gearty | McCutcheon | Pillsbury | Wegener |
| Brataas | Hansen, Mel | Merriam | Schmitz | Willet |
| Brown | Hughes | Milton | Schrom | |
| Chenoweth | Humphrey | North | Solon | |

Those who voted in the negative were:

| | | | | |
|---------|--------|--------|--------|---------|
| Ashbach | Dunn | Larson | Patton | Renneke |
| Berg | Jensen | Nelson | | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 618: A bill for an act relating to securities; providing for the inclusion of commodity contracts in the definition of a security; providing an exemption from registration requirements for commodity contracts; amending Minnesota Statutes 1974, Sections 80A.14 and 80A.15, Subdivision 1.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

| | | | | |
|-------------|-------------|--------------|----------------|-----------|
| Arnold | Dunn | Keefe, J. | Olhoft | Schrom |
| Ashbach | Fitzsimons | Keefe, S. | Olson, H. D. | Sillers |
| Bernhagen | Frederick | Kowalczyk | Olson, J. L. | Solon |
| Blatz | Gearty | Laufenburger | O'Neill | Spear |
| Borden | Hansen, Mel | McCutcheon | Patton | Stassen |
| Brataas | Hanson, R. | Merriam | Perpich, A. J. | Stokowski |
| Brown | Hughes | Milton | Perpich, G. | Stumpf |
| Chenoweth | Humphrey | Nelson | Pillsbury | Ueland |
| Chmielewski | Jensen | North | Renneke | Wegener |
| Davies | Josefson | Ogdahl | Schmitz | Willet |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 943: A bill for an act relating to cable communications; extending the residence of the cable communications commission in the department of administration; authorizing the commission to promulgate a line extension policy; interconnection; orders; municipal cable systems; information gathering; amending Minnesota Statutes 1974, Sections 238.01; 238.02, Subdivision 11; 238.04, Subdivision 1; 238.05, Subdivisions 1, 2, 6, 7, 12, and by adding a subdivision; 238.06, Subdivision 1; 238.08, Subdivisions 1, 2 and 3; 238.09, Subdivisions 6 and 7, and by adding subdivisions; 238.13; and 238.15; repealing Minnesota Statutes 1974, Section 238.09, Subdivision 2.

Mr. Merriam moved to amend H. F. No. 943, as amended pursuant to Rule 49, adopted by the Senate May 16, 1975, as follows:

Page 6, line 26, reinstate "consultation with"

Page 6, strike line 27

Page 6, line 28, strike "metropolitan council or"

Page 7, line 5, after "to" insert "*the rule-making provisions of*"

Page 7, line 25, after "to" insert "*the rule-making provisions of*"

The motion prevailed. So the amendment was adopted.

H. F. No. 943 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 46 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|--------------|----------------|-----------|
| Anderson | Chmielewski | Josefson | North | Spear |
| Arnold | Conzemius | Keefe, J. | Ogdahl | Stassen |
| Bang | Davies | Keefe, S. | Olhoft | Stokowski |
| Berg | Fitzsimons | Kleinbaum | Olson, J. L. | Stumpf |
| Bernhagen | Frederick | Kowalczyk | O'Neill | Ueland |
| Blatz | Gearty | Larson | Patton | Willet |
| Borden | Hansen, Mel | Laufenburger | Perpich, A. J. | |
| Brataas | Hanson, R. | Lewis | Pillsbury | |
| Brown | Hughes | Merriam | Sillers | |
| Chenoweth | Humphrey | Milton | Solon | |

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

SPECIAL ORDER

H. F. No. 4: A bill for an act relating to human rights; extending protection to disabled persons using public services and public accommodations; amending Minnesota Statutes 1974, Section 363.03, Subdivisions 3 and 4, and by adding a subdivision.

Mr. Brown moved to amend H. F. No. 4 as follows:

Page 2, after line 10, insert:

"Sec. 4. Minnesota Statutes 1974, Section 363.03, Subdivision 8, is amended to read:

Subd. 8. [CREDIT; SEX DISCRIMINATION.] It is an unfair discriminatory practice to discriminate in the extension of credit to a person because of sex or marital status."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "prohibiting discrimination in extension of credit because of marital status;"

Page 1, line 5, strike "3 and 4" and insert "3, 4, and 8"

The motion prevailed. So the amendment was adopted.

H. F. No. 4 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 44 and nays 1, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|--------------|----------------|-----------|
| Anderson | Chmielewski | Keefe, J. | Nelson | Sillers |
| Arnold | Fitzsimons | Keefe, S. | North | Solon |
| Ashbach | Frederick | Kleinbaum | Olhoft | Spear |
| Bang | Gearly | Kowalczyk | Olson, J. L. | Stassen |
| Berg | Hansen, Mel | Laufenburger | O'Neill | Stokowski |
| Bernhagen | Hanson, R. | Lewis | Perpich, A. J. | Stumpf |
| Borden | Hughes | McCutcheon | Pillsbury | Ueland |
| Brataas | Humphrey | Merriam | Schaaf | Willet |
| Brown | Josefson | Milton | Schmitz | |

Mr. Davies voted in the negative.

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

SPECIAL ORDER

H. F. No. 67: A bill for an act relating to handicapped persons; providing an interpreter in all proceedings.

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 | Chmielewski | Keefe, J. | North | Sillers |
| Bang | Davies | Keefe, S. | Olhoft | Solon |
| Berg | Dunn | Kleinbaum | Olson, J. L. | Spear |
| Bernhagen | Fitzsimons | Kowalczyk | O'Neill | Stassen |
| Blatz | Gearly | Laufenburger | Perpich, A. J. | Stokowski |
| Borden | Hansen, Mel | Lewis | Perpich, G. | Stumpf |
| Brataas | Hanson, R. | Merriam | Pillsbury | Ueland |
| Brown | Hughes | Milton | Schaaf | Wegener |
| Chenoweth | Humphrey | Nelson | Schmitz | Willet |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1555: A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted, unconstitutional and obsolete references and text; eliminating certain duplicious and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1974, Chapter 28A, by adding a section; Sections 15.0411, Subdivision 2; 15A.083, Subdivision 2; 16.80; 16A.129; 30.461; 30.462; 30.463, Subdivisions 1 and 5; 30.464, Subdivisions 1, 2, and 3; 30.465; 30.467; 30.468; 30.469; 30.47; 30.472; 30.473; 30.475; 30.476; 32A.08, Subdivision 1; 34.05, Subdivision 2; 43.35; 43.09, Subdivision 2a; 50.14, Subdivision 1; 59A.03, Subdivision 3; 60A.03, Subdivision 2; 65B.06, Subdivision 2; 65B.44, Subdivision 5; 80A.15, Subdivision 2; 80C.03; 82.18; 82.30, Subdivision 2; 83.25, Subdivision 3; 84.87, Subdivision 1; 84A.07; 84A.26; 84A.36; 97.48, Subdivision 4; 111.80; 115.48, Subdivision 1; 115.51; 116.16, Subdivision 3; 116F.08; 116H.04, Subdivision 3; 121.02; 122.355, Subdivision 1; 123.78, Subdivision 1; 124.15, Subdivision 2; 124.17, Subdivision 2; 124.41, Subdivision 1; 124.803; 145.862, Subdivision 4; 147.02; 147.22; 155.02, Subdivision 2; 179.74, Subdivision 2; 181A.07, Subdivision 6; 192.40; 197.63, Subdivision 1; 205.10; 205.11, Subdivision 1; 205.12; 205.16, Subdivisions 1 and 2; 205.17, Subdivisions 1 and 2; 243.88, Subdivision 3; 245.68; 245.77; 246.23; 251.043, Subdivision 3; 256.01, Subdivision 2; 256D.02, Subdivision 4; 260.251, Subdivision 3; 268.04, Subdivision 12; 268.115, Subdivision 2; 270.075, Subdivision 1; 273.11, Subdivision 4; 273.111, Subdivisions 9 and 11; 273.13, Subdivision 7; 275.125, Subdivision 4; 275.161; 282.16; 285.11; 290.01, Subdivision 22; 290.02; 290.06, Subdivision 2c; 290.086, Subdivision 1; 290.09, Subdivision 15; 290.21, Subdivision 3; 290.26, Subdivision 2a; 290.92, Subdivision 2a; 291.05; 292.04; 297.13, Subdivision 1; 297B.09; 298.026; 298.027; 298.51; 298.53; 298.63; 299.013; 299B.03, Subdivision 1; 299F.77; 300.025; 301.77, Subdivision 1; 308.06, Subdivision 3; 309.581; 318.03; 354A.05; 355.11, Subdivision 2; 355.80; 362.17; 363.01, Subdivision 13; 375.471; 376.25; 412.02, Subdivision 5; 412.251; 412.861, Subdivision 1; 441.15; 463.152, Subdivision 1; 463.261; 465.19; 466.02; 488A.13, Subdivision 1; 507.291; 525.213; 525.515; 550.041; 571.47, Subdivision 2; 571.48, Subdivision 2; 609.375, Subdivision 4; 609.75, Subdivision 4; 611.14; 626.05, Subdivision 2; 631.50; 632.12; and 648.43; repealing Minnesota Statutes 1974, Sections 15.13; 148.87; 171.12, Subdivision 4; 176.061, Subdivision 10; 309.583; 359.06; and 380.24; 593.17; Laws 1969, Chapters 540, Section 5; 896, Section 1; and 1126, Section 1; Laws 1971, Chapters 32, Section 1; 74, Section 6; 226, Section 1; and 427, Section 17; Laws 1973, Chapters 388, Sections 156, 157, 158, 159, 160, 161, 162, 163, and 170; 638, Sections 22 and 23; and 725, Sections 25 and 26; Laws 1974, Chapters 62, Section 1; 161, Section 10; and 205, Section 1.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Dunn | Kleinbaum | O'Neill | Spear |
| Ashbach | Fitzsimons | Kowalczyk | Patton | Stassen |
| Bang | Frederick | Laufenburger | Perpich, A. J. | Stokowski |
| Bernhagen | Gearty | Lewis | Perpich, G. | Stumpf |
| Brataas | Hansen, Baldy | McCutcheon | Pillsbury | Ueland |
| Brown | Hansen, Mel | Merriam | Renneke | Wegener |
| Chenoweth | Hughes | Milton | Schaaf | Willet |
| Chmielewski | Humphrey | North | Schmitz | |
| Conzemius | Josefson | Olhoft | Sillers | |
| Doty | Keefe, S. | Olson, J. L. | Solon | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1428: A bill for an act relating to economic development, including Indian organizations in the definition of a redevelopment area to provide eligibility for certain economic loans; amending Minnesota Statutes 1974, Sections 472.03, Subdivision 3, and by adding subdivisions; and 472.11, by adding a subdivision.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Davies | Humphrey | Nelson | Schmitz |
| Ashbach | Doty | Josefson | North | Sillers |
| Bang | Dunn | Keefe, J. | Olhoft | Solon |
| Berg | Fitzsimons | Keefe, S. | Olson, J. L. | Spear |
| Bernhagen | Frederick | Kleinbaum | O'Neill | Stassen |
| Blatz | Gearty | Kowalczyk | Patton | Stokowski |
| Borden | Hansen, Baldy | Laufenburger | Perpich, A. J. | Stumpf |
| Brataas | Hansen, Mel | Lewis | Perpich, G. | Ueland |
| Chmielewski | Hanson, R. | McCutcheon | Pillsbury | Wegener |
| Conzemius | Hughes | Milton | Renneke | Willet |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 447: A bill for an act relating to real estate brokers and salespersons; authorizing establishment of special licenses applicable solely to the rental or management of real estate; amending Minnesota Statutes 1974, Sections 82.20, Subdivision 1; and 82.22, Subdivision 6.

Mr. Keefe, S. moved to amend H. F. No. 447 as follows:

Strike the amendment to H. F. No. 447 placed on the bill by the Committee on Labor and Commerce, adopted by the Senate May 8, 1975

Page 1, line 21, after the period insert:

"This clause shall not be construed to require those owners or managers or their agents or employees who are excluded by section 82.18, clause (d) from the definition of real estate broker, to obtain the special license."

The motion prevailed. So the amendment was adopted.

H. F. No. 447 was then progressed.

SPECIAL ORDER

H. F. No. 696: A bill for an act relating to small loan companies; application and license fees; amending Minnesota Statutes 1974, Sections 56.02 and 56.08.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Coleman | Josefson | Olson, J. L. | Sillers |
| Berg | Davies | Keefe, J. | O'Neill | Solon |
| Bernhagen | Doty | Laufenburger | Patton | Spear |
| Blatz | Dunn | Lewis | Perpich, A. J. | Stassen |
| Borden | Gearty | McCutcheon | Perpich, G. | Stokowski |
| Brataas | Hansen, Baldy | Milton | Pillsbury | Stumpf |
| Brown | Hansen, Mel | Nelson | Renneke | Ueland |
| Chenoweth | Hanson, R. | North | Schaaf | Wegener |
| Chmielewski | Hughes | Olson, A. G. | Schmitz | Willet |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 576: A bill for an act relating to commerce; authorizing limited trust powers for commercial banks; amending Minnesota Statutes 1974, Chapter 48, by adding a section.

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 | Coleman | Josefson | Olson, H. D. | Solon |
| Ashbach | Davies | Keefe, J. | Olson, J. L. | Spear |
| Bang | Doty | Keefe, S. | O'Neill | Stokowski |
| Berg | Dunn | Kleinbaum | Patton | Stumpf |
| Bernhagen | Fitzsimons | Laufenburger | Perpich, A. J. | Ueland |
| Blatz | Frederick | Lewis | Perpich, G. | Wegener |
| Borden | Gearty | McCutcheon | Pillsbury | Willet |
| Brataas | Hansen, Baldy | Nelson | Renneke | |
| Brown | Hanson, R. | North | Schaaf | |
| Chenoweth | Hughes | Ogdahl | Schrom | |
| Chmielewski | Humphrey | Olson, A. G. | Sillers | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 858: A bill for an act relating to credit unions; permitting Minnesota central credit union to purchase shares of and make deposits in U.S. central credit union; permitting credit unions

to deposit the reserve in balances due from U.S. central credit union; amending Minnesota Statutes 1974, Sections 52.04 and 52.17.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Dunn | Kleinbaum | Olson, A. G. | Spear |
| Bang | Fitzsimons | Kowalczyk | Olson, J. L. | Stassen |
| Bernhagen | Frederick | Laufenburger | Patton | Stokowski |
| Blatz | Hansen, Baldy | Lewis | Perpich, A. J. | Stumpf |
| Brataas | Hansen, Mel | McCutcheon | Perpich, G. | Tennessen |
| Brown | Hanson, R. | Merriam | Pillsbury | Ueland |
| Chenoweth | Hughes | Milton | Renneke | Wegener |
| Chmielewski | Humphrey | Moe | Schaaf | |
| Coleman | Jensen | Nelson | Schmitz | |
| Conzemius | Keefe, J. | North | Schrom | |
| Davies | Keefe, S. | Olhoft | Sillers | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1003: A bill for an act relating to animals; providing for admission of the public to establishments having custody of stray animals seized by public authority; requiring public notice of seized animals prior to sale or destruction; amending Minnesota Statutes 1974, Section 35.71, 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 40 and nays 8, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|--------------|----------------|-----------|
| Anderson | Davies | Jensen | Nelson | Sillers |
| Bang | Dunn | Keefe, J. | Olhoft | Solon |
| Bernhagen | Fitzsimons | Kowalczyk | Olson, A. G. | Spear |
| Blatz | Gearty | Laufenburger | Patton | Stassen |
| Brown | Hansen, Mel | Lewis | Perpich, A. J. | Stokowski |
| Chenoweth | Hanson, R. | McCutcheon | Pillsbury | Stumpf |
| Coleman | Hughes | Merriam | Schaaf | Tennessen |
| Conzemius | Humphrey | Milton | Schmitz | Wegener |

Those who voted in the negative were:

| | | | | |
|---------|---------------|--------------|---------|--------|
| Ashbach | Chmielewski | Olson, J. L. | Renneke | Schrom |
| Berg | Hansen, Baldy | Perpich, G. | | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 532: A bill for an act relating to public health; Minnesota board of nursing; nursing schools; providing for registering,

licensing and disciplining registered and practical nurses; unauthorized practice of nursing; amending Minnesota Statutes 1974, Sections 148.181, Subdivisions 1 and 2; 148.191; 148.211, Subdivisions 1 and 3; 148.231, Subdivisions 1 and 2; 148.251; 148.261; 148.271; 148.281, Subdivision 1; 148.286, Subdivisions 1 and 3; 148.29, Subdivision 2; 148.291, Subdivisions 1 and 4; 148.292; 148.293, Subdivision 1; 148.294, Subdivisions 1 and 2; 148.296, Subdivision 1; 148.297; Chapter 148, by adding sections; repealing Minnesota Statutes 1974, Sections 148.282; and 148.291, Subdivision 5.

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 2, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|-------------|--------------|----------------|-----------|
| Anderson | Doty | Knutson | Olson, H. D. | Spear |
| Aashbach | Dunn | Kowalczyk | Olson, J. L. | Stassen |
| Bang | Fitzsimons | Laufenburger | O'Neill | Stokowski |
| Bernhagen | Frederick | Lewis | Patton | Stumpf |
| Blatz | Gearty | McCutcheon | Perpich, A. J. | Tennessen |
| Brataas | Hansen, Mel | Merriam | Pillsbury | Ueland |
| Brown | Hanson, R. | Milton | Renneke | Wegener |
| Chenoweth | Hughes | Nelson | Schaaf | |
| Chmielewski | Humphrey | North | Schmitz | |
| Conzemius | Keefe, J. | Olhoff | Sillers | |
| Davies | Keefe, S. | Olson, A. G. | Solon | |

Messrs. Berg and Schrom voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 142: A bill for an act adding a new route to the trunk highway system.

Mr. Laufenburger moved to amend H. F. No. 142 as follows:

Page 1, strike line 21 and insert "designated by the commissioner of highways."

Page 2, strike lines 1 through 3

The motion prevailed. So the amendment was adopted.

H. F. No. 142 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 40 and nays 9, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|--------------|----------------|-----------|
| Anderson | Fitzsimons | Kleinbaum | Nelson | Sillers |
| Bang | Frederick | Kowalczyk | North | Solon |
| Bernhagen | Gearty | Laufenburger | Olson, A. G. | Spear |
| Brataas | Hansen, Mel | Lewis | Olson, H. D. | Stassen |
| Brown | Hanson, R. | McCutcheon | O'Neill | Stokowski |
| Coleman | Hughes | Merriam | Perpich, A. J. | Stumpf |
| Conzemius | Keefe, J. | Milton | Pillsbury | Tennessen |
| Davies | Keefe, S. | Moe | Renneke | Wegener |

Those who voted in the negative were:

| | | | | |
|-------------|----------|--------------|-------------|--------|
| Berg | Doty | Olson, J. L. | Perpich, G. | Willet |
| Chmielewski | Josefson | Patton | Schmitz | |

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

SPECIAL ORDER

S. F. No. 661: A bill for an act relating to elections; requiring the secretary of state to train all election officials.

Mr. Brown moved to amend S. F. No. 661 as follows:

Pages 1 and 2, underline all the new language

Page 2, after line 4, insert:

"Sec. 2. [PRESIDENTIAL PRIMARY ELECTION.] There shall be held on the first Tuesday in April of each year in which a president and vice-president of the United States are to be nominated and elected a presidential primary election at which the voters shall express their popular choices for the party nominations for president of the United States.

Sec. 3. [CANDIDATES.] Subdivision 1. The name of every person who prior to 42 days before the date set for the presidential primary election has publicly declared himself to be a candidate for nomination for president of the United States from any political party as defined in Minnesota Statutes, Chapter 200, shall be placed upon the ballot of his party. The determination and certification of the names of such candidates shall be the responsibility of the secretary of state and the chairman of each political party meeting together within three days after such date. No later than 35 days prior to the date set for the presidential primary election the secretary of state shall notify each person so certified that his name shall be placed upon the ballot of his party unless no later than 28 days before such election he submits an affidavit stating that he is not a candidate for nomination for president of the United States and does not intend to seek such nomination. Any other person may have his name placed upon the ballot of a political party by filing an affidavit of candidacy no more than 42 days nor less than 28 days prior to the date set for the presidential primary election with the secretary of state, either in person or by proxy with his written authorization and paying a fee of \$150. No person shall have his name placed upon the ballot of more than one political party. A candidate may withdraw after filing provided that his affidavit of withdrawal has been received by the secretary of state no later than 28 days prior to the primary election.

Subd. 2. The state executive committee of any political party as defined in Minnesota Statutes, Chapter 200, may file with the secretary of state an affidavit of candidacy designated "Not committed to any candidate" according to the procedure set forth in subdivision 1. Such designation shall be included on the presidential primary election ballot as though it were the name of a candidate.

Sec. 4. [PRESIDENTIAL PRIMARY; HOW CONDUCTED.] Except as otherwise provided in this act, the presidential primary election shall be announced, held, conducted, and the results canvassed and returned in the manner provided by law for other primary elections and in accordance with the general election laws of the state, insofar as they are applicable. Nothing contained in this act shall alter or amend the existing primary election laws or the general election laws except as herein specifically provided. Paper ballots may be used for the presidential primary election in any precinct in which for other elections mechanical voting machines are used.

Sec. 5. [AUDITOR FURNISHED INFORMATION BY SECRETARY OF STATE.] Prior to February 1 of the year in which the presidential primary election is to be held, the secretary of state shall cause to be delivered to the auditor of each county a notice advising him of the date of the election. Each auditor, on receipt of the notice, shall cause a notice to be delivered to each town and city clerk in his county.

Sec. 6. [BALLOTS; VOTING PROCEDURE.] Subdivision 1. Except for ballots used in mechanical voting machines and electronic voting systems, the secretary of state shall prepare the ballots on white paper and voter's certificates for use in the presidential primary election. The ballots and voter's certificates for each political party shall bear on the face the name of the party in three-eighths inch upper case boldface type, or as close to this as practicable. On the back of the ballot below the signature of the election officials shall be printed, as specified in this subdivision, the name of the political party, so as to be visible when the ballot is properly folded for deposit. After verification of the voter's signature, the voter shall be given a ballot of the same party as his voter's certificate and no other.

Subd. 2. The provisions of Minnesota Statutes, Chapter 207, regulating balloting by absent and disabled voters, shall apply to the presidential primary election, except that the secretary of state shall modify the application for an absentee ballot to include a space for the voter to specify the political party for which he requests a ballot.

Sec. 7. [SELECTION AND ALLOCATION OF NATIONAL CONVENTION DELEGATES.] Subdivision 1. The state executive committee of each political party as defined in Minnesota Statutes, Chapter 200, shall, at least 56 days prior to the date of the presidential primary election, submit to the secretary of state the party's plan for the selection and allocation of national convention delegates. The plan shall include the number of delegates and alternate delegates to be selected and the method of apportionment if any delegates are to be selected from districts smaller than the state. The plan shall include the method of re-allocating delegates in the event that a candidate withdraws from competition following the primary election but before delegates are selected. The state executive committee of the party shall provide for the allocation of delegates to candidates to reflect the result of the presidential primary election.

Subd. 2. Within three days after the state canvassing board has certified the results of the presidential primary election, the secretary of state shall transmit to the state chairman of each political party for which at least one candidate was listed on the ballot the number of votes each presidential candidate received statewide and in each congressional district.

Subd. 3. Within 21 days after the state canvassing board has certified the results of the presidential primary election the chairman of each political party as defined in Minnesota Statutes, Chapter 200, shall submit to the secretary of state the number of delegates and alternate delegates allocated to each candidate and the apportionment of such delegates and alternate delegates if they are to be selected from districts smaller than the state.

Sec. 8. [ADDITIONAL JUDGES NOT REQUIRED.] *The provisions of Laws 1975, Chapter 5, Section 78, Subdivision 3, requiring one judge for every 150 voters and additional qualified judges to count the votes after the polls close shall not apply to elections held under this act. The secretary of state shall determine the number of voters per judge required for this act.*

Sec. 9. [USE OF BALLOT BOXES, VOTING BOOTHS.] *Subdivision 1. For purposes of this act, any school district using paper ballots shall loan its ballot boxes and voting booths to any municipality within its boundaries which for other elections uses mechanical or electronic voting systems.*

Subd. 2. For purposes of this act, any municipality which uses paper ballots may loan ballot boxes to any other municipality which for other elections uses mechanical or electronic voting systems.

Sec. 10. *No person shall use or threaten to use physical force, job discrimination or financial reprisal against any other person because of the political party affiliation listed on his voter registration card, or to cause him to change the political party affiliation so listed. Any person violating this section shall, upon conviction thereof, be guilty of a gross misdemeanor.*

Sec. 11. *Minnesota Statutes 1974, Section 201.071, Subdivision 1, is amended to read :*

201.071 [REGISTRATION CARDS.] *Subdivision 1. Registration cards shall be manila or cardboard cards of size and weight suitable for mailing, and shall be substantially in the following form:*

VOTERS REGISTRATION CARD

(Please print or type)

Date:

1. Name:
Last First Middle Initial2. Address:
Street or Route No. (do not use P.O. Box)
.....
City (or township) County Zip

3. Birth Date

4. Telephone Number (optional):

5. Most Recent Prior Residence
Street or Route Number.....
City (or Township) Zip6. Most Recent Prior Registration
Street or Route Number.....
City (or Township) Zip

7. Political Party Affiliation:

8. I certify that I will be at least 18 years old on election day and that the above facts are correct. I understand that giving false information to procure a registration is a felony punishable by not more than five years imprisonment and a fine of not more than \$5,000, or both.

.....
Signature of Voter

For registration existing on the effective date of this act and for registration cards printed before the effective date of this act, it is sufficient for the election judge to enter the party affiliation of the voter on the card directly below the space marked OFFICE USE ONLY.

Sec. 12. Minnesota Statutes 1974, Section 201.071, Subdivision 3, is amended to read:

Subd. 3. No registration is faulty or defective if the registration card contains the voter's name, address, prior residence, prior registration if any and signature, as in items 1, 2, 4, 5, 6 and 8 of the registration card above. The absence of a zip code number does not cause the registration to be faulty or defective. A voter may list as his party affiliation one of the major political parties as defined in Minnesota Statutes, Chapter 200, Independent, or one of the minor parties. A voter may vote only in the primary election of the party appearing on his registration card. A voter who does not indicate his political party affiliation shall not be permitted to vote in a pri-

mary election of any political party. A voter may change his registered party affiliation at any time except during the 20 days immediately preceding or on the day of a primary election, except that a voter who has voted in the presidential primary election of one political party may not vote in the September primary election of any other party in that year. The judges of election may request a voter to complete a registration card that is incomplete or illegible. No voter may be prevented from voting unless his registration is faulty or defective or he is duly and successfully challenged in accordance with provisions of chapter 201.

Sec. 13. Minnesota Statutes 1974, Section 201.071, is amended by adding a subdivision to read:

Subd. 5. A voter who has not indicated his party affiliation on his registration card may vote in a presidential primary election by stating to the judge of election on the presidential primary election day the party primary in which he wishes to vote. The judge of election shall enter the voter's party preference upon his registration card and shall transmit this information to the county auditor to be entered upon the voter's permanent registration card on file in the auditor's office.

Sec. 14. Minnesota Statutes 1974, Section 206.01, Subdivision 8, is amended to read:

Subd. 8. The term "primary lever" means the lever which the ~~voter~~ election judge must operate in a political party primary to unlock the voting levers assigned to the candidates of the political party in the primary of which the voter wishes to vote.

Sec. 15. Minnesota Statutes 1974, Section 206.07, Subdivision 1, is amended to read:

206.07 [CANDIDATES, ARRANGEMENT OF NAMES.] Subdivision 1. [PLACEMENT.] Where voting machines are authorized and employed, the titles of offices may be arranged horizontally with the names of the candidates arranged vertically under the title of the office, or the titles of the offices may be arranged vertically with the names of the candidates arranged horizontally opposite the respective titles. On the "~~Consolidated Primary Election Ballot~~" *primary ballot* prepared for primary elections, and on the white ballot prepared for the general election, the order of the names of nominees, or names of candidates for election, as the case may be, shall be the same as is required for paper ballots. More than one column or row may be used for the same office or party. Questions, constitutional amendments, or other propositions shall be placed on the machines in the space provided for that purpose and shall be arranged in the manner which the construction of the machine requires.

Sec. 16. Minnesota Statutes 1974, Section 206.07, Subdivision 4, is amended to read:

Subd. 4. [VOTING MACHINES.] The machine adopted or employed must be so constructed as to insure to every elector an opportunity to vote in secret; to permit him to vote once

and only once for all the candidates and upon all the propositions for whom or upon which he is legally entitled to vote; to permit him to vote by means of some devices connected with the mechanism of the machine, for any person for any office elective by the voters of his precinct at such election, although such person has not been regularly nominated for such office by any political party, and his name does not appear upon the ballot form on or in such machines as a candidate for such office; to prevent the elector from voting for more than one person for the same office, unless he is lawfully entitled to vote for more than one person therefor, and in that event to limit him to the number to be elected to that office; to prevent him at a primary election ; from voting for the nomination of candidates of ~~more than one~~ *any party not shown on his voter registration card or voter's certificate* , or for any person whose name is not on the official ballot at such election; to prevent him from voting for any candidate or upon any proposed amendment, question or proposition, for whom or upon which he is not lawfully entitled to vote; to permit him to change or retract any vote he has attempted to cast for any candidate for any office or upon any proposition up to the time his vote has been completed, and his vote in favor of such person or proposition has been registered thereon. No machine which does not comply with these requirements shall be approved, authorized or employed; except that machines may be used which are not so constructed as to permit a voter to change from one party to another in a party primary or to retract a vote cast on the irregular ballot device. In such cases the voter shall be required to first return all voting levers to the unvoted position and remove, cross out or erase any vote recorded on the irregular ballot device, as the case may be, and shall then call upon the election officials to witness that it has been done, and they shall then cause the voting machine to be returned to the original unvoted position and shall permit the voter to begin from the beginning once more. Such operation of the voting machine under such conditions as in this paragraph mentioned shall be designated as a spoiled voting machine ballot and the election officials present shall make out and sign a certificate stating the facts for each such case which shall be returned with the official returns of the election.

Sec. 17. Laws 1975, Chapter 5, Section 51, Subdivision 1, is amended to read:

Sec. 51. [203A.22] [BALLOTS.] Subdivision 1. [PARTISAN AND NONPARTISAN CANDIDATES.] All voting at the primary election shall be by ballot. There shall be one ballot for ~~all partisan~~ *the candidates ; grouped by parties of each party* , and a separate ballot for all candidates to be nominated without party designation.

Sec. 18. Laws 1975, Chapter 5, Section 52, Subdivision 1, is amended to read:

Sec. 52. [203A.23] [PRIMARY BALLOTS, PREPARATION.] Subdivision 1. [FORM.] Except as provided in this section, the primary election ballots shall be printed in the same general manner as is provided for the general election ballots, so far as

practicable. The auditor of each county shall have printed a sufficient number of separate primary election ballots, varied as may be necessary for the several precincts and wards. The ~~consolidated~~ primary election ~~ballot~~ ballots shall be on white paper, the nonpartisan primary ballot shall be on canary paper, and any municipal primary ballot shall be on light green paper.

Sec. 19. Laws 1975, Chapter 5, Section 52, Subdivision 7, is amended to read:

Subd. 7. [PRIMARY PARTY BALLOT.] The party ballot shall be headed by the words, "~~Consolidated Primary Election Ballot.~~" name of the party in three-eighths inch upper case bold-face type, or as close to this as practicable. Each political party shall have a separate ticket on the consolidated ballot, under which the names of all the candidates of the political party shall be grouped. Each political party ticket shall be headed by the words, "~~..... Party Ticket,~~" giving the party name. Below the party name shall be printed the words, "You cannot split your ballot. If you vote for candidates of more than one party, your ballot will be rejected." Each party ticket shall be separated by a 12 point solid rule line. On the consolidated ballot The candidates for senator in congress shall be first, candidates for representatives in congress shall be second, candidates for senator in the legislature shall be third, and candidates for representative in the legislature shall be fourth. The candidates for state office shall follow the candidates for representative in the legislature.

Sec. 20. Laws 1975, Chapter 5, Section 90, is amended by adding a subdivision to read:

Subd. 1a. [VOTER'S CERTIFICATE, FORM FOR PRIMARY.] For primary elections only there shall be separate voter's certificates printed for the voters of each political party and for independent and minor party voters. The name of the party or the words "Independent or Minor Party" shall appear on the face of the certificates in three-eighths inch upper case bold face type, or as close to this as practicable. The certificates for independent or minor party voters shall also include a line on which the voter shall indicate his party. Unless the name of the party appearing on the voter's certificate is the same as that appearing on the voter's registration card, the voter shall not be permitted to vote in the primary of any party.

Sec. 21. Laws 1975, Chapter 5, Section 52, Subdivision 8, and Section 93, Subdivision 2, are repealed.

Sec. 22. [APPROPRIATION.] There is hereby appropriated from the general fund to the secretary of state for the purposes of this act the sum of \$1,000,000 for the biennium ending June 30, 1977. This appropriation shall cover all of the administrative expenses incurred by the secretary of state in carrying out the purposes of this act; the reimbursement for salaries of election judges at a rate not to exceed \$35 per judge; costs incurred by the secretary of state in training election judges; reimbursement for purchase of ballot boxes and voting booths for precincts which for other elections use mechanical voting systems and which cannot obtain such boxes and booths from any other source; costs incurred in converting mechanical voting machines

to comply with the provisions of this act; and reimbursement to counties for the cost of registration in excess of the costs normally incurred in the year of a presidential election. In the event that this appropriation is not sufficient to completely reimburse the local units of government, the secretary of state shall not request a deficiency appropriation, but the amounts reimbursed to the local units of government shall be prorated on the basis of the number of votes cast in said election in the local units."

Renumber the sections in sequence

Amend the title by striking it in its entirety and insert:

"A bill for an act relating to elections; requiring the secretary of state to train all election officials; permitting public officials time off to attend meetings of their public offices; prohibiting retaliatory action by employers; providing for party registration; providing for a presidential primary election; regulating the selection of convention delegates; appropriating money; amending Minnesota Statutes 1974, Sections 201.-071, Subdivisions 1 and 3, and by adding a subdivision; 206.01, Subdivision 8; 206.07, Subdivisions 1 and 4; and Laws 1975, Chapter 5, Section 51, Subdivision 1; Section 52, Subdivisions 1 and 7; and Section 90 by adding a subdivision; repealing Laws 1975, Chapter 5, Section 52, Subdivision 8; and Section 93, Subdivision 2."

CALL OF THE SENATE

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

| | | | | |
|-------------|---------------|--------------|--------------|-----------|
| Anderson | Davies | Keefe, J. | Nelson | Schmitz |
| Arnold | Dunn | Keefe, S. | Olhoft | Schrom |
| Ashbach | Fitzsimons | Kirchner | Olson, A. G. | Spear |
| Bang | Gearty | Knutson | Olson, H. D. | Stassen |
| Berg | Hansen, Baldy | Kowalczyk | Olson, J. L. | Stokowski |
| Bernhagen | Hansen, Mel | Larson | O'Neill | Stumpf |
| Blatz | Hanson, R. | Laufenburger | Patton | Ueland |
| Brataas | Hughes | Lewis | Perpich, G. | |
| Brown | Humphrey | Merriam | Pillsbury | |
| Chmielewski | Jensen | Milton | Renneke | |
| Coleman | Josefson | Moe | SchAAF | |

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

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 25 and nays 37, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|---------------|-----------|--------------|
| Bang | Chmielewski | Hansen, Baldy | Kirchner | North |
| Berg | Conzemius | Hansen, Mel | Kleinbaum | Olson, J. L. |
| Bernhagen | Doty | Hanson, R. | Kowalczyk | Perpich, G. |
| Blatz | Dunn | Josefson | Larson | Renneke |
| Brown | Gearty | Keefe, J. | Nelson | Willet |

Those who voted in the negative were:

| | | | | |
|-----------|--------------|--------------|----------------|-----------|
| Anderson | Fitzsimons | McCutcheon | O'Neill | Stassen |
| Arnold | Hughes | Merriam | Patton | Stokowski |
| Ashbach | Humphrey | Milton | Perpich, A. J. | Stumpf |
| Borden | Jensen | Moe | Pillsbury | Tennessen |
| Brataas | Keefe, S. | Ogdahl | Schaaf | Ueland |
| Chenoweth | Knutson | Olhoft | Schmitz | |
| Coleman | Laufenburger | Olson, A. G. | Schrom | |
| Davies | Lewis | Olson, H. D. | Spear | |

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

S. F. No. 661 was then progressed.

SPECIAL ORDER

H. F. No. 597: A bill for an act relating to the Minnesota society for the prevention of cruelty; eliminating jurisdiction of society over matters of cruelty to children; amending Minnesota Statutes 1974, Sections 343.01, Subdivision 1; 343.04; 343.05; 343.06; 343.07; 343.08; 343.10; 343.11; and 343.12.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|--------------|----------------|-----------|
| Anderson | Doty | Keefe, J. | North | Renneke |
| Arnold | Dunn | Kirchner | Ogdahl | Schaaf |
| Ashbach | Fitzsimons | Knutson | Olhoft | Schmitz |
| Bang | Frederick | Kowalczyk | Olson, A. G. | Stokowski |
| Bernhagen | Gearty | Larson | Olson, H. D. | Stumpf |
| Blatz | Hansen, Mel | Laufenburger | Olson, J. L. | Tennessen |
| Brataas | Hanson, R. | Lewis | O'Neill | Willett |
| Brown | Hughes | Merriam | Patton | |
| Chenoweth | Humphrey | Milton | Perpich, A. J. | |
| Coleman | Jensen | Moe | Perpich, G. | |
| Davies | Josefson | Nelson | Pillsbury | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1328: A bill for an act relating to real estate; abstracters; increasing fees and amount of bonds; changing enforcement procedures; providing for greater access to public records; changing registration requirement; amending Minnesota Statutes 1974, Sections 386.62; 386.66; 386.68; 386.70; 386.71; and Chapter 386, by adding sections.

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 | Davies | Josefson | North | Schrom |
| Arnold | Doty | Keefe, J. | Olson, A. G. | Spear |
| Ashbach | Dunn | Kirchner | Olson, H. D. | Stokowski |
| Bang | Fitzsimons | Knutson | Olson, J. L. | Stumpf |
| Berg | Gearty | Kowalczyk | Patton | Tennessee |
| Bernhagen | Hansen, Baldy | Laufenburger | Perpich, A. J. | Wegener |
| Blatz | Hansen, Mel | Lewis | Perpich, G. | Willet |
| Brataas | Hanson, R. | Merriam | Pillsbury | |
| Brown | Hughes | Milton | Renneke | |
| Chenoweth | Humphrey | Moe | Schaaf | |
| Chmielewski | Jensen | Nelson | Schmitz | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 795: A bill for an act relating to Chisago county; requiring the Chisago county attorney to prosecute misdemeanors occurring within municipalities in Chisago county; providing for the disposition of fines.

Mr. Anderson moved to amend H. F. No. 795 as follows:

Page 1, after line 19, insert

"Sec. 3. The governing bodies of the city of Lindstrom, the county of Chisago and Independent School District No. 141 are hereby authorized to contract for the construction, installation, and maintenance by the city of sewer and water service lines extending from the city to school facilities located outside the city, and the manner of payment therefor shall not be subject to the provisions of Minnesota Statutes, Sections 475.51, Subdivision 3, and 475.58."

Renumber the sections in sequence

Page 1, line 20, before "This" insert "Subdivision 1. Sections 1 and 2 of"

Page 1, line 20, strike "is" and insert "are"

Page 1, after line 22, insert

"Subd. 2. Section 3 of this act is effective upon its approval by the governing bodies of Chisago county, the city of Lindstrom, and Independent School District No. 141, and upon compliance with section 645.021."

Amend the title as follows:

Page 1, line 2, after "to" insert "local government in"

Page 1, line 5, after "fines" insert "; authorizing the city of Lindstrom, the county of Chisago and Independent School District No. 141 to contract for certain purposes"

The motion prevailed. So the amendment was adopted.

H. F. No. 795 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 46 and nays 1, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|--------------|-----------|
| Anderson | Coleman | Hanson, R. | Moe | Sillers |
| Arnold | Conzemius | Hughes | Nelson | Stokowski |
| Ashbach | Davies | Humphrey | North | Stumpf |
| Bang | Doty | Josefson | Olson, A. G. | Tennessen |
| Berg | Dunn | Kirchner | Olson, H. D. | Wegener |
| Bernhagen | Fitzsimons | Knutson | Olson, J. L. | Willet |
| Blatz | Frederick | Kowalczyk | Patton | |
| Brown | Gearty | Laufenburger | Perpich, G. | |
| Chenoweth | Hansen, Baldy | Merriam | Pillsbury | |
| Chmielewski | Hansen, Mel | Milton | Schrom | |

Mr. Keefe, J. voted in the negative.

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

SPECIAL ORDER

H. F. No. 720: A bill for an act relating to district courts; providing for the appointment and compensation of law clerks.

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 47 and nays 7, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|-------------|--------------|----------------|-----------|
| Anderson | Conzemius | Kirchner | Olhoff | Spear |
| Arnold | Davies | Kleinbaum | Olson, A. G. | Stassen |
| Ashbach | Doty | Knutson | O'Neill | Stokowski |
| Bang | Gearty | Laufenburger | Patton | Stumpf |
| Bernhagen | Hansen, Mel | Lewis | Perpich, A. J. | Tennessen |
| Borden | Hanson, R. | Merriam | Perpich, G. | Wegener |
| Brataas | Hughes | Milton | Pillsbury | Willet |
| Chenoweth | Humphrey | Moe | Schaaf | |
| Chmielewski | Josefson | Nelson | Schmitz | |
| Coleman | Keefe, S. | North | Schrom | |

Those who voted in the negative were:

| | | | | |
|------|-----------|--------|--------------|---------|
| Berg | Frederick | Ogdahl | Olson, J. L. | Sillers |
| Dunn | Larson | | | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 605: A bill for an act relating to highway traffic regulations; driving under the influence of drugs or alcoholic beverages; prohibiting driving under the influence of a controlled substance; providing penalties; amending Minnesota Statutes 1974, Section 169.121, Subdivision 1.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 1, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|---------------|--------------|----------------|-----------|
| Anderson | Dunn | Kleinbaum | Olhoft | Schaaf |
| Arnold | Frederick | Knutson | Olson, A. G. | Schmitz |
| Ashbach | Gearty | Laufenburger | Olson, J. L. | Schrom |
| Bang | Hansen, Baldy | Lewis | O'Neill | Sillers |
| Berg | Hansen, Mel | Merriam | Patton | Spear |
| Bernhagen | Hansen, R. | Milton | Perpich, A. J. | Stassen |
| Brataas | Hughes | Moe | Perpich, G. | Stumpf |
| Conzemius | Josefson | Nelson | Pillsbury | Tennessen |
| Davies | Keefe, S. | North | Purfeerst | Wegener |
| Doty | Kirchner | Ogdahl | Renneke | Willet |

Mr. Chmielewski voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 218: A bill for an act relating to labor; regulating the powers, duties and procedures of the department of labor and industry; regulating the divisions of the department of labor and industry; amending Minnesota Statutes 1974, Sections 175.08; 175.16; 175.171; 175.20; and 175.27; repealing Minnesota Statutes 1974, Sections 175.18; 175.19; 175.21; 175.22; 175.23; 175.28; 175.29; 175.30; 175.31; and 175.32.

Mr. Frederick moved to amend H. F. No. 218 as follows:

Page 4, line 7, strike "*question employees and*"

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

H. F. No. 218 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

Mr. Stumpf moved that those not voting be excused from voting. The motion prevailed.

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

Those who voted in the affirmative were:

| | | | | |
|-------------|-------------|--------------|----------------|-----------|
| Arnold | Doty | Laufenburger | Olson, A. G. | Stokowski |
| Borden | Gearty | Lewis | Perpich, A. J. | Stumpf |
| Chenoweth | Hansen, Mel | Merriam | Perpich, G. | Tennessen |
| Chmielewski | Hughes | Milton | Purfeerst | Willet |
| Coleman | Humphrey | Moe | Schaaf | |
| Conzemius | Keefe, S. | North | Schrom | |
| Davies | Kleinbaum | Olhoft | Spear | |

Those who voted in the negative were:

| | | | | |
|-----------|------------|---------------|------------|--------------|
| Ashbach | Brataas | Hansen, Baldy | Kirchner | Nelson |
| Bang | Brown | Hansen, R. | Knutson | Ogdahl |
| Berg | Dunn | Jensen | Kowalczyk | Olson, H. D. |
| Bernhagen | Fitzsimons | Josefson | Larson | Olson, J. L. |
| Blatz | Frederick | Keefe, J. | McCutcheon | O'Neill |

Patton
Pillsbury

Renneke
Schmitz

Sillers

Ueland

Wegener

So the bill failed to pass.

RECONSIDERATION

Mr. Frederick moved that the vote whereby H. F. No. 218 failed to pass the Senate on May 19, 1975, be now reconsidered. The motion prevailed.

Mr. Davies moved that the vote whereby the Frederick amendment to H. F. No. 218 was not adopted on May 19, 1975, be now reconsidered. The motion prevailed.

H. F. No. 218: A bill for an act relating to labor; regulating the powers, duties and procedures of the department of labor and industry; regulating the divisions of the department of labor and industry; amending Minnesota Statutes 1974, Sections 175.08; 175.16; 175.171; 175.20; and 175.27; repealing Minnesota Statutes 1974, Sections 175.18; 175.19; 175.21; 175.22; 175.23; 175.28; 175.29; 175.30; 175.31; and 175.32.

Mr. Frederick moved to amend H. F. No. 218 as follows:

Page 4, line 7, strike "*question employees*"

The motion prevailed. So the amendment was adopted.

H. F. No. 218 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Arnold | Dunn | Keefe, S. | North | Schmitz |
| Ashbach | Fitzsimons | Kirchner | Ogdahl | Schrom |
| Bang | Frederick | Kleinbaum | Olhoft | Sillers |
| Berg | Gearty | Knutson | Olson, H. D. | Spear |
| Bernhagen | Hansen, Baldy | Kowalczyk | Olson, J. L. | Stassen |
| Blatz | Hansen, Mel | Laufenburger | O'Neill | Stokowski |
| Brataas | Hanson, R. | Lewis | Patton | Stumpf |
| Brown | Hughes | McCutcheon | Perpich, A. J. | Tennessen |
| Chenoweth | Humphrey | Merriam | Pillsbury | Ueland |
| Chmielewski | Jensen | Milton | Purfeerst | Willet |
| Davies | Josefson | Moe | Renneke | |
| Doty | Keefe, J. | Nelson | Schaaf | |

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

SPECIAL ORDER

H. F. No. 1309: A bill for an act relating to the operation of state government; authorizing the commissioner of administration to establish on a demonstration basis a regional service center comprising selected state agencies and to enter into a lease for purposes of acquiring suitable space for the center.

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:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Ashbach | Dunn | Kirchner | Olhoft | Schrom |
| Bang | Fitzsimons | Kleinbaum | Olson, A. G. | Sillers |
| Berg | Gearty | Knutson | Olson, H. D. | Spear |
| Bernhagen | Hansen, Baldy | Kowalczyk | Olson, J. L. | Stassen |
| Blatz | Hansen, Mel | Laufenburger | O'Neill | Stokowski |
| Brataas | Hanson, R. | McCutcheon | Patton | Stumpf |
| Chmielewski | Hughes | Milton | Perpich, A. J. | Tennessen |
| Conzemius | Josefson | Nelson | Pillsbury | Ueland |
| Davies | Keefe, J. | North | Renneke | Willet |
| Doty | Keefe, S. | Ogdahl | Schmitz | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1331: A bill for an act relating to the soil and water conservation commission; providing for the membership of the commission; amending Minnesota Statutes 1974, Section 40.03, 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 52 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Fitzsimons | Laufenburger | Olson, J. L. | Solon |
| Arnold | Gearty | Lewis | O'Neill | Spear |
| Bang | Hansen, Baldy | McCutcheon | Patton | Stassen |
| Berg | Hansen, Mel | Milton | Perpich, A. J. | Stokowski |
| Bernhagen | Hanson, R. | Moe | Perpich, G. | Stumpf |
| Brataas | Hughes | Nelson | Pillsbury | Tennessen |
| Chmielewski | Josefson | North | Purfeerst | Ueland |
| Conzemius | Keefe, J. | Ogdahl | Renneke | Willet |
| Davies | Kirchner | Olhoft | Schmitz | |
| Doty | Kleinbaum | Olson, A. G. | Schrom | |
| Dunn | Kowalczyk | Olson, H. D. | Sillers | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 629: A bill for an act relating to commerce; industrial loan and thrift companies; extending the period of maturity and increasing the size of loans in ratio to committed reserves; amending Minnesota Statutes 1974, Sections 53.04; and 53.05.

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 2, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|--------------|-----------|
| Anderson | Doty | Kirchner | Nelson | Sillers |
| Arnold | Dunn | Kleinbaum | North | Solon |
| Bang | Fitzsimons | Knutson | Ogdahl | Spear |
| Berg | Gearty | Kowalczyk | Olson, H. D. | Stassen |
| Bernhagen | Hansen, Baldy | Laufenburger | Patton | Stokowski |
| Brataas | Hansen, Mel | Lewis | Perpich, G. | Stumpf |
| Chmielewski | Hughes | McCutcheon | Pillsbury | Tennessee |
| Coleman | Josefson | Milton | Purfeerst | Ueland |
| Conzemius | Keefe, J. | Moe | Schrom | Willet |

Messrs. Davies and Olson, A. G. voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1441: A bill for an act relating to municipalities; industrial development; authorizing municipalities to enter into certain loan agreements and sale contracts; amending Minnesota Statutes 1974, Sections 474.01, Subdivisions 1, 5, 6, 7 and 8; 474.02, Subdivisions 1, 2, 3, 4, and by adding subdivisions; 474.03; 474.04; 474.05; 474.08; 474.09; 474.10, Subdivisions 1 and 4; 474.11; 474.12; 474.13; Chapter 474, by adding a section; repealing Minnesota Statutes 1974, Section 474.02, Subdivisions 1a and 1b.

Mr. Milton moved to amend H. F. No. 1441, as amended pursuant to Rule 49, adopted by the Senate May 13, 1975, as follows:

Pages 4 and 5, strike all of section 6

Renumber the sections in sequence

Page 9, line 26, after the semicolon insert "*provided, no municipality or redevelopment agency shall enter into or perform any contract or agreement with any school district under which the municipality or redevelopment agency issues its revenue bonds or otherwise provides for the construction of school facilities and the school leases or otherwise acquires these facilities;*"

Page 13, line 13, after the underlined comma insert "*or 1a, or 1b*"

Page 13, strike the new language in lines 14 to 16

Page 20, strike lines 6 and 7

Renumber the sections

Amend the title as follows:

Page 1, line 7, strike "1,"

Page 1, line 11, strike ";; repealing Minnesota Statutes 1974,"

Page 1, line 12, strike "Section 474.02, Subdivisions 1a and 1b"

The motion prevailed. So the amendment was adopted.

H. F. No. 1441 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 44 and nays 2, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Doty | Keefe, J. | Nelson | Schrom |
| Arnold | Dunn | Kirchner | North | Solon |
| Bang | Fitzsimons | Kleinbaum | Olson, A. G. | Spear |
| Bernhagen | Gearty | Kowalczyk | Patton | Stokowski |
| Blatz | Hansen, Baldy | Laufenburger | Perpich, A. J. | Stumpf |
| Brataas | Hanson, R. | McCutcheon | Perpich, G. | Ueland |
| Brown | Hughes | Merriam | Pillsbury | Wegener |
| Chmielewski | Humphrey | Milton | Purfeerst | Willet |
| Davies | Josefson | Moe | Renneke | |

Messrs. Knutson and Ogdahl voted in the negative.

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

SPECIAL ORDER

H. F. No. 999: A bill for an act relating to state banks; authorizing state banks to take second liens on real estate; amending Minnesota Statutes 1974, Section 48.19, Subdivision 1, and by adding a subdivision; and repealing Minnesota Statutes 1974, Section 48.19, Subdivision 3.

Mr. Kirchner moved that the amendment made to H. F. No. 999 by the Committee on Rules and Administration in the report adopted May 13, 1975, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 999 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 53 and nays 3, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Fitzsimons | Kirchner | Ogdahl | Schaaf |
| Arnold | Frederick | Knutson | Olhoft | Schmitz |
| Ashbach | Gearty | Kowalczyk | Olson, A. G. | Schrom |
| Berg | Hansen, Baldy | Laufenburger | Olson, H. D. | Solon |
| Bernhagen | Hansen, Mel | Lewis | Olson, J. L. | Stassen |
| Blatz | Hanson, R. | McCutcheon | Patton | Stokowski |
| Brataas | Hughes | Merriam | Perpich, A. J. | Stumpf |
| Brown | Humphrey | Milton | Perpich, G. | Wegener |
| Chmielewski | Jensen | Moe | Pillsbury | Willet |
| Davies | Josefson | Nelson | Purfeerst | |
| Dunn | Keefe, S. | North | Renneke | |

Messrs. Doty, Spear and Tennessen voted in the negative.

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

SPECIAL ORDER

S. F. No. 1647: A bill for an act relating to natural resources; transferring forest pest control jurisdiction from the commissioner of agriculture to commissioner of natural resources; expanding volunteer programs; eliminating certain restrictions on acquisition of public access; changing license fees for commercial fishing on Lake Superior; prohibiting decoys and erection of blinds on public lands; prescribing penalties for certain violations; amending Minnesota Statutes 1974, Sections 18.341, Subdivision 3; 18.391, Subdivision 1; 85.041, Subdivision 1; 97.48, Subdivision 15; 97.55, Subdivisions 1, 2, 3 and 4; 98.46, Subdivision 12; 98.47, Subdivision 9; 100.29, Subdivision 18; and 102.28, Subdivisions 2, 3 and 4; repealing Laws 1963, Chapter 70, Section 1.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 1, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|------------|----------------|-----------|
| Arnold | Conzemius | Jensen | Nelson | Schrom |
| Bang | Davies | Keefe, S. | Olthoff | Sillers |
| Berg | Doty | Kirchner | Olson, A. G. | Spear |
| Bernhagen | Fitzsimons | Kleinbaum | Olson, J. L. | Stassen |
| Blatz | Frederick | Knutson | Patton | Stokowski |
| Borden | Gearty | Kowalczyk | Perpich, A. J. | Stumpf |
| Brataas | Hansen, Baldy | Lewis | Pillsbury | Wegener |
| Brown | Hansen, Mel | McCutcheon | Purfeerst | Willet |
| Chenoweth | Hughes | Merriam | Renneke | |
| Chmielewski | Humphrey | Milton | Schmitz | |

Mr. Olson, H. D. voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1146: A bill for an act relating to landlords and tenants; providing additional remedies for landlords and tenants; security deposits; withholding rent for last payment period; providing penalties; amending Minnesota Statutes 1974, Sections 487.17; 488A.01, Subdivision 5; 488A.18, Subdivision 6; 504.20, by adding a subdivision; Chapter 504, by adding sections; Chapter 566, by adding a section.

Mr. Doty moved to amend H. F. No. 1146, as amended pursuant to Rule 49, adopted by the Senate May 14, 1975, as follows:

Page 3, line 3, before the period, insert "*, or to landlords who are housing authorities, created or authorized to be created by sections 462.415 to 462.711, and their agents and employees, in possession of a tenant's personal property, except that housing authorities must allow the tenant to retake possession of the property in accordance with this subdivision.*"

Section 9, added by the amendment, pursuant to Rule 49, after "agreement" insert "*, except an oral or written month to month resi-*

dential rental agreement concerning which neither the tenant nor landlord has served a notice to quit,"

The motion prevailed. So the amendment was adopted.

Mr. Doty moved to amend H. F. No. 1146, as amended pursuant to Rule 49, adopted by the Senate May 14, 1975, as follows:

Strike the amendments to pages 5 and 8, adopted by the Senate May 14, 1975, pursuant to Rule 49

The motion prevailed. So the amendment was adopted.

H. F. No. 1146 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 42 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|--------------|----------------|-----------|
| Arnold | Gearty | Knutson | Patton | Spear |
| Bang | Hansen, Mel | Larson | Perpich, A. J. | Stokowski |
| Bernhagen | Hanson, R. | Lewis | Perpich, G. | Stumpf |
| Blatz | Hughes | Merriam | Purfeerst | Tennessen |
| Borden | Humphrey | Milton | Schaaf | Ueland |
| Brataas | Keefe, J. | Moe | Schmitz | Willet |
| Chenoweth | Keefe, S. | Nelson | Schrom | |
| Davies | Kirchner | Olhoft | Solon | |
| Doty | Kleinbaum | Olson, A. G. | Sillers | |

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

SPECIAL ORDER

H. F. No. 654: A bill for an act relating to crimes; specifying the acts constituting sexual offenses; admissibility of evidence in sex offense prosecutions; providing penalties; amending Minnesota Statutes 1974, Section 609.185; and Chapter 609, by adding sections; repealing Minnesota Statutes 1974, Sections 609.29; 609.291; 609.292; 609.293; 609.295; 609.296; 609.34; and 609.36.

Mr. Davies moved to amend H. F. No. 654, as amended pursuant to Rule 49, adopted by the Senate May 14, 1975, as follows:

Page 2, after line 27, insert a new subdivision to read:

"Subd. 8. "Personal injury" means bodily harm as defined in section 609.02, subdivision 7, or severe mental anguish or pregnancy."

Renumber the subdivisions in sequence

Page 4, line 26, after "causes" strike "bodily harm" and insert "personal injury"

Page 4, line 26, after the comma strike "as"

Page 4, line 27, strike *"defined in section 609.02, subdivision 7,"*

Page 6, line 7, after *"causes"* strike *"bodily harm"* and insert *"personal injury"*

Page 6, line 7, after the comma strike "as"

Page 6, line 8, strike *"defined in section 609.02, subdivision 1,"*

Page 7, line 30, after *"is"* strike *"more"* and insert *"no less"*

Page 9, line 24, after *"conduct"* strike *"tends"* and insert *"tending"*

Page 9, line 25, after *"similar"* insert *"sexual"*

Page 9, line 25, after *"conduct"* insert *"under circumstances similar to the case at issue"*

Page 9, line 26, after *"relevant"* insert *"and material"*

Page 11, line 26, after *"were"* insert *"adults"*

Page 11, line 27, after *"cohabiting"* insert *"in an ongoing voluntary sexual relationship"*

The motion prevailed. So the amendment was adopted.

Mr. Chmielewski moved to amend H. F. No. 654, as amended pursuant to Rule 49, adopted by the Senate May 14, 1975, as follows:

Page 12, line 23, strike "609.293;"

Page 12, line 23, after "609.295;" insert "and"

Page 12, line 23, strike "609.34; and"

Page 12, line 24, strike "609.36"

Amend the title as follows:

Page 1, line 8, strike "609.293;"

Page 1, line 9, after "609.295;" insert "and"

Page 1, line 9, strike "609.34; and 609.36"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 35 and nays 15, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|-----------|--------------|-----------|
| Anderson | Doty | Humphrey | Larson | Patton |
| Bang | Fitzsimons | Jensen | North | Renneke |
| Berg | Gearty | Josefson | Ogdahl | Schmitz |
| Bernhagen | Hansen, Baldy | Keefe, J. | Olhoff | Schrom |
| Blatz | Hansen, Mel | Kirchner | Olson, H. D. | Stassen |
| Brown | Hanson, R. | Knutson | Olson, J. L. | Stokowski |
| Chmielewski | Hughes | Kowalczyk | O'Neill | Willet |

Those who voted in the negative were:

| | | | | |
|---------|-----------|--------------|----------------|-----------|
| Arnold | Coleman | Merriam | Perpich, A. J. | Spear |
| Borden | Davies | Moe | Pillsbury | Stumpf |
| Brataas | Keefe, S. | Olson, A. G. | Schaaf | Tennessee |

The motion prevailed. So the amendment was adopted.

H. F. No. 654 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 56 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|---------------|--------------|----------------|-----------|
| Anderson | Doty | Kirchner | Olson, A. G. | Spear |
| Arnold | Dunn | Kowalczyk | Olson, H. D. | Stassen |
| Ashbach | Fitzsimons | Larson | Olson, J. L. | Stokowski |
| Berg | Gearty | Laufenburger | Patton | Stumpf |
| Bernhagen | Hansen, Baldy | Lewis | Perpich, A. J. | Tennessee |
| Borden | Hansen, Mel | McCutcheon | Perpich, G. | Ueland |
| Brataas | Hanson, R. | Merriam | Pillsbury | Wegener |
| Brown | Hughes | Milton | Purfeerst | Willet |
| Chenoweth | Humphrey | Moe | Schaaf | |
| Coleman | Jensen | Nelson | Schmitz | |
| Conzemius | Keefe, J. | North | Sillers | |
| Davies | Keefe, S. | Olhoft | Solon | |

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Arnold moved that H. F. No. 1140 be withdrawn from the Committee on Finance and placed on General Orders. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance designated H. F. No. 1140 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1140: A bill for an act relating to health; providing for a program of treatment for adults having cystic fibrosis; appropriating money; amending Minnesota Statutes 1974, Chapter 144, by adding a section.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

| | | | | |
|-----------|---------------|--------------|----------------|-----------|
| Anderson | Doty | Keefe, S. | North | Schrom |
| Arnold | Dunn | Kirchner | Olhoff | Sillers |
| Ashbach | Fitzsimons | Kleinbaum | Olson, A. G. | Solon |
| Bang | Frederick | Knutson | Olson, H. D. | Spear |
| Berg | Gearty | Kowalczyk | Olson, J. L. | Stassen |
| Bernhagen | Hansen, Baldy | Larson | O'Neill | Stokowski |
| Blatz | Hansen, Mel | Laufenburger | Patton | Stumpf |
| Borden | Hanson, R. | Lewis | Perpich, A. J. | Tennessen |
| Brataas | Hughes | McCutcheon | Perpich, G. | Ueland |
| Brown | Humphrey | Merriam | Pillsbury | Wegener |
| Coleman | Jensen | Milton | Purfeerst | Willet |
| Conzemius | Josefson | Moe | Renneke | |
| Davies | Keefe, J. | Nelson | Schmitz | |

So the bill passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 4:40 o'clock p.m. The motion prevailed.

The hour of 4:40 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

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

| | | | | |
|-------------|---------------|--------------|--------------|-----------|
| Arnold | Davies | Kirchner | Ogdahl | Stassen |
| Ashbach | Doty | Kleinbaum | Olhoff | Stokowski |
| Bang | Dunn | Knutson | Olson, A. G. | Stumpf |
| Bernhagen | Fitzsimons | Larson | Olson, H. D. | Tennessen |
| Blatz | Gearty | Laufenburger | O'Neill | Ueland |
| Borden | Hansen, Baldy | Lewis | Patton | Wegener |
| Brataas | Hansen, Mel | McCutcheon | Perpich, G. | Willet |
| Brown | Hanson, R. | Merriam | Pillsbury | |
| Chmielewski | Hughes | Milton | Purfeerst | |
| Coleman | Humphrey | Moe | Schaaf | |
| Conzemius | Keefe, S. | North | Spear | |

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Tennessen moved that H. F. No. 1810 be taken from the table. The motion prevailed.

H. F. No. 1810: A bill for an act relating to public improvements; authorizing issuance of state building bonds for construction and equipping of a law school building at the university of Minnesota for the construction or alteration of school buildings related to desegregation and for the acquisition and preparation of land for the expansion of metropolitan community college; creating the vocational-technical building fund and authorizing the issuance of state bonds to provide money for appropriation therefrom for grants to school districts for the acquisition and

betterment of public land, buildings, and capital improvements needed for the area vocational-technical education program; appropriating money from the general fund for payment of the bonds; providing for the acquisition of certain property by St. Cloud state college; appropriating money.

The question recurred on the Brown amendment. Mr. Brown withdrew his amendment.

Mr. Nelson moved to amend H. F. No. 1810 as follows:

Page 2, strike lines 4 to 20

Page 2, line 21, strike "sections" and insert "section"

Page 2, line 22, strike ", 2 and 3"

Page 2, line 23, strike "sections" and insert "section"

Page 2, line 23, strike ", 2 and 3"

Page 2, line 26, strike "\$16,875,000" and insert "\$12,300,000"

Strike pages 3 to 8

Page 9, strike lines 1 to 18

Renumber the remaining sections

Further amend the title as follows:

Page 1, line 5, strike "for the construction or"

Page 1, strike lines 6 to 18

Page 1, line 19 strike "college"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 17 and nays 39, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|-------------|-----------|-----------|
| Ashbach | Brown | Hansen, Mel | Kowalczyk | Pillsbury |
| Berg | Chmielewski | Josefson | Nelson | Sillers |
| Bernhagen | Doty | Knutson | Olhoff | Wegener |
| Brataas | Frederick | | | |

Those who voted in the negative were:

| | | | | |
|-----------|---------------|-----------|----------------|-----------|
| Anderson | Davies | Kirchner | Olson, A. G. | Schmitz |
| Arnold | Dunn | Kleinbaum | Olson, J. L. | Schrom |
| Bang | Gearty | Larson | O'Neill | Spear |
| Blatz | Hansen, Baldy | Merriam | Patton | Stokowski |
| Borden | Hughes | Milton | Perpich, A. J. | Stumpf |
| Chenoweth | Humphrey | Moe | Perpich, G. | Tennessen |
| Coleman | Jensen | North | Purfeerst | Willet |
| Conzemius | Keefe, S. | Ogdahl | Renneke | |

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

Mr. Sillers moved to amend H. F. No. 1810 as follows:

Page 2, after line 20, insert:

"Sec. 4. [MOORHEAD STATE COLLEGE.] The sum of \$2,593,800 is appropriated from the Minnesota state building fund in the state

treasury to the commissioner of administration to correct certain deficiencies at the Moorhead state college campus. Included within the above appropriation is a sum of \$70,000 to correct deficiencies in college tennis courts, a sum of \$110,000 to correct deficiencies in college track facilities and a sum of \$2,413,800 to provide for the expansion of the college arts center."

Page 2, line 26, strike "\$16,875,000" and insert "\$19,968,800"

Renumber the sections in sequence

Correct the internal references in the bill

Amend the title as follows:

Page 1, line 9, after "college" insert "and Moorhead state college"

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

Mr. Sillers then moved to amend H. F. No. 1810 as follows:

Page 9, after line 18, insert:

"Sec. 12. Subdivision 1. There is hereby appropriated from the general fund to the state college board the sum of \$70,000 or so much thereof as may be necessary to reconstruct six tennis courts at Moorhead State College.

Subd. 2. There is hereby appropriated from the general fund to the state college board the sum of \$110,000 or so much thereof as may be necessary to install an all-weather track at Moorhead State College."

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 19, after the semicolon, insert "providing for the construction of tennis courts at Moorhead State College; providing for the installation of an all-weather track at Moorhead State College;"

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

Mr. Brown moved to amend H. F. No. 1810 as follows:

Pages 1 and 2, strike all of section 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, strike "for construction"

Page 1, strike line 4

Page 1, line 5, strike "university of Minnesota" and insert a semicolon

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 23 and nays 40, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-----------|--------------|--------------|---------|
| Arnold | Conzemius | Laufenburger | Olhoff | Schrom |
| Berg | Davies | Lewis | Olson, H. D. | Sillers |
| Bernhagen | Frederick | Milton | Pillsbury | Wegener |
| Brataas | Gearty | Moe | Schaaf | Willet |
| Brown | Knutson | North | | |

Those who voted in the negative were:

| | | | | |
|-------------|---------------|------------|----------------|-----------|
| Anderson | Fitzsimons | Keefe, S. | Ogdahl | Schmitz |
| Blatz | Hansen, Baldy | Kirchner | Olson, J. L. | Solon |
| Borden | Hansen, Mel | Kleinbaum | O'Neill | Spear |
| Chenoweth | Hanson, R. | Kowalczyk | Patton | Stassen |
| Chmielewski | Humphrey | Larson | Perpich, A. J. | Stokowski |
| Coleman | Jensen | McCutcheon | Perpich, G. | Stumpf |
| Doty | Josefson | Merriam | Purfeerst | Tennessen |
| Dunn | Keefe, J. | Nelson | Renneke | Ueland |

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

H. F. No. 1810 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 41 and nays 25, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Coleman | Keefe, S. | Olson, J. L. | Spear |
| Arnold | Dunn | Kirchner | O'Neill | Stassen |
| Ashbach | Fitzsimons | Kleinbaum | Patton | Stokowski |
| Bernhagen | Gearty | Larson | Perpich, A. J. | Tennessen |
| Blatz | Hansen, Baldy | Laufenburger | Perpich, G. | Ueland |
| Borden | Hansen, Mel | Merriam | Purfeerst | |
| Brataas | Hughes | Moe | Renneke | |
| Chenoweth | Humphrey | Ogdahl | Schmitz | |
| Chmielewski | Jensen | Olson, A. G. | Solon | |

Those who voted in the negative were:

| | | | | |
|-----------|-----------|------------|--------------|---------|
| Bang | Doty | Kowalczyk | North | Schrom |
| Berg | Frederick | Lewis | Olhoff | Sillers |
| Brown | Josefson | McCutcheon | Olson, H. D. | Stumpf |
| Conzemius | Keefe, J. | Milton | Pillsbury | Wegener |
| Davies | Knutson | Nelson | Schaaf | Willet |

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate revert to the Order of Business of Messages from the House. The motion prevailed.

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. 943:

H. F. No. 943: A bill for an act relating to cable communications; making the cable communications commission a permanent

part of the department of administration; authorizing the commission to promulgate a line extension policy; interconnection; orders; municipal cable systems; information gathering; permitting counties to establish translator systems; amending Minnesota Statutes 1974, Sections 238.02, Subdivision 11; 238.04, Subdivision 1; 238.05, Subdivisions 2, 6, 7, 12, and by adding a subdivision; 238.06, Subdivision 1; 238.08, Subdivisions 1, 2 and 3; 238.09, Subdivisions 3 and 6, and by adding subdivisions; 238.13; and 375.164; repealing Minnesota Statutes 1974, Sections 238.05, Subdivisions 8 and 16; and 238.09, Subdivision 2.

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

McCarron, Kelly, W., and Osthoff have been appointed as such committee on the part of the House.

House File No. 943 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 May 19, 1975

Mr. Merriam moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 943, 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 has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 250: A bill for an act relating to the legislature; creating an advisory on the Minnesota legislature; prescribing powers and duties; appropriating money.

There has been appointed as such committee on the part of the House: Voss; Anderson, I. and Sabo.

Senate File No. 250 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 19, 1975

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 733: A bill for an act relating to rates of interest; permitting lending institutions to charge interest rates on business and agricultural loans of up to five percent more than the federal discount rate at the time the loan was made.

There has been appointed as such committee on the part of the House: Brinkman, Mann, and McCauley.

Senate File No. 733 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 19, 1975

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. 476, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 476: A bill for an act relating to pensions; invalidating provisions limiting pension or profit sharing rights if the employee joins a competing employer; amending Minnesota Statutes 1974, Chapter 181B, by adding a section.

Senate File No. 476 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 19, 1975

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. 1425, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 1425: A bill for an act relating to the city of Saint Paul; authorizing the city to directly negotiate and enter into contracts for solid waste collection and disposal; exempting such contracts from the Minnesota antitrust law of 1971.

Senate File No. 1425 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 19, 1975

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. 469, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 469: A bill for an act relating to retirement; miscellaneous changes in various provisions of the teachers retirement act; amending Minnesota Statutes 1974, Sections 354.05, Subdivisions 13, 25, 26,

and by adding a subdivision; 354.06, Subdivision 1; 354.07, by adding subdivisions; 354.092; 354.10; 354.43, Subdivisions 1, and 3; 354.44, Subdivisions 4, and 6, and by adding a subdivision; 354.46, Subdivision 1; 354.48, Subdivisions 3, and 10; 354.49, Subdivision 5; 354.53, Subdivision 1; 354.55, Subdivisions 3, 11, 16, and 19; and 354.62, Subdivision 5.

S. F. No. 469 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 19, 1975

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. 235, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 235: A bill for an act relating to the operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; changing the funding of adult education, special education, post-secondary vocational-technical education, and community school education to a current funding basis; granting certain powers to school districts, the state board of education, and the state board for vocational education; providing state aid for extraordinary tax delinquency to Independent School District No. 272; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 3.9271, Subdivision 1; 120.03, Subdivision 3; 120.17, Subdivision 1 and by adding a subdivision; 120.76; 120.80, Subdivision 1; 121.21, Subdivisions 2 and 6; 121.89; 123.80; 124.04; 124.11; 124.14, Subdivision 1 and by adding a subdivision; 124.17, Subdivisions 1, 2, and 2a; 124.18, Subdivision 2; 124.20; 124.212, Subdivisions 1, 2, 3a, 8a, 11, and by adding subdivisions; 124.222, Subdivisions 1, 3, and by adding a subdivision; 124.223; 124.26; 124.32, Subdivisions 1 and 5, and by adding a subdivision; 124.38, Subdivisions 4, 5, 7, and 8; 124.42, Subdivisions 1, 2, and 4; 124.43, Subdivisions 1, 2, 3, and 4; 124.45; 124.57; 128.04; 275.125, Subdivisions 3, 4, 5, 6, 7, and by adding subdivisions; 275.48; 475.54, Subdivision 2; Chapter 124, by adding sections; Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapters 775, Section 4, Subdivision 2, as amended; 1060, Section 7; Laws 1971, Chapter 722, Section 1; Laws 1973, Chapter 683, Section 26, Subdivision 17; Laws 1974, Chapter 521, Section 9; Laws 1975, Chapter 13, Section 110, Subdivision 1 and by adding a subdivision; Laws 1975, Chapter 13, Section 111; repealing Minnesota Statutes 1974, Sections 121.21, Subdivisions 5, 7, 9, and 10; 121.211; 124.212, Subdivisions 6a and 7a; 124.222, Subdivision 2; 124.475; 124.50; 124.801; 124.802; 124.803; 124.804; 124.805; 124.806; 275.125, Subdivision 2a; Laws 1919, Chapter 271; Laws 1951, Chapter 659; Laws 1969, Chapters 945, Section 3; and 1060, Section 8.

House File No. 235 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 19, 1975

CONFERENCE COMMITTEE REPORT ON H. F. NO. 235

A bill for an act relating to the operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; changing the funding of adult education, special education, post-secondary vocational-technical education, and community school education to a current funding basis; granting certain powers to school districts, the state board of education, and the state board for vocational education; providing state aid for extraordinary tax delinquency to Independent School District No. 272; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 3.9271, Subdivision 1; 120.03, Subdivision 3; 120.17, Subdivision 1 and by adding a subdivision; 120.76; 120.80, Subdivision 1; 121.21, Subdivisions 2 and 6; 121.89; 123.80; 124.04; 124.11; 124.14, Subdivision 1 and by adding a subdivision; 124.17, Subdivisions 1, 2, and 2a; 124.18, Subdivision 2; 124.20; 124.212, Subdivisions 1, 2, 3a, 8a, 11, and by adding subdivisions; 124.222, Subdivisions 1, 3, and by adding a subdivision; 124.223; 124.26; 124.32, Subdivisions 1 and 5, and by adding a subdivision; 124.38, Subdivisions 4, 5, 7, and 8; 124.42, Subdivisions 1, 2, and 4; 124.43, Subdivisions 1, 2, 3, and 4; 124.45; 124.57; 128.04; 275.125, Subdivisions 3, 4, 5, 6, 7, and by adding subdivisions; 275.48; 475.54, Subdivision 2; Chapter 124, by adding sections; Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapters 775, Section 4, Subdivision 2, as amended; 1060, Section 7; Laws 1971, Chapter 722, Section 1; Laws 1973, Chapter 683, Section 26, Subdivision 17; Laws 1974, Chapter 521, Section 9; Laws 1975, Chapter 13, Section 110, Subdivision 1 and by adding a subdivision; Laws 1975, Chapter 13, Section 111; repealing Minnesota Statutes 1974, Sections 121.21, Subdivisions 5, 7, 9, and 10; 121.211; 124.212, Subdivisions 6a and 7a; 124.222, Subdivision 2; 124.475; 124.50; 124.801; 124.802; 124.803; 124.804; 124.805; 124.806; 275.125, Subdivision 2a; Laws 1919, Chapter 271; Laws 1951, Chapter 659; Laws 1969, Chapters 945, Section 3; and 1060, Section 8.

May 16, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 235 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. 235 be amended as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. Notwithstanding Laws 1974, Chapter 521, Section 33, districts qualifying for increased foundation aid calculated pursuant to the provisions of Laws 1974, Chapter 521, Section 18, shall be eligible to receive such foundation aid for the 1973-74 school year, and only pupil units in section 124.17, clauses (1) and (2) shall be used in computing adjusted maintenance cost per pupil unit for the 1973-1974 school year.

Sec. 2. Notwithstanding section 124.17, subdivision 2, pupils enrolled in the Minnesota National Guard junior enlistment program shall be construed to be in attendance for purposes of computing average daily membership during any period of the regular school year, but not to include summer school, during which the pupil is attending military active duty training pursuant to that program. During that period of military active duty training, the pupil shall earn all aid for the district of residence or attendance which would be otherwise earned by his presence. This section shall expire October 15, 1975.

Sec. 3. The commissioner of education shall gather and report to the committees on education of the senate and house of representatives from presently available reports or from new reports it may require of school districts, the following types of information: the number of classroom teachers in every district at each training, experience and salary level; the ratio of pupils to full time equivalent certified classroom teachers in every district; and any other district staffing characteristics of fiscal import. This information shall be gathered in such a manner as to render it capable of district by district, regional and statewide comparison and analysis.

Sec. 4. [STATE AID FOR EXTRAORDINARY TAX DELINQUENCY.] Subdivision 1. For any calendar year in which:

(1) a school district's tax delinquency, which for purposes of this section shall equal the difference between

(a) the amount the school district receives in real property tax proceeds of any kind, including interest, penalties and collections of delinquencies from previous years, resulting from levies certified pursuant to section 275.125, subdivision 2a, clause (1) or (2), and its predecessor and successor general school purpose levy authorization statutes, and

(b) the amount certified in October of the preceding calendar year pursuant to section 275.125, subdivision 2a, clause (1) or (2),

is greater than two and one half percent of the sum of the amounts authorized for the school district by Minnesota Statutes 1974, Section 275.125, Subdivision 2a, Clause (1) or (2), and section 28 of this act for the 1975-1976 school year, and the successor statutory provisions for succeeding school years;

(2) these receipts are less than this certified levy; and

(3) the maximum permissible amounts were certified in October of the preceding year pursuant to section 275.125, subdivision 2a, clause (1) or (2), and Minnesota Statutes 1974, Section 275.125, Subdivision 3, Clause (5), or its successor excess levy authorization statutes; the school district may apply to the commissioner of education within 30 days after the end of the calendar year and the commissioner shall pay aid to the school district by the following February 28, in the amount by which the tax delinquency exceeds the two and one half percent figure.

For purposes of the calculation of a district's tax delinquency in clause (1), if the assessed valuation of the school district was

reduced after the taxes were spread by the county auditor in October of the preceding calendar year, the amount certified in October of the preceding calendar year shall be reduced by any difference between the amount certified and the amount of taxes collected upon such reduced valuation, for which the district is authorized to make an additional levy pursuant to section 275.48. If a district's adjusted assessed valuation is under contest and it is receiving foundation aid computed on the basis of the uncontested portion of its valuation, taxes levied against the contested portion of its valuation shall not be included in the amount certified in October of the preceding calendar year for purposes of the calculation of the tax delinquency in clause (1).

Subd. 2. If the school district has received aid pursuant to subdivision 1 and in any subsequent calendar year its tax delinquency is less than two and one half percent of the sum described in subdivision 1, clause (1), the foundation aid for the school district shall be reduced in the fiscal year which begins in that calendar year by the difference between such delinquency and two and one half percent of such sum or the amount of state aid previously paid pursuant to subdivision 1 and still outstanding, whichever is lesser. Any reduction in state aid shall be applied to the state aid paid earliest in time pursuant to subdivision 1 and shall be made as equally as possible in the four aid installments commencing in February.

Subd. 3. Any aid so paid shall constitute an advance to the district without interest and in the fiscal year six years after the fiscal year in which state aid has been paid to the school district pursuant to subdivision 1, foundation aid for the school district shall be reduced by the amount of such state aid paid six years previous, to the extent the aid payment has not been offset by any prepayment made by the school district.

Subd. 4. The application, aid payments, and repayments made pursuant to this section shall be based upon the best information available, subject to correction by the department of education in the next succeeding year. The provisions of subdivision 1 shall expire June 30, 1981, but shall be effective with respect to real property taxes received in calendar year 1975 and thereafter.

Sec. 5. Minnesota Statutes 1974, Section 3.924, is amended by adding a subdivision to read:

Subd. 2. [COMPENSATION.] Members of the council on quality education shall be compensated at the rate of \$35 per day spent at council meetings or other meetings authorized by the council, plus expenses in the same manner and amount as received by state employees.

Sec. 6. Minnesota Statutes 1974, Section 3.9271, Subdivision 1, is amended to read:

3.9271 [EARLY CHILDHOOD IDENTIFICATION AND EDUCATION PROGRAMS.] Subdivision 1. For the 1974-75 1975-76 and 1976-1977 school year years, the council on quality education shall make grants to no fewer than six ten pilot early

childhood identification and education programs. Early childhood identification and education programs are programs for children before kindergarten and below age six which may include the following: identification of potential barriers to learning, education of parents on child development, libraries of educational materials, family services, education for parenthood programs in secondary schools, in-center activity, home-based programs, and referral services.

Notwithstanding section 3.926, subdivision 2, every early childhood identification and education program proposal shall be submitted to the council on quality education not less than six weeks before the planned commencement of the program. These programs or grants shall be as equally distributed as possible among districts in cities of the first class, in suburbs, and outside the seven county metropolitan area. Each pilot program shall serve one elementary school attendance area in the local school district.

The council on quality education shall prescribe the form and manner of application and shall determine the participating pilot programs. In the determination of pilot programs, programs shall be given preference for their ability to coordinate their services with existing programs and other governmental agencies. The council on quality education shall report on the programs annually to the committees on education of the senate and house of representatives.

Sec. 7. Minnesota Statutes 1974, Section 120.03, Subdivision 3, is amended to read:

Subd. 3. Every child who by reason of an emotional disturbance, or a learning disability, or a special behavior problem needs special instruction and services, but who is educable, as determined by the standards of the state board is a handicapped child.

Sec. 8. Minnesota Statutes 1974, Section 120.17, Subdivision 1, is amended to read:

120.17 [HANDICAPPED CHILDREN.] Subdivision 1. [SPECIAL INSTRUCTION FOR HANDICAPPED CHILDREN OF SCHOOL AGE.] Every district and unorganized territory shall provide special instruction and services, *either within the district or in another district*, for handicapped children of school age who are residents of the district and who are handicapped as set forth in section 120.03, subdivisions 1, 2, and 3, and after July 1, 1972 programs shall be provided *either within the district or in another district for trainable mentally retarded as defined in section 120.03, subdivision 4*. When the provision of instruction, training, and services may result in hardship or injury to the child, the school board may appeal the mandatory provisions of Laws 1971, Chapter 689 to the commissioner of education who shall determine what provisions shall be made by the district for the education of the child. ~~Through July 1, 1972 every district and unorganized territory may provide special training and services for school age residents of the district who are handicapped as set forth in section 120.03, subdivision 4.~~ School age means the

ages of four years to 21 years for children who are deaf, blind, crippled or have speech defects; and five years to 21 years for mentally retarded children; and shall not extend beyond secondary school or its equivalent. Every district and ~~unorganized territory~~ may provide special instruction and services for handicapped children who have not attained school age. Districts with less than the minimum number of eligible handicapped children as determined by the state board shall cooperate with other districts to maintain a full sequence of programs for education, training and services for handicapped children as defined in section 120.03, subdivisions 1 to 3. A district that decides to maintain programs for trainable handicapped children is encouraged to cooperate with other districts to maintain a full sequence of programs.

Sec. 9. Minnesota Statutes 1974, Section 120.17, is amended by adding a subdivision to read:

Subd. 1a. School districts may provide special instruction and services through the school year in which the pupil reaches age 25 for trainable mentally retarded pupils as defined in section 120.03, subdivision 4, who have attended public school less than nine years prior to September, 1975.

Sec. 10. Minnesota Statutes 1974, Section 120.17, is amended by adding a subdivision to read:

Subd. 5a. Every district may provide summer programs for handicapped children living within the district, including non-resident children temporarily placed in the district pursuant to section 120.17, subdivisions 6 or 7. Prior to March 31, the providing district shall give notice to the district of residence of any non-resident children temporarily placed in the district pursuant to section 120.17, subdivisions 6 or 7, of its intention to provide these programs. Notwithstanding any contrary provisions in subdivisions 6 and 7, the school district providing the special instruction and services shall apply for all state aid for the summer program, including special state aid pursuant to section 124.32, foundation aid and transportation aid. For the purposes of computing foundation aid for these programs, all pupils enrolled in these programs shall be construed to be residents of the district providing the programs. The unreimbursed actual cost of providing the program for nonresident handicapped children may be billed to the district of the child's residence and shall be paid by the resident district. This section shall be effective March 1, 1976.

Sec. 11. Minnesota Statutes 1974, Section 120.76, is amended to read:

120.76 [POST-SECONDARY INSTRUCTIONAL PROGRAMS.] Sections 120.71 to 120.76 shall not be construed to prohibit a school board from charging reasonable fees for goods and services provided in connection with any post-secondary instructional program, including but not limited to vocational-technical, adult veterans, continuing education, community services, evening school and general educational development programs vet-

eran farmer cooperative training, and community school programs, and continuing education and evening school programs other than those conducted pursuant to section 124.26 .

Sec. 12. Minnesota Statutes 1974, Section 120.80, Subdivision 1, is amended to read:

120.80 [EARLY GRADUATION.] Subdivision 1. Notwithstanding any law to the contrary, any secondary school student who has completed all required courses may, with the approval of the student, his parent or guardian, and local school officials, graduate prior to the completion of the school year. All aid which such student, had he not graduated, would have earned for the district pursuant to section 124.212, plus that portion of the amount raised by the local tax levy which results from such transitional year students plus that portion of any excess levy allowable under section 275.125, subdivision 3, clause (5) 75, subdivision 6, of this act shall continue to be earned by the district.

Sec. 13. Minnesota Statutes 1974, Section 121.21, Subdivision 2, is amended to read:

Subd. 2. Upon receipt of such petition, the state board shall examine the petition and any supporting evidence which it may require. The state board ~~may~~ *shall* conduct hearings, *and may* investigate school records and such other facts relating to vocational-technical training as it may deem appropriate.

Sec. 14. Minnesota Statutes 1974, Section 121.21, Subdivision 4, is amended to read:

Subd. 4. If the petition is approved, the school shall be established by the district and classified by the state board as an area vocational-technical school and conducted under the general supervision of the state board in accordance with the rules and regulations of the state board. *Notwithstanding the provisions of subdivision 3 and of this subdivision, after June 30, 1975 no area vocational-technical school shall be established unless specific legislation has authorized its establishment.*

Sec. 15. Minnesota Statutes 1974, Section 121.21, Subdivision 6, is amended to read:

Subd. 6. The ~~commissioner, subject to approval by the state board ; for vocational education shall make promulgate, pursuant to chapter 15, such rules and regulations governing the operation and maintenance of schools so classified as will afford the people of the state an equal opportunity to acquire public vocational and technical education.~~

The rules shall provide for, but are not limited to, the following:

(a) The area to be served by each school, which may include one or more districts or parts thereof, including unorganized territory ; ;

(b) Curriculum and standards of instruction and scholarship ; ;

(c) Attendance requirements, age limits of trainees, *Minnesota non-resident attendance, tuition payments by non-residents, the determination of the actual costs of providing individual programs, and attendance for which no tuition shall be charged, all to be determined in accordance with the provisions of sections 63 to 67 of this act;*

(d) *The distribution and apportionment to the local districts of all funds, whether state or federal or other funds, which may be made available to the state board for vocational education for carrying out the purposes of post-secondary vocational-technical education as provided by this section, shall be apportioned and distributed by the state board for vocational education to the various local school districts as additional aid for use in helping such local school districts in defraying the cost involved in maintaining and operating approved vocational training courses or departments, subject to such reasonable rules and regulations as may be prescribed by the state board for vocational education and in accordance with law and the approved state plan for vocational education;*

(e) Transportation requirements and payment of aid therefor;

(f) Attendance by graduates of secondary schools and by adults, for which no tuition shall be charged. If no tuition is charged for such non-resident student, the district maintaining the school shall be entitled to any aid calculated on a pupil basis for such student, *Payment by the state board of tuition to school districts or post-secondary vocational-technical schools in another state; and*

(g) General administrative matters.

Sec. 16. Minnesota Statutes 1974, Section 123.34, Subdivision 1, is amended to read:

123.34 [OFFICERS OF INDEPENDENT SCHOOL DISTRICTS.] Subdivision 1. Within ten days after the election of the first board in independent districts and annually thereafter on the first Saturday in July 1, or as soon thereafter as practicable, the board shall meet and organize by selecting a chairman, clerk, and a treasurer, who shall hold their offices for one year and until their successors are selected and qualify. The persons who perform the duties of the clerk and treasurer need not be members of the board and the board by resolution may combine the duties of the offices of clerk and treasurer in a single person in the office of business affairs. They may appoint a superintendent who shall be ex officio a member of the board, but not entitled to vote therein. In districts in which board members are elected at the general election in November, the annual meeting of the board shall be held on the first Monday of January or as soon thereafter as practicable.

Sec. 17. Minnesota Statutes 1974, Section 123.80, is amended to read:

123.80 [SAFETY EDUCATION FOR TRANSPORTED STUDENTS.] *Subdivision 1.* Not later than January 1, 1975 the state board of education shall provide by rule or regulation a program of safety education for students who are transported to school. Each district receiving aid under the provisions of section 124.222 shall implement the program for the school year beginning in September 1975. In drafting said regulations, the board shall give particular attention to procedures for loading, unloading, vehicle lane crossing and emergency evacuation procedures as they affect school buses.

Subd. 2. Not later than January 1, 1976, the state board of education shall promulgate rules which will assure the safe and efficient transportation of handicapped pupils who because of their special handicapping conditions require special transportation arrangements. In drafting these rules, the board shall give particular attention to standards for vehicles used in transporting handicapped pupils, equipment to assure the safety of these pupils, and the qualifications of the drivers and aides providing transportation services.

Sec. 18. Minnesota Statutes 1974, Section 124.04, is amended to read:

124.04 [CAPITAL EXPENDITURE TAXING AUTHORITY.] In addition to the tax levy prescribed by law for general and special school purposes, the board of any district may levy annually an amount such that the sum of the levy and attached machinery aid for capital outlay purposes calculated pursuant to section 273.138, subdivision 3, clause (1), shall not exceed ~~\$65~~ \$70 per pupil unit or, in districts where the pupil unit count is increased pursuant to section 124.17, subdivision 1, clause (7), \$75 per pupil unit. No levy under this section shall exceed 10 mills on each dollar of assessed valuation of the taxable property in the district as adjusted for the preceding year by the equalization aid review committee notwithstanding the provisions of sections 272.64 and 275.49, provided that said levy may not exceed by more than two mills (three mills if the district adds units pursuant to section 124.17, subdivision 1, clause (7)) the levy under this section in the previous year and provided further that any district which did not levy pursuant to this section in 1972 may certify a maximum levy of six mills not to exceed \$65 per pupil unit in 1974. The tax so levied shall be collected in the manner provided by law for the collection of school taxes. The proceeds of the tax may be used only to acquire land, improve and repair school sites and, to equip, re-equip, repair and improve buildings and permanent attached fixtures, and to pay leasing fees for computers and computer services. Subject to the commissioner's approval, the tax proceeds may also be used to rent or lease buildings for school purposes and to acquire or construct buildings. The board shall establish a fund in which the proceeds of this tax shall be accumulated until expended.

The proceeds of the tax shall not be used for custodial or other maintenance services.

Sec. 19. Minnesota Statutes 1974, Section 124.11, is amended to read:

124.11 [DATES OF AID PAYMENTS.] Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program, ten percent of the estimated *elementary and secondary* foundation aids shall be paid to districts in each of the months from September through May based upon information available and the final distribution shall be made in the following August. *Estimated post-secondary vocational foundation aid shall be paid to districts in 12 equal monthly payments beginning July 15, 1976. The estimated post-secondary vocational foundation aid shall be paid on the basis of the prior year's average daily membership except that the average daily membership and the payments based thereon may be adjusted in September, December, March and June to reflect any increases or decreases in enrollment. The September payment in each fiscal year shall be increased or decreased to reflect any deficit or excess in post-secondary vocational foundation aid received in the prior fiscal year.* If any school district is unable to borrow necessary funds for the operation of its facilities during any fiscal year, due to legal borrowing restrictions or the lack of reasonable credit facilities, the commissioner of finance and state treasurer may, upon certification of such conditions by the commissioner of administration, advance such education aids as may be required to such district, with the condition that such aids be discounted by an amount equal to six percent or the current yield on U.S. treasury bills on the date of such payment to a maturity approximating the date on which aids are to be paid, whichever rate is higher, pursuant to the terms of this section. The amount of such discount shall be determined by the commissioner of finance, with the six percent discount or the "bid" price quoted on treasury bills of an appropriate maturity calculated after consultation with the staff of the state board of investment.

Estimated *elementary and secondary* foundation aids shall be paid out on the basis of the prior year's pupil unit enrollment unless the October 1 enrollment is larger, in which case the October enrollment shall be used. Adjustment for final *elementary and secondary* final pupil unit figures shall be made in the August payment of aids.

Sec. 20. Minnesota Statutes 1974, Section 124.14, Subdivision 1, is amended to read:

124.14 [DISTRIBUTION OF SCHOOL AIDS; APPROPRIATION.] Subdivision 1. The state board shall supervise distribution of the school aids in accordance with law. It may make rules and regulations consistent with law for such distribution which will enable districts to perform efficiently the services required by law and further education in the state, including reasonable requirements for such reports and accounts to it as will assure accurate and lawful apportionment of aids. *It shall require that the pupil unit count of a minimum of 25 school districts be audited each fiscal year. The audits shall be conducted at random throughout the state with no prior notice to any district. Disparities between pupil unit counts reported by the school districts and those found by the auditors shall be reported to the commissioner who shall order an increase or reduction of foundation aids accordingly. A reduction of foundation*

aid under this section may be appealed to the state board of education and its decision shall be final. Public schools shall at all times be open to the inspection of the state board, and the accounts and records of any district are open to inspection by the state auditor, or the state board.

Sec. 21. Minnesota Statutes 1974, Section 124.17, Subdivision 1, is amended to read:

124.17 [DEFINITION OF PUPIL UNITS.] Subdivision 1. Pupil units for each resident pupil in average daily membership shall be counted as follows:

(1) In an elementary school, for kindergarten and for handicapped pre-kindergarten pupils as defined in section 120.03, and enrolled in one-half day sessions throughout the school year or the equivalent thereof, approved by the commissioner of education, one-half pupil unit and other elementary pupils, one pupil unit.

(2) In secondary schools, ~~pupils in junior high school or a six-year school and all other pupils in secondary schools~~, one and four-tenths pupil units. Pupils enrolled in the seventh and eighth grades of a ~~middle~~ any school shall be counted as secondary pupils.

(3) In area vocational-technical schools one and one-half pupil units. *This clause shall expire June 30, 1976.*

(4) To meet the problems of educational overburden caused by broken homes, poverty and low income, each pupil in clauses (1) and (2) from families receiving aid to families with dependent children or its successor program shall be counted as an additional five-tenths pupil unit. *By May 1 of each year the department of public welfare is directed to furnish to the department of education, and to each school district to the extent the information pertains to it, that information concerning children from families with dependent children which is necessary to calculate pupil units. Additional aids to a district for such pupils may be distributed on a delayed basis until the department of education publicly certifies that the information needed for paying such aids is available on such a timely basis that such aids may be paid concurrently with other foundation aids.*

(5) In every district where the number of pupils from families receiving aid to families with dependent children or its successor program exceeds ~~nine~~ five percent of the total actual pupil units in the district for the same year, as computed in clauses (1) and (2), each such pupil shall be counted as an additional ~~35/100~~ one-tenth of a pupil unit; ~~for those districts where the number of such pupils is more than eight percent but not more than nine percent of the total pupil units in the district for the same year, as computed in clauses (1) and (2); each such pupil shall be counted as an additional two-tenths of a pupil unit and for those districts where the number of such pupils is at least five percent but not more than eight percent of the total pupil units in the district for the same year, as computed in clauses (1) and (2); each such pupil shall be counted as an additional one-tenth of a pupil unit for each percent of concentration over five percent of~~

such pupils in the district. The percent of concentration shall be rounded down to the nearest whole percent for purposes of this clause, provided that in districts where the percent of concentration is less than six, no additional pupil units shall be counted under this clause for pupils from families receiving aid to dependent children or its successor program and provided further that no such pupil shall be counted as more than one and one-tenth additional pupil units pursuant to clauses (4) and (5). Such weighing weighting shall be in addition to the weighing weighting provided in clauses (1), (2), (3), and (4) of this section. School districts are encouraged to allocate a major portion of the aids that they receive on account of clauses (4) and (5) to primary grade programs and services, particularly to programs and services that involve participation of parents. Each district receiving aids on account of both clauses (4) and (5) shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all such aids received.

(6) Where the total pupil units of a district are used as a multiplier in determining foundation aids and spending and levy limitations and where the actual number of pupil units has decreased from the prior year, the number of pupil units ~~for such district~~ shall equal the average of actual pupil units for the prior and current years in a district with boundaries coterminous with the boundaries of a city of the first class and shall be increased by .6 times the difference between the actual pupil units for the two years in any other district.

(7) Where the actual number of pupil units has increased from the prior year by more than three percent, a number of pupil units equal to one-fourth of the difference between the units as computed in clauses (1) and (2) for the two years shall be added to the other units for the district. In districts maintaining classified secondary schools where the actual number of pupil units has increased from the prior year by two percent or more, the additional pupil units over the prior year, as computed in clauses (1) and (2), shall be multiplied times one-tenth for each percent of increase over the prior year and a number of pupil units equal to the product shall be added to the other units for the district. The percent of increase shall be rounded up to the next whole percent for purposes of this clause, provided that in districts where the percent of increase is less than two, no additional pupil units shall be added to the other units for the district and provided further that the number of pupil units of increase over the prior year shall under no circumstances be multiplied by more than five-tenths.

(8) Only pupil units in clauses (1) and (2) shall be used in computing adjusted maintenance cost per pupil unit.

Sec. 22. Minnesota Statutes 1974, Section 124.17, Subdivision 2, is amended to read:

Subd. 2. Membership for pupils in grades kindergarten through twelve; ~~for pupils in area vocational-technical schools~~ and for handicapped prekindergarten pupils shall mean the number of

pupils on the current roll of the school, counted from the date of entry until withdrawal. The date of withdrawal shall mean the day the pupil permanently leaves the school or the date it is officially known that the pupil has left or has been legally excused; provided that any pupil, regardless of age, who has been absent from school without a legally justifiable excuse for 15 consecutive school days shall be dropped from the roll and classified as withdrawn. Nothing in Extra Session Laws 1971, Chapter 31, shall be construed as waiving the compulsory attendance provisions cited in section 120.10. Average daily membership shall equal the sum for all pupils of the number of days of the school year each pupil is enrolled in the district's schools divided by the number of days said schools are in session. For districts operating 12 months schools, days schools are in session shall mean the number of session days required by section 124.19, subdivision 1. The average daily membership of a pupil enrolled on a shared time basis shall equal the ratio of the total minutes for which such pupil is enrolled and the minimum minutes required during the year for a regularly enrolled public school pupil. ~~Foundation aid for each pupil in such shared time classes shall be paid at a rate proportionate to aid paid for other resident pupils of the district providing instruction. Foundation aid for shared time pupils shall equal the amount which would accrue if shared time pupil units, counted pursuant to this section, were added to the district's total pupil units used in determining its foundation aid.~~ A district shall not be entitled to transportation aid under section 124.22 for pupils enrolled on a shared time basis unless the statutes specifically provided for transportation aid to such student. *This section of this act shall be effective July 1, 1975 as applied to share time foundation aid and July 1, 1976 as applied to pupils in area vocational-technical schools.*

Sec. 23. Minnesota Statutes 1974, Section 124.18, Subdivision 2, is amended to read:

Subd. 2. [TUITION.] Every district which provides instruction in other districts and which receives foundation program aid ; ~~and the county which pays tuition aid~~ shall pay to the district furnishing *this* elementary and secondary ~~or area vocational-technical~~ school instruction ~~on account of such instruction~~; the actual cost thereof chargeable to maintenance exclusive of transportation costs ~~or the legal maximum prescribed in section 124.211, subdivision 2, clause (1)~~ .

There shall also be paid for capital outlay and debt service to the district providing such instruction \$10 per pupil unit in average daily ~~attendance membership~~ for each non-resident pupil unit, except that every district educating non-resident pupils may charge and include in its tuition, for capital outlay and debt service, an amount per pupil unit in average daily ~~attendance membership~~ based on the amount that the average expenditure for capital outlay and debt service determined by dividing such annual expenditure by the total number of pupil units in average daily ~~attendance membership~~ in the district exceeds \$10 per pupil unit. If the district has no capital outlay or debt service the district

receiving such funds may use them for any purpose for which it is authorized to spend money. Provided further that, if a district invests capital moneys to remodel existing facilities or to build new facilities for the primary purpose of providing provides instruction for nonresident handicapped and trainable children, tuition shall be as specified in Minnesota Statutes, 1961, Sections Section 120.17 and 120.19, Subdivision 4 such district may charge and include in its tuition for capital outlay and debt service an amount per pupil unit in average daily attendance determined by dividing such expenditure over a period of years mutually agreeable to the districts concerned, and by dividing each annual amount so determined by the total number of pupil units in average daily attendance enrolled in this area of handicap instruction in the district.

Sec. 24. Minnesota Statutes 1974, Section 124.20, is amended to read:

124.20 [EDUCATION; STATE AID; SUMMER SCHOOL AND FLEXIBLE SCHOOL YEAR CLASSES.] *State Foundation aid for (1) summer school classes which are not a part of the regular school term in hospitals, sanatoriums, and home instruction programs, and (2) inter-session classes of flexible school year programs and summer school classes in elementary and secondary schools, and (3) summer school instruction in area vocational schools or teachers college laboratory schools or in the university laboratory school, shall be paid at a proportionate rate for foundation aids paid during for the preceding regular school term year, provided that no district shall receive aid for programs under this section in an amount greater than its actual expenditures for these programs. Payments of aid for summer classes at a proportionate rate to foundation aid pursuant to this section in 1972 and preceding years are hereby sanctioned. The provision in this section for payment of aid for summer classes at a proportionate rate to foundation aid for the preceding school year shall apply to summer classes in 1973 and subsequent years.*

Sec. 25. Minnesota Statutes 1974, Section 124.212, Subdivision 1, is amended to read:

124.212 [FOUNDATION AID.] Subdivision 1. The foundation aid program for school districts for school years 1973-1974 1975-1976 and 1974-1975 1976-1977 shall be governed by the terms and provisions of this section.

Sec. 26. Minnesota Statutes 1974, Section 124.212, Subdivision 2, is amended to read:

Subd. 2. Except as may otherwise be provided in this section, the following words and phrases when used in this section shall have the meanings herein ascribed to them.

(1) "Adjusted maintenance cost" means the state and local current expense for pupils in elementary and secondary schools, exclusive of transportation, veterans training program, community services, and after reduction for receipts from the sale of other authorized items sold to the individual pupil by the school such

as lunches, paper, workbooks, and other materials used in the instructional program items of personal use, or other items specifically authorized by law or under the procedures set forth in sections 120.71 to 120.76, and after reduction for receipts from quasi-school activities when the school board has assumed direction and control of same. For purposes of determining the adjusted maintenance costs, the state department of education shall use only figures from the annual financial reports of the districts for the prior year and any supplementary documents received by it on or before August 1 of the current year; ~~(November 1, in 1971 only)~~. For any district which has not transmitted to the department of education before August 1, ~~(November 1, in 1971 only)~~ its annual financial report for the prior year, the figures from the most recent financial report of that district received on or before August 1, ~~(November 1, in 1971 only)~~ shall be used for purposes of calculating its certified levy and foundation aid. ~~In calculating the adjusted maintenance cost in 1970-1971, a district may include for calculating its certified levy and foundation aid under this article salaries paid in the 1971-1972 school year which are for services rendered in 1970-1971.~~

(2) "Adjusted assessed valuation" shall mean the assessed valuation of the taxable property notwithstanding the provisions of section 275.49 of the school district as adjusted by the equalization aid review committee.

Sec. 27. Minnesota Statutes 1974, Section 124.212, Subdivision 3a, is amended to read:

Subd. 3a. Notwithstanding any of the other provisions of this section, for the ~~1973-1974~~ 1975-1976 school year neither the sum nor the sum per pupil unit of the aggregate foundation aid earned by a district maintaining a classified secondary school and the amount raised by the maximum levy authorized by Minnesota Statutes ~~1971~~ 1974, Section 275.125, Subdivision 2 2a, Clause (2) and for the ~~1974-1975~~ 1976-1977 school year neither the sum nor the sum per pupil unit of the aggregate foundation aid earned by such a district and the amount raised by the maximum levy authorized for ~~1973~~ 1975 by section 275.125, subdivision 2a, clause (1), shall be less than the sum or the sum per pupil unit respectively of the aggregate foundation aid earned for the 1972-1973 school year, any payments earned for 1972-1973 which but for the operation of Minnesota Statutes 1971, Section 124.212, Subdivision 3, would not have been earned, and the amount raised by the levy authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 2, Clause (1). Aggregate foundation aid includes foundation aid for all pupil units, *except units computed in section 124.17, subdivision 1, clause (3)*. For purposes of this computation pupil units used as a divisor shall include only those units identified in section 124.17, subdivision 1, clauses (1) ~~to (3)~~ and (2).

Sec. 28. Minnesota Statutes 1974, Section 124.212, is amended by adding a subdivision to read:

Subd. 6b. For the 1975-1976 school year a district shall receive

in foundation aid the lesser of (1) \$900 per pupil unit less 30 mills times the 1973 adjusted assessed valuation of the district, or (2) the amount that bears the same relation to the difference in (1) as the sum of the greater sum computed pursuant to Minnesota Statutes 1974, Section 124.212, Subdivision 7a, Clause (2), and the greater of (a) one half of the difference that results when such greater sum is subtracted from \$900, or (b) \$75, bears to \$900.

Sec. 29. Minnesota Statutes 1974, Section 124.212, is amended by adding a subdivision to read:

Subd. 7b. For the 1976-1977 school year a district shall receive in foundation aid the lesser of (1) \$960 per pupil unit less 29 mills times the 1974 adjusted assessed valuation of the district, or (2) the amount that bears the same relation to the difference in (1) as the sum of the greater sum computed pursuant to section 28, clause (2), of this act, and the greater of (a) two-thirds of the difference that results when such greater sum is subtracted from \$960, or (b) \$60, bears to \$960.

Sec. 30. Minnesota Statutes 1974, Section 124.212, Subdivision 8a, is amended to read:

Subd. 8a. Notwithstanding any provisions of any other law to the contrary, the adjusted assessed valuation used in calculating foundation aid shall include only that property which is currently taxable in the district. For districts receiving which received payments under sections ~~298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; 294.21 to 294.28;~~ 124.215, subdivision 2a; 124.25; 124.30; 360.133; 360.135; and 124.28; any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; the foundation aid shall be reduced by: The previous year's payment to the district pursuant to said sections times the ratio of the maximum levy allowed the district under section 275.125, subdivision 2a, to the total levy allowed by section 275.125, but not to exceed 35 45 percent in 1973-1974 1975-1976 and 40 50 percent in 1974-1975 1976-1977 of the previous year's payment. For districts which received payments under sections ~~294.21 to 294.28; 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67;~~ any law imposing a tax upon severed mineral values, or under any other distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; the foundation aid shall be reduced in the August adjustment payment by the previous fiscal year's payment to the district pursuant to said sections times the ratio of the maximum levy allowed the district under section 275.125, subdivision 2a, to the total levy allowed by section 275.125 for collection in the calendar year ending during the aforementioned fiscal year, but not to exceed 40 percent in the August 1975 adjustment, 45 percent in the August 1976 adjustment, and 50 percent in the August 1977 adjustment of the previous fiscal year's payment.

Sec. 31. Minnesota Statutes 1974, Section 124.212, Subdivision 11, is amended to read:

Subd. 11. (a) The committee shall not increase the adjusted assessed valuation, exclusive of property valuation added, improved, reclassified, or reassessed since the prior assessment, of taxable property for 1962 or any subsequent year in any school district by more than eight percent over the certified valuation established for the year immediately preceding.

(b) Whenever the adjusted assessed valuation of any district is more than eight percent less than the adjusted assessed valuation of the preceding year, the state board of education may, upon application by the district prior to June 30 of such school year, authorize payment of additional foundation aid in the August adjustment following such school year in the amount of 30 mills times the difference in the said two successive adjusted assessed valuations.

(c) (b) The sales ratio studies, or any part thereof, or any copy of the same, or records accumulated in preparation thereof, which are prepared by the commissioner of revenue for the equalization aid review committee for use in determining school aids pursuant to this section shall not be admissible in evidence in any proceeding, except actions for review of the determination of the school aids payable under this section.

Sec. 32. Minnesota Statutes 1974, Section 124.212, is amended by adding a subdivision to read:

Subd. 11a. If in any year the assessed value of any district is less than the assessed value of the immediate preceding year, the equalization aid review committee shall, upon notification by the county assessor prior to October 16 of that assessment year, redetermine for all purposes the adjusted assessed value of the immediate preceding year taking into account the decrease in assessed value. On or before November 1 of the assessment year, the equalization aid review committee shall file the redetermined adjusted assessed value with the commissioner of education who shall thereupon certify to the county auditors and school districts affected the redetermined adjusted assessed value and the appropriate levy limits of the school districts affected pursuant to section 75, subdivision 10, of this act. Notwithstanding section 275.07, the districts affected may certify the taxes voted to the county auditor on or before December 1.

Sec. 33. Minnesota Statutes 1974, Section 124.212, Subdivision 12, is amended to read:

Subd. 12. Should any district within 60 days after receipt of a copy of a report filed with the commissioner of education made pursuant to subdivision 11, or notice of redetermination made pursuant to subdivision 12 10 or section 32 of this act, be of the opinion that the equalization aid review committee has made an error in the determination of the school district's market value, it may appeal from the report or portion thereof relating to the school district to the tax court, as provided in subdivisions 14 to 19 13 to 18.

Sec. 34. Minnesota Statutes 1974, Section 124.215, Subdivision 2a, is amended to read:

Subd. 2a. In addition to regular foundation aid payments, there shall be paid from the appropriation for foundation aid to any district whose schools are attended by children residing upon non-taxable land under the control of the armed forces of the United States, an amount equal to the number of pupil units represented by such children times the dollar amount derived by dividing the total levy of the district as spread upon the property of the district by the number of its other resident pupil units in average daily membership. *In fiscal year 1976, the district shall receive 66 $\frac{2}{3}$ percent of the amount which it would otherwise be entitled to receive pursuant to this subdivision and in fiscal year 1977, 33 $\frac{1}{3}$ percent of such amount. This subdivision shall expire on June 30, 1977.*

Sec. 35. Minnesota Statutes 1974, Section 124.222, is amended by adding a subdivision to read:

Subd. 1a. [COMPUTATION.] For the 1975-1976 school year the state shall pay to each school district for all school transportation and related services for which the district is authorized by law to receive state aid:

(1) The lesser product of either:

(a) The actual net operating cost per eligible pupil transported during the 1976 fiscal year times the number of eligible pupils transported during the 1976 fiscal year; or

(b) One hundred eighteen percent of the actual net operating cost per eligible pupil transported during the 1974 fiscal year, times the number of eligible pupils transported during the 1976 fiscal year;

(2) Minus the amount raised by a levy of one mill times the adjusted assessed valuation which is used to compute the transportation levy limitation for the levy collected in calendar year 1975;

(3) Plus, the amount of depreciation for one year on the school bus fleet computed by the department of education on a straight line basis at the rate of 12 $\frac{1}{2}$ percent per year of the cost of the fleet. The net cost after salvage of all equipment added to or installed in a school bus specifically to meet special needs of handicapped individuals shall be added to the remaining undepreciated value of that bus and depreciated over the remainder of the depreciation term for that bus.

Sec. 36. Minnesota Statutes 1974, Section 124.222, is amended by adding a subdivision to read:

Subd. 1b. [COMPUTATION.] For the 1976-1977 school year the state shall pay to each school district for all school transportation and related services for which the district is authorized by law to receive state aid:

(1) *The lesser product of either:*

(a) *The actual net operating cost per eligible pupil transported during the 1977 fiscal year times the number of eligible pupils transported during the 1977 fiscal year; or*

(b) *One hundred twenty-four percent of the actual net operating cost per eligible pupil transported during the 1974 fiscal year, times the number of eligible pupils transported during the 1977 fiscal year;*

(2) *Minus the amount raised by a levy of one mill times the adjusted assessed valuation which is used to compute the transportation levy limitation for the levy collected in calendar year 1976;*

(3) *Plus, the amount of depreciation for one year on the school bus fleet computed by the department of education on a straight line basis at the rate of 12½ percent per year of the cost of the fleet. The net cost after salvage of all equipment added to or installed in a school bus specifically to meet special needs of handicapped individuals shall be added to the remaining undepreciated value of that bus and depreciated over the remainder of the depreciation term for that bus.*

Sec. 37. Minnesota Statutes 1974, Section 124.222, is amended by adding a subdivision to read:

Subd. 2a. (1) In addition to the amounts authorized in section 35, of this act, if the actual net operating cost per eligible handicapped pupil transported during the 1976 fiscal year exceeds 128 percent of the actual net operating cost per eligible handicapped pupil transported during the 1974 fiscal year, the state shall pay to the district 80 percent of the cost for this handicapped transportation in excess of this 128 percent.

(2) In addition to the amounts authorized in section 36, of this act, actual net operating cost per eligible handicapped pupil transported during the 1977 fiscal year exceeds 134 percent of the actual net operating cost per eligible handicapped pupil transported during the 1974 fiscal year, the state shall pay to the district 80 percent of the costs for this handicapped transportation in excess of this 134 percent.

Sec. 38. Minnesota Statutes 1974, Section 124.222, Subdivision 3, is amended to read:

Subd. 3. [PAYMENT SCHEDULE.] Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program, the state shall pay to each school district 30 percent of its estimated school transportation aid entitlement for the 1975 fiscal year on or before each of the following dates: September 30, December 31, and March 31. The actual balance due the district shall be paid on or before August 31 of the following fiscal year.

Sec. 39. Minnesota Statutes 1974, Section 124.222, is amended by adding a subdivision to read:

Subd. 5. The commissioner shall study the need to adjust the base cost per eligible pupil transported in the 1974 fiscal year for purposes of payment of transportation aids in 1976 and 1977 fiscal years. The study shall be limited to adjustments needed as a consequence of alterations of district boundaries, changes in the ownership of the bus fleet, the use of other transportation facilities which receive public subsidy, changes in the number of school class shifts, and exceptional changes in the transportation of handicapped pupils. He shall report no later than January 15, 1976, to the committees on education of the senate and house of representatives his suggestions for these adjustments on a district by district basis and his calculation of the amount needed to fund these changes for the school years 1975-1976 and 1976-1977.

Sec. 40. Minnesota Statutes 1974, Section 124.223, is amended to read:

124.223 [TRANSPORTATION AID AUTHORIZATION.] For the 1974-1975 school year and thereafter, school transportation and related services for which state transportation aid is authorized are:

(1) Transportation or board of resident pupils who reside one mile or more from the public schools which they could attend, or transportation to, from, or between the schools they attend pursuant to a program approved by the commissioner of education, or who reside one mile or more from a private school actually attended, but only to the extent permitted by sections 123.76 to 123.79 with respect to private school pupils; ~~provided that state transportation aid is authorized in an amount not to exceed \$700,000 annually for the transportation of any elementary pupil, if the commissioner determines that the transportation is necessary because of extraordinary traffic hazards;~~

(2) Transportation to *and from* or board and lodging in another district, of resident pupils of a district without a secondary school; the pupils may attend a classified secondary school in another district and shall receive board and lodging in or transportation to *and from* a district having a classified secondary school at the expense of the district of the pupil's residence;

(3) Transportation for residents to *and from* a state board approved secondary vocational center;

(4) Transportation or board and lodging of a handicapped pupil when he cannot be transported on a regular school bus, and the conveying of handicapped pupils between home and school and within the school plant;

~~(5) Transportation of resident handicapped persons who fulfill the eligibility requirements of section 252.23 (1) to licensed day-time activity centers attended by these persons;~~

~~(6)~~ (5) When necessary, board and lodging for nonresident handicapped pupils in a district maintaining special classes;

(6) *Transportation for resident pupils to and from an instructional community-based employment station which is part of an approved occupational experience secondary vocational program;*

(7) *Transportation from one educational facility to another within the district for resident pupils enrolled on a shared time basis in educational programs approved by the commissioner of education;*

~~(7)~~ (8) Services described in clauses (1) to ~~(6)~~ (7) when provided in conjunction with a state board approved summer school program.

Sec. 41. Minnesota Statutes 1974, Section 124.25, is amended to read:

124.25 [AID TO DISTRICTS EDUCATING PERSONS RESIDENT ON NONTAXABLE LAND.] When elementary or secondary pupils living on land owned by the university of Minnesota as a research center or as a housing project located outside a city of the first class attend school in a district in which such research center or housing project is located, the state shall pay state aid to such district at the same rate per pupil unit in average daily membership exclusive of transportation as is paid by a district for the education of its residents in another district on a non-resident basis.

The state aid referred to in this section shall be paid from the special state aid fund based upon an annual application submitted to the commissioner. *In fiscal year 1976, the state shall pay to the district 66 2/3 percent of the amount which it would otherwise be entitled to receive pursuant to this section and in fiscal year 1977, 33 1/3 percent of such amount. This section shall expire on June 30, 1977.*

Sec. 42. Minnesota Statutes 1974, Section 124.26, is amended to read:

124.26 [EDUCATION PROGRAMS FOR ADULTS.] *Subdivision 1.* For evening schools and continuing education programs for adults established for persons over 16 years of age and not in attendance upon regular day schools, the state shall compensate any district maintaining such programs in accordance with requirements established by the state board from funds appropriated for that purpose, or such funds combined with federal funds insofar as federal funds are available. *Beginning July 1, 1975, the state shall not reimburse expenditures from the 1974-75 school year programs, but shall pay aids for the 1975-76 school year programs and for each year thereafter on a current funding basis.* The portion of such compensation from state appropriation shall ~~not exceed three-fourths~~ *be 90 percent* of the compensation paid each teacher for his services in such programs up to \$5,300 \$8,000 per year based on the costs in that current year. All classes shall be tuition free when taught by teachers subsidized under this section; ~~but this and there shall not preclude charging a reasonable~~ *be no charge for registration, fee and charging for necessary materials and supplies, or G.E.D. tests.* Evening

school and continuing education programs are defined as those public day or evening school programs which are established for persons over 16 years of age not in attendance at the full time elementary or secondary schools and which qualify such persons for the high school diploma, the high school equivalency certificate or for academic achievement at the secondary level.

Subd. 2. Each district providing evening school and continuing education programs shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all funds related to these programs. All aid received pursuant to this section shall be utilized solely for the purposes of evening school and continuing education programs. In no case shall a district pursuant to this section receive more than the actual cost of providing these programs.

Subd. 3. The state department of education shall reimburse each G.E.D. testing center the sum of \$10 for each battery of G.E.D. tests or \$2 for each individual test administered by that center.

Sec. 43. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.271] [COMMUNITY SCHOOL PROGRAMS AID.] *Subdivision 1. In fiscal year 1976, the state shall pay an amount which is equal to the greater of \$5,000 or 25 cents per capita to each school district which is operating a community school program in compliance with the rules and regulations established by the state board of education and which has levied in 1974 the maximum permissible amount for community services pursuant to Minnesota Statutes 1974, Section 275.125, Subdivision 3, Clause (8), for use in the 1975-1976 school year. In fiscal year 1976, the state shall not reimburse school districts for past expenditures for salaries of community school directors and coordinators employed by the districts in the 1974-1975 school year.*

Subd. 2. In fiscal year 1977 and each year thereafter, the state shall pay 50 cents per capita to each school district which is operating a community school program in compliance with the rules and regulations established by the state board and which has levied at least \$1 per capita for community services pursuant to section 75, subdivision 8, of this act, for use in that year.

Subd. 3. The population of the district for purposes of this section is the population determined as provided in section 275.14 or as certified by the department of education from the most recent federal census.

Subd. 4. Each district providing community school programs pursuant to sections 121.85 to 121.88 shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all funds related to these community school programs. All funds received pursuant to this section and to the levy authorized in section 75, subdivision 8, of this act shall be utilized solely for the purposes of community school programs.

Subd. 5. All community school programs aid shall be distributed

by the state aids, statistics and research section of the state department of education. Aid shall be distributed prior to November 1, 1976 and each year thereafter.

Sec. 44. Minnesota Statutes 1974, Section 124.28, Subdivision 2, is amended to read:

Subd. 2. Any district entitled to a tax refund under the provisions of this section shall apply to the commissioner of ~~finance~~ *education* on or before July 1 of each year for such a refund and the commissioner of ~~finance~~ *education* shall immediately secure the necessary information on the valuation of the railroad property located in such a district from the department of public service subject to taxation under the gross earnings tax act, except rolling stock and the main tracks, and the local school tax rate in such a district, and compute the amount of the refund. For the purposes of this section the railroad valuation shall be taken as of December 31 of the year preceding the application, the taxable valuation as of the first Monday of January of the year of the application, the tax rates of the year of the application and the enrollments as of June 1 of the year of application. The commissioner of ~~finance~~ *education* shall forthwith draw a warrant on the state treasurer for such a refund to be paid from the appropriation otherwise made for that purpose. Provided, however, *that for refunds receivable during fiscal 1974 and thereafter,* no school district qualifying for a refund under this section shall receive more money than would be produced by a tax rate of $53\frac{1}{2}$ 160 mills applied to the railroad property assessed at 30 percent of its full value as reported by the department of public service; nor shall any school district receive a larger refund the second fiscal year of the biennium than it receives the first fiscal year of the biennium by reason of the school district raising its mill rate for school purposes by more than $1\text{--}6\frac{3}{4}$ *five* mills. *Provided further, that payments made pursuant to this section during fiscal 1974 and 1975 are hereby sanctioned and deemed to have been made in accordance with the intent of this section.*

If the appropriation made for the purposes of this section is insufficient to pay all the school districts eligible for refund under this section the appropriation shall be prorated among the school districts entitled thereto.

Sec. 45. Minnesota Statutes 1974, Section 124.30, Subdivision 3, is amended to read:

Subd. 3. For purposes of this section, each county auditor shall ~~supply~~ *certify* to the commissioner of ~~finance~~ *education* ~~plats with checkings thereon indicating the location and description of education such data as he may require concerning the tax exempt lands situated within the districts of the county. Payment of aid without receipt of plats for fiscal year 1973 and subsequent years is hereby authorized.~~

Sec. 46. Minnesota Statutes 1974, Section 124.30, Subdivision 4, is amended to read:

Subd. 4. There is hereby annually appropriated from the general fund ~~200,000~~ to be distributed by the commissioner of finance under the terms of this section, and in the event that said sum *If the amount appropriated shall be insufficient to pay the full amount to which said districts shall be entitled, the commissioner of finance education shall apportion said sum pro rata to each entitled district.*

Sec. 47. Minnesota Statutes 1974, Section 124.30, is amended by adding a subdivision to read:

Subd. 5. In fiscal year 1976, each district shall receive 66 2/3 percent of the amount which it would otherwise be entitled to receive pursuant to this section and in fiscal year 1977, 33 1/3 percent of such amount. This section shall expire on June 30, 1977.

Sec. 48. Minnesota Statutes 1974, Section 124.32, Subdivision 1, is amended to read:

124.32 [HANDICAPPED CHILDREN.] Subdivision 1. The state shall pay to any district and unorganized territory; (a) for the employment in its educational program for handicapped children, ~~60~~ 65 percent of the salary of essential personnel, but this amount shall not exceed ~~\$5,000~~ \$10,000 for the normal school year for each full time person employed, or a pro rata amount for a part time person or a person employed for a limited time, including but not limited to summer school; (b) for the employment of an individual jointly with another district or districts or unorganized territory in its educational program for handicapped children, ~~60~~ 65 percent of the salary of essential personnel, but this amount shall not exceed ~~\$5,000~~ \$10,000 for the normal school year for each full time person employed, or a pro rata amount for a part time person or a person employed for a limited time including but not limited to summer school.

Sec. 49. Minnesota Statutes 1974, Section 124.32, is amended by adding a subdivision to read:

Subd. 3a. The purpose of this subdivision is to change the method of funding of educational programs for handicapped children from reimbursement based on past expenditures to a current funding basis. Beginning July 1, 1976, the state shall not reimburse expenditures from the 1975-1976 school year programs, including 1976 summer school programs, but shall pay aids for the 1976-1977 school year programs and for each year thereafter on a current funding basis.

Sec. 50. Minnesota Statutes 1974, Section 124.32, Subdivision 5, is amended to read:

Subd. 5. When a handicapped child is placed in a residential facility approved by the commissioner and established primarily to serve handicapped children and when the child's educational program is approved by the commissioner, the state shall pay to the resident district not to exceed ~~60~~ 65 percent of instructional costs charged to the resident district, less the foundation aid per pupil unit payable to the resident district. Not more than \$300,000

\$400,000 shall be spent annually for purposes of implementing this subdivision. If that amount does not suffice, the aid shall be pro rated among all qualifying districts.

The following types of facilities may be approved by the commissioner:

(a) A residential facility operated by a public school district and designed to serve the low incidence handicapped, the multiple handicapped, or the most severely handicapped children, either within or outside of the state, or, a state residential school outside of the state.

(b) A private, nonsectarian residential facility designed to provide educational services for handicapped children either within or outside of the state.

(c) A state hospital or private nonsectarian residential center designed to provide care and treatment for handicapped children.

Sec. 51. Minnesota Statutes 1974, Section 124.38, Subdivision 4, is amended to read:

Subd. 4. "~~Sinking~~ Debt service fund" means the aggregate of all funds maintained by a district which are appropriated to payment of principal of and interest on its debts as required by Minnesota Statutes, Chapter 475.

Sec. 52. Minnesota Statutes 1974, Section 124.38, Subdivision 5, is amended to read:

Subd. 5. "Debt service levy" means the levy for all ~~sinking~~ debt service fund purposes in accordance with Minnesota Statutes, Chapter 475.

Sec. 53. Minnesota Statutes 1974, Section 124.38, Subdivision 7, is amended to read:

Subd. 7. "Maximum effort debt service levy" means a levy in a total dollar amount computed as ~~2-1~~ 20 mills on the ~~market~~ *adjusted assessed* value; except that the maximum effort debt service levy of any school district having received a debt service or capital loan from the state before January 1, 1965, shall be computed as ~~1-30~~ ²/₃ 4.10 mills on the market value in each year, unless the district applies or has applied for an additional loan subsequent to January 1, 1965, or issues or has issued bonds on the public market, other than bonds refunding state loans, subsequent to January 1, 1967; and except that the maximum effort debt service levy of any school district granted a debt service or capital loan between January 1, 1965, and July 1, 1969, shall be computed as 5½ mills on the market value in each year, until and unless the district receives an additional loan ; and *except that the maximum effort debt service levy of any school district granted a debt service or capital loan between July 1, 1969 and July 1, 1975 shall be computed as 6.3 mills on market value in each year until and unless the district has received an additional loan .*

Sec. 54. Minnesota Statutes 1974, Section 124.38, Subdivision 8, is amended to read:

Subd. 8. *"Adjusted assessed valuation" means, as of any date, the valuation of all taxable property most recently determined by the equalization aid review committee in accordance with the provisions of 124.212. "Market value" means the value of all taxable property in the district on which its net debt limit is based as provided in section 475.53, subdivision 4.*

Sec. 55. Minnesota Statutes 1974, Section 124.42, Subdivision 1, is amended to read:

124.42 [DEBT SERVICE LOANS.] Subdivision 1. Any school district in which the required levy for debt service in any year will exceed its maximum effort debt service levy by ten percent or by \$5,000, whichever is less, is qualified for a debt service loan hereunder in an amount not exceeding the amount applied for, and not exceeding one percent of the sum of the net debt of the district and the aggregate amount of all state loans to the district outstanding on the date granted, and not exceeding the difference between the required and the maximum effort debt service levy in such year. Applications shall be filed with the committee in each calendar year up to and including September 15. The committee shall determine whether the applicant is entitled to such loan and the amount thereof, and on or before October 1 shall certify to each applicant district the amount granted and its due date. A copy of each such certificate shall be filed with the commissioner. Upon receipt by the commissioner of a copy of the committee's certificate that the loan is granted, the commissioner shall notify the county auditor or county auditors in which the district is located that the amount so certified is available and appropriated for payment of principal and interest on its outstanding bonds and such auditors shall reduce by that amount the taxes otherwise leviable as the district's debt service levy on the tax rolls for such year; ~~which taxes shall nevertheless be increased by the amount necessary to pay interest on this and any other state loans, as herein provided.~~ Each debt service loan shall be for a term of 30 years, prepayable at par at any time, and shall bear interest from its date at a rate determined by the commissioner of finance; ~~not less annually, at the multiple of one-tenth of one percent per annum next higher than the average annual rate payable on Minnesota state school loan bonds most recently issued prior to the disbursement of the loan to the district from time to time outstanding,~~ but in no event less than 3½ percent per annum on the principal amount from time to time remaining unpaid, payable on December 15 of the year next following that in which the loan is received and annually thereafter.

Sec. 56. Minnesota Statutes 1974, Section 124.42, Subdivision 2, is amended to read:

Subd. 2. Each debt service loan shall be evidenced by a note which shall be executed in behalf of the district by the signatures of its chairman or vice chairman and the school district clerk, shall be dated November 1 of the year in which executed, and

shall state its principal amount, due date, interest rate, and that it is payable at the commissioner's office. It shall have printed thereon, or the commissioner shall attach thereto, a grill for entry of the date and amount of each payment and allocations of each payment to accrued interest or principal, and a certificate to be executed by the county auditor of each county in which any portion of the school district is situated, prior to the delivery of the note, stating that such county auditor has entered the debt service loan evidenced thereby in his bond register. Such notes shall be delivered to the committee not later than November 15 of the year in which executed. The secretary shall cause a record to be made and preserved showing the obligor district and the date, and principal amount, and due date of each note, and shall then deliver it to the commissioner who shall make suitable record thereof.

Sec. 57. Minnesota Statutes 1974, Section 124.42, Subdivision 4, is amended to read:

Subd. 4. Each district receiving a debt service loan shall levy in that year for debt service its required debt service levy as reduced by the amount of the loan in that year and each year thereafter in which it shall not have received a debt service loan, until all its debts to the fund are paid, the district is hereby obligated to levy for debt service (a) the amount of its maximum effort debt service levy, or (b) the amount of its required debt service levy less the amount of any debt service loan in that year, whichever is greater. Whenever the maximum effort debt service levy is greater the district shall remit to the commissioner, within ten days after its receipt of the last regular tax distribution in the year in which it is collected, that portion of the maximum effort debt service tax collections, including penalties and interest, which exceeded exceeds the principal and interest payable on its bonded debt in the period for which the levy was made required debt service levy. In addition to the foregoing, the district shall levy in each year, commencing in the year a debt service loan is granted and continuing until the entire loan is paid, a sum sufficient to produce full payment of the interest payable in the ensuing year on its debt service note, and the proceeds of such levy shall in each year be remitted to the commissioner for payment of such interest. On or before November 1 in each year the commissioner shall notify the county auditor of each county containing taxable property situated within the school district of the amount of the maximum effort debt service levy of the district for that year, and the additional amount necessary to be levied to produce a sum five percent in excess of the total amount of interest to become due in the ensuing year on all debt service notes and capital loans of the district, and said county auditor or auditors shall extend upon the tax rolls an ad valorem tax upon all taxable property within the district in the aggregate amount so certified. If any interest is not paid when due, the commissioner shall add the amount thereof to the amount of interest so certified in the following year, with one year's interest on such amount at the rate borne by the loan.

Sec. 58. Minnesota Statutes 1974, Section 124.43, Subdivision 1, is amended to read:

124.43 [CAPITAL LOANS.] Subdivision 1. To the extent moneys are from time to time available hereunder, the committee is authorized, *after review and recommendation by the state board of education*, to effect capital loans to school districts. Proceeds of such loans shall be used only for sites for school houses buildings and for acquiring, bettering, furnishing, or equipping school houses buildings under contracts to be entered into within 12 months from and after the date on which each loan is granted. Applications with the accompanying data specified in subdivision 2 shall be filed between October 1 of any year and June 1 next following. *No application shall be approved unless the state board of education certifies that the loan is needed to replace facilities dangerous to the health and safety of pupils, or to provide for pupils for whom no adequate facilities exist; that such facilities could not be made available by consolidating the district with an adjacent district without substantially lowering the fiscal capacity of that district or so increasing its area that it would no longer be viable; and that existing institutions or facilities within the area could not be acquired or leased to provide the needed facilities safely and at a lower cost. The state board shall make recommendations to the committee. No loan shall be approved for any district exceeding an amount computed as follows:*

- (1) The amount voted by the district under subdivision 2;
- (2) Plus the aggregate principal amount of general obligation bonds of the district outstanding on the date of approval, not exceeding the limitation on net debt of the district in section 475.53, subdivision 4;
- (3) Less the maximum net debt permissible for the district on the date of approval, under the limitation in section 475.53, subdivision 4; and
- (4) Less any amount by which the amount voted exceeds the total cost of the facilities for which the loan is granted, as estimated in accordance with subdivision 4, provided that the loan may be approved in an amount computed as provided in clauses (1) to (3), subject to subsequent reduction in accordance with this clause (4).

Sec. 59. Minnesota Statutes 1974, Section 124.43, Subdivision 2, is amended to read:

Subd. 2. The school board of any district desiring a loan shall adopt a resolution stating the amount proposed to be borrowed, the purpose for which the debt is to be incurred, and an estimate of the dates when the facilities for which the loan is requested will be contracted for and completed. The question of authorizing the borrowing shall then be submitted to the voters of the district at a regular or special election. The question submitted shall state the entire amount to be borrowed and that application will be made for a loan from the maximum effort school loan fund of such amount as may be available and allowable to the district and the remainder will be borrowed on bonds sold at a public sale within the limitations prescribed by law. A majority of those voting on

the question shall be sufficient to authorize the district to effect the state loan and also to issue the bonds on public sale in accordance with chapter 475. Applications for loans shall be accompanied by (a) a copy of such resolution, (b) a certificate by the clerk showing the vote at the election, (c) a certificate by the clerk and treasurer showing the then outstanding indebtedness of the district, and (d) a certificate by the county auditor of each county in which a portion of the district lies showing the information in his official records which is required to be used in computing the debt limit of the district under section 475.53, subdivision 4. The clerk's and treasurer's certificate shall show, as to each outstanding bond issue, the amount originally issued, the purpose for which issued, the date of issue, the amount remaining unpaid as of the date of the resolution, and the interest rates and due dates and amounts of principal thereon. Applications shall be in such form and accompanied by such additional data as the committee *and state board of education* shall prescribe, which may include a statement from the state department of education as to the district's need of the proposed schoolhouses in comparison with needs of other districts. When an application is received, the committee shall obtain from the commissioner of revenue, and from the public service commission when required, the information in their official records which is required to be used in computing the debt limit of the district under section 475.53, subdivision 4.

Sec. 60. Minnesota Statutes 1974, Section 124.43, Subdivision 3, is amended to read:

Subd. 3. The committee shall examine and consider all applications for capital loans *which have been recommended by the state board of education*, and if any applicant district is found not qualified it shall be promptly notified thereof. On January 1 and July 1 of each year, the committee shall make its determination on all pending applications which have been on file with it more than one month. If an applicant is qualified in the opinion of the committee and the aggregate of the amounts applied for does not exceed the amount available or which can be made available in the capital loan account, all loans so applied for shall be granted, subject to acceptance by the respective districts as specified below. If the aggregate exceeds the amount which is or can be made available, the committee shall allot the available amount among the qualified applicant districts, or any of them, according to the committee's judgment and discretion based upon their respective needs. The committee shall promptly certify to each qualified applicant district the amount, if any, of the capital loan granted to it, subject to adjustment under subdivision 1, clause (4).

Sec. 61. Minnesota Statutes 1974, Section 124.43, Subdivision 4, is amended to read:

Subd. 4. Each capital loan shall be ~~for a term of 30 years and~~ evidenced by a contract between the school district and the state acting through the committee. It shall obligate the state to pay to the district, out of the maximum effort school loan fund, an amount computed as provided in subdivision 1, upon receipt by

the committee of a certified resolution of the school board reciting that contracts for construction of the facilities for which the loan is granted have been awarded and that bonds of the district have been issued and sold in the amount necessary to pay all costs thereof in excess of the amount of the loan, and estimating such costs. It shall obligate the district ~~on its full faith and credit~~ to repay the entire principal of the state loan out of the excesses of its maximum effort debt service levy over its required debt service levy, and also to pay ~~including~~ interest at a rate determined annually by the commissioner of finance, ~~not less at the multiple of one-tenth of one percent per annum next higher than the average annual rate payable on Minnesota state school loan bonds most recently issued prior to the disbursement of the loan to the district, but in no event less than 3½ percent per annum on the principal amount from time to time unpaid.~~ The district shall each year, as long as it is indebted to the state, levy for debt service (a) the amount of its maximum effort debt service levy or (b) the amount of its required debt service levy, whichever is greater, except as such required debt service levy may be reduced by a loan under section 124.42. Whenever the maximum effort debt service levy is greater, the district shall remit to the commissioner within ten days after its receipt of the last regular tax distribution in each year, that portion of the debt service tax collections, including penalties and interest, which exceeded the required debt service levy. The commissioner shall supervise the collection of outstanding accounts due the fund and may, by notice to the proper county auditor require the maximum levy to be made as required hereunder. Interest on capital loans shall be paid on December 15 of the year next following that in which the loan is granted and annually thereafter. In addition to the levies otherwise required by this subdivision, the district shall levy in each year, commencing in the year a capital loan is granted and continuing until the entire loan is paid, a sum sufficient to produce full payment of the interest payable in the ensuing year on its capital loan contract, and the proceeds of such levy shall in each year be remitted to the commissioner for payment of such interest. On or before November 1 in each year the commissioner shall notify the county auditor of each county containing taxable property situated within the school district of the amount of the maximum effort debt service levy of the district for that year, and the additional amount necessary to be levied to produce a sum five percent in excess of the total amount of interest to become due in the ensuing year on all capital and debt service loans of the district, and said county auditor or auditors shall extend upon the tax rolls an ad valorem tax upon all taxable property within the district in the aggregate amount so certified. If any interest is not paid when due, the commissioner shall add the amount thereof to the amount of interest so certified in the following year, with one year's interest on such amount at the rate borne by the loan. In the event that any capital loan is not paid within 30 years after it is granted from maximum effort debt service levies in excess of required debt service levies, the liability of the school district thereon shall be satisfied and discharged and interest thereon shall cease. After a district's capital loan has been

outstanding for 20 years, the district shall not issue bonds on the public market except for the purpose of refunding such a loan.

Sec. 62. Minnesota Statutes 1974, Section 124.45, is amended to read:

124.45 [APPLICATIONS OF PAYMENT.] The commissioner shall apply payments received from collections of maximum effort debt service levies in excess of required debt service levies of a district on its debt service notes and capital loan contracts as follows: First, to payment of interest accrued on its notes, if any; second, to interest on its contracts, if any; third, toward principal ~~on~~ of its notes, if any; and last, toward ~~payment~~ of principal of its contracts, if any. While more than one note or more than one contract is held, priority of ~~application~~ payment of interest shall be given to the one of earliest date of the instrument, and after interest accrued on all notes is paid, similar priority shall be given in the application of any remaining amount to the payment of principal. In any year when the receipts from a district are not sufficient to pay the interest accrued on any of its notes or contracts, the deficiency shall be added to the principal, and the commissioner shall notify the district and each county auditor concerned of the new amount of principal of the note or contract.

Sec. 63. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.561] [POST-SECONDARY VOCATIONAL-TECHNICAL EDUCATION FUNDING.] Subdivision 1. [PURPOSE.] *The purpose of sections 63 to 67 of this act is to change the funding of post-secondary vocational-technical education from reimbursement of past expenditures to a current funding process.*

Subd. 2. [CURRENT AID.] *Beginning July 1, 1975, the state board for vocational education shall not enter into agreements to pay reimbursements but shall be obligated for reimbursement payments incurred in fiscal year 1975. Beginning July 1, 1976, all post-secondary vocational foundation aid and post-secondary vocational categorical, capital expenditure and debt service aid shall be paid for the current fiscal year in accordance with sections 63 to 67 of this act.*

Subd. 3. [BUDGETS.] *Before January 1, 1976, and before January 1 of each year thereafter post-secondary vocational-technical school budgets for the following fiscal year shall be submitted to the state board for vocational education. The state board for vocational education shall approve the budgets for each district at a consolidated public hearing held pursuant to Minnesota Statutes, Chapter 15, which shall be held prior to June 1 of each year and which shall continue until all interested persons, representatives, and organizations have had an opportunity to be heard. The total amount of reimbursement payments approved for fiscal year 1975 payable in fiscal year 1976 shall not exceed by more than 14 percent the amount appropriated for post-secondary vocational-technical education for payment in fiscal year 1975. No district shall increase its operating deficit during*

fiscal year 1976 unless authorized to do so by the state board for vocational education. The state board for vocational education shall before September 1, 1975 promulgate rules and regulations which establish the approval criteria for budgets, including responsiveness to current and projected manpower needs of population groups to be served in the various geographic areas and communities of the state, particularly disadvantaged and handicapped persons; adequacy of evaluation of programs; and other criteria set forth in the state plan for vocational education. The commissioner, in cooperation with the department of finance, shall establish program budget standards by which area vocational-technical institutes shall submit financial requests.

Subd. 4. [LOCAL DEFICITS.] The commissioner with the approval of the state board for vocational education shall establish a uniform auditing procedure for post-secondary vocational-technical education. This procedure shall be used to determine the local operating deficit or surplus in each district as of July 1, 1975 and as of July 1 for each year thereafter. This deficit or surplus shall be certified to the commissioner before September 1, 1975 and September 1 of each year thereafter.

Sec. 64. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.562] [POST-SECONDARY VOCATIONAL FOUNDATION AID.] Subdivision 1. For the 1976-77 school year a district shall receive post-secondary vocational foundation aid in the amount of \$2,000 times the number of post-secondary vocational-technical pupils in average daily membership, as defined in subdivision 2, less the sum of (1) any amounts received as tuition and fees for post-secondary vocational-technical pupils, (2) the amount raised by the minimum levy required in 1975 by section 76 of this act, and (3) any amounts received for post-secondary vocational programs as federal vocational categorical aid and as special grants from state allocations of federal vocational funds, unless these grants are used to fund additional services beyond the normal program.

Subd. 2. Membership for pupils in post-secondary vocational-technical schools shall mean the number of pupils on the current roll of the school, counted from the date of entry until withdrawal. The date of withdrawal shall mean the day the pupil permanently leaves the school or the date it is officially known that he has left or has been legally excused; provided that any pupil, regardless of age, who has been absent from school without a legally justifiable excuse for 15 consecutive school days shall be dropped from the roll and classified as withdrawn. No pupil who is counted in average daily membership pursuant to this section shall be counted in average daily membership in any district pursuant to section 124.17, subdivision 2. Average daily membership shall equal the sum for all pupils of the number of days of the school year each pupil is enrolled in a post-secondary vocational-technical school in a district divided by 175. Average daily membership for pupils who are enrolled on a part time basis, but not including

adult vocational pupils, shall equal (a) the sum for all pupils of the number of days of the school year each pupil is enrolled in a post-secondary vocational-technical school in the district times the number of hours per day each student is enrolled divided by the number of hours the school is in session per day (b) divided by 175. For a post-secondary vocational-technical school, the normal school year shall be at least the number of session days required by Minnesota Statutes, Section 124.19, Subdivision 1. In all post-secondary vocational-technical schools, the minimum length of the school day for each pupil, exclusive of the noon intermission, shall be six hours. Exceptions may be made by the local school administration for approved programs to meet individual student needs.

Subd. 3. All funds, whether state, federal, or from other sources, which may be made available to the department of education for carrying out the purposes of post-secondary vocational-technical education shall be apportioned by the state board for vocational education to the various school districts in accordance with law and shall be distributed by the state aids, statistics and research section of the state department of education. All post-secondary vocational foundation and categorical aids shall be paid to the school district where the pupil is in attendance.

Subd. 4. Each district providing post-secondary vocational-technical education programs shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all funds related to these post-secondary vocational-technical education programs. All post-secondary vocational foundation and categorical aids and all funds received pursuant to the levy authorized by section 76 of this act, shall be utilized solely for the purposes of post-secondary vocational-technical education programs.

Subd. 5. None of the provisions of Minnesota Statutes, Chapter 16, shall apply to appropriations enacted to carry out the provisions of this section.

Subd. 6. This section shall be effective July 1, 1976.

Sec. 65. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.563] [POST-SECONDARY VOCATIONAL AND CAPITAL EXPENDITURE CATEGORICAL AID.] Subdivision 1. "Post-secondary vocational categorical aid" means all state and federal funds, exclusive of post-secondary vocational foundation, capital expenditure and debt service aid, apportioned by the state board for vocational education to local school districts for the purpose of assisting in the conduct of post-secondary vocational-technical training. No district shall qualify for post-secondary vocational categorical aid unless it has certified the minimum levy required by section 76 of this act. This aid shall be given to districts conducting high cost programs which require funds in addition to the post-secondary vocational foundation aid provided.

Subd. 2. "Post-secondary vocational capital expenditure aid" means state and federal funds exclusive of post-secondary vocational foundation, categorical and debt service aid, apportioned by the state board for vocational education to local school districts for the purpose of improving or repairing school sites or equipping, re-equipping, repairing or improving buildings and permanent attached fixtures, as necessary for the conduct of post-secondary vocational-technical training. No district shall qualify for post-secondary vocational capital expenditure aid unless it has certified the minimum levy required by section 76 of this act. Post-secondary vocational capital expenditure aid shall be utilized solely for the purposes enumerated in this subdivision.

Subd. 3. Post-secondary vocational categorical and capital expenditure aid shall be apportioned by the state board for vocational education at the consolidated public hearing held pursuant to section 63, subdivision 3, of this act. All post-secondary vocational categorical and capital expenditure aid approved at this public hearing shall be distributed to the districts on or before August 1, December 1, March 1, and June 1 of each year. Additional post-secondary vocational categorical and capital expenditure aid may be distributed on or before March 1 and June 1 if it is apportioned at a consolidated public hearing held in February pursuant to Minnesota Statutes, Chapter 15. On the date of each post-secondary vocational categorical and capital expenditure aid payment, the state board shall report to the appropriate committees of the legislature on the distribution of post-secondary vocational categorical and capital expenditure aid. The report shall include (a) the recipient of the aid; (b) the amounts distributed, and (c) the reasons for these distributions.

Subd. 4. This section shall be effective July 1, 1976.

Sec. 66. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.564] [POST-SECONDARY VOCATIONAL DEBT SERVICE AID.] The state board for vocational education shall pay to qualifying districts post-secondary vocational debt service aid equal to the state portion of debt service costs. The state portion of debt service costs shall equal the amount necessary to make payments for bonds issued to finance post-secondary vocational facilities and for interest thereon multiplied by the average of the district's nonresident reimbursement percentage pursuant to Minnesota Statutes 1974, Section 121.21, subdivision 5, in fiscal years 1973, 1974 and 1975. The local portion of debt service costs shall equal the amount necessary to make these payments, less the state portion of debt service costs. No district shall qualify for this post-secondary vocational debt service aid unless it has certified a levy equal in amount to the local portion of debt service costs, pursuant to section 75, subdivision 4, of this act. Post-secondary vocational debt service aid shall be utilized solely for payments for bonds issued to finance post-secondary vocational facilities and for interest thereon, and these bond and interest payments shall be made solely with proceeds from this aid and the local debt service levy. In addition, the state board for vocational education shall pay to districts which expended cash balances to finance the construction of new post-secondary vocational facilities and which

the state board prior to May 15, 1975 agreed to repay for these expenditures the amount of the repayment specified in the agreement. Funds received in repayment shall revert to the fund of origin in the district. This section shall be effective July 1, 1976.

Sec. 67. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.565] [POST-SECONDARY VOCATIONAL EDUCATION TUITION.] *Subdivision 1. Any Minnesota resident who is under 21 years of age may attend a post-secondary vocational-technical school without tuition, provided that the individual meets the entrance requirements for the training course in which enrollment is sought and the school has the room and the facility to receive him.*

Subd. 2. Any person who has attained his 21st birthday and who would, but for that fact, qualify under subdivision 1 to attend a post-secondary vocational-technical school without tuition, may attend the school without tuition subject to the other provisions of this subdivision, if he entered active military service in any branch of the armed forces of the United States before his 21st birthday, and who has then been separated or discharged from active military service under conditions other than dishonorable, and if he applies for admission to the school before his 29th birthday. Time after separation or discharge from military service spent as an in-patient in a hospital or similar institution for treatment of an illness or disability or in recovery from an illness or disability that prevents gainful occupation or study shall be added to the time allowed for application.

Subd. 3. Tuition at a post-secondary vocational-technical school for a Minnesota resident pupil who does not come within the exemptions provided in subdivisions 1 and 2, shall be two dollars per day for each school day the pupil is enrolled.

Subd. 4. Unless covered by a higher education reciprocity agreement relating to nonresident tuition, entered into by the Minnesota higher education coordinating commission and approved by the state board for vocational education, tuition at a post-secondary vocational-technical school for a pupil who is not a resident of Minnesota shall be five dollars per day for each school day the pupil is enrolled.

Subd. 5. The state board for vocational education may pay a school district or post-secondary vocational-technical school in another state for tuition charges for Minnesota pupils who meet the qualifications of subdivisions 1 and 2 and who are enrolled in post-secondary vocational-technical schools in that state. This payment may not exceed the amount specified for post-secondary vocational foundation aid in section 64 of this act. This subdivision shall expire June 30, 1976.

Sec. 68. Minnesota Statutes 1974, Section 124.57, is amended to read:

124.57 [AID FOR VOCATIONAL EDUCATION.] Whenever any district shall have established a vocational school, department, or classes in accordance with the rules and regulations established by the state board adopted by that board, and the plan for vocational education, and approved by the United States office of education or other federal agency to which its functions are assigned, the state

board shall reimburse such district or state tax supported institution for its expenditures for salaries and necessary travel of vocational teachers or other reimbursable expenditures from federal funds and may supplement such federal funds with such state aid as it may deem desirable under such rules as it may adopt, provided, however, that in the event of such funds not being sufficient to make such reimbursement in full, the state board shall prorate the respective amounts available to the various districts entitled to receive reimbursement. All instruction may be given at the place of the abode of the pupils, and adults may be given instruction in adjoining or nearby districts.

In like manner the state board shall have power to reimburse other governmental agencies for expenditures for salaries and necessary travel expenses of vocational teachers from federal funds, according to rules and regulations adopted by the state board.

When local districts desire but cannot provide vocational instruction for the related training required by apprentices and other learners in the trade, industrial, and distributive fields, the state board is empowered upon request of such local district or districts to employ itinerant vocational teachers to provide this service and pay the salary and necessary travel expense from authorized federal and state vocational aid funds under such rules as it may adopt. An itinerant vocational teacher in this section is defined as a vocational teacher employed to give part-time or periodic vocational instruction in one or more districts.

This section shall apply only to secondary and adult vocational education programs. Sections 63 to 67 of this act shall not apply to secondary and adult vocational education programs. This section of this act shall be effective July 1, 1976.

Sec. 69. [124.611] [ELIGIBLE TEACHER PROGRAM.] *Subdivision 1. Any teacher who has been or will be placed on unrequested leave of absence pursuant to section 125.12, subdivision 6a or 6b, as a result of a discontinued position, lack of pupils or financial limitations, may apply by May 1, 1976, to the state board of education to be classified as an eligible teacher. The state board shall approve applications of teachers on unrequested leave of absence from districts which, according to criteria established by the state board, are experiencing cost limitations because of severely declining enrollments. By June 1, 1976, the state board shall issue a list of approved eligible teachers.*

Subd. 2. Any district which has not placed or will not place any teachers on unrequested leave of absence pursuant to section 125.12, subdivision 6a or 6b, may petition the state board of education by July 1, 1976 to be eligible to receive aid for hiring an eligible teacher.

The state board of education shall approve or disapprove each petition by August 1, 1976, giving priority to districts which have a high proportion of inexperienced teachers, increasing enrollments and cost limitations which prevent the employment of experienced teachers. Eligible teacher aid shall be paid in the 1976-77 school year to the hiring school district in an amount equal to 80% of the difference between the B.A. minimum salary in the hiring district and the salary

which the teacher would receive in that year in the hiring district based upon his training, credits and experience. In the 1977-78 school year the hiring district shall receive eligible teacher aid equal to 60% of the amount calculated in the first year; in the 1978-79 school year the hiring district shall receive eligible teacher aid equal to 40% of the amount calculated for the first year, and in the 1979-80 school year and thereafter such aids shall terminate.

Subd. 3. The state board shall approve petitions and pay aid pursuant to this section only to the extent that funds are available. The amount appropriated for this purpose shall not be prorated.

Sec. 70. Minnesota Statutes 1974, Section 125.12, Subdivision 4, is amended to read:

Subd. 4. [TERMINATION OF CONTRACT AFTER PROBATIONARY PERIOD.] A teacher who has completed his probationary period in any school district, and who has not been discharged or advised of a refusal to renew his contract pursuant to subdivision 3, shall have a continuing contract with such district. Thereafter, the teacher's contract shall remain in full force and effect, except as modified by mutual consent of the board and the teacher, until terminated by a majority roll call vote of the full membership of the board, upon one of the grounds specified in subdivisions 6 or 6a or 6b, or until the teacher is discharged pursuant to subdivision 8, or by the written resignation of the teacher submitted prior to April 1; provided, however, that if an agreement as to the terms and conditions of employment for the succeeding school year has not been adopted pursuant to the provisions of sections 179.61 to 179.77 prior to March 1, the teacher's right of resignation shall be extended to the 30th calendar day following the adoption of said contract in compliance with section 179.70, subdivision 2. Such written resignation by the teacher shall be effective as of June 30 if submitted prior to that date or, if submitted thereafter, shall be effective August 15, and the teachers' right of resignation for the school year then beginning shall cease on August July 15. Before a teacher's contract is terminated by the board, the board shall notify the teacher in writing and state its ground for the proposed termination in reasonable detail together with a statement that the teacher may make a written request for a hearing before the board within 14 days after receipt of such notification. Within 14 days after receipt of this notification the teacher may make a written request for a hearing before the board and it shall be granted before final action is taken. If no hearing is requested within such period, it shall be deemed acquiescence by the teacher to the board's action. Such termination shall take effect at the close of the school year in which the contract is terminated in the manner aforesaid. Such contract may be terminated at any time by mutual consent of the board and the teacher and this section shall not affect the powers of a board to suspend, discharge, or demote a teacher under and pursuant to other provisions of law.

Sec. 71. [126.151] [VOCATIONAL EDUCATION STUDENT ORGANIZATIONS.] *Any pupil enrolled in a vocational-technical*

education program approved by the state board of education may belong to a vocational student organization which is operated as an integral part of the program. The commissioner of education may provide assistance and leadership to these organizations.

Sec. 72. Minnesota Statutes 1974, Section 128.04, is amended to read:

128.04 [DUTIES OF BOARD.] It shall be the duty of the board to furnish school facilities to every child of school age residing in any part of the county district, either by building school houses, leasing schoolrooms, transporting the children to the nearest school, boarding the children within convenient distance of school at the expense of the board, or otherwise, and to provide necessary supplies and text and library books.

The annual meeting as held in ~~ten or more townships independent~~ districts need not be held, but the clerk of the board shall publish once in a legal newspaper published in the county the annual report required by law to be made by the district treasurer.

When not otherwise provided in sections 128.01 to 128.06, the school board of any such county district shall have and exercise all of the powers and be subject to the same laws and regulations as boards of ~~ten or more townships independent~~ districts, and all laws applicable to ~~ten or more townships independent~~ districts ; ~~and all laws applicable to state aid for equalizing educational opportunities in unorganized territory shall apply to the county district including Laws 1921, Chapter 467.~~

Sec. 73. Minnesota Statutes 1974, Section 273.138, Subdivision 3, is amended to read:

Subd. 3. Each school district shall receive reimbursement in 1974 and subsequent years in an amount equal to the product of its 1972 assessed value of real property exempted from taxation by section 272.02, subdivision 1 times the sum of its mill rates for the following levies:

- (1) A levy for capital outlay, pursuant to section 124.04;
- (2) A levy to pay the principal and interest on bonded indebtedness, including the levy to pay the principal and interest on bonds issued pursuant to *Minnesota Statutes 1974, Section 275.125, Subdivision 3* ~~(6)~~ (7) (c);
- (3) A levy to pay the principal and interest on debt service loans, pursuant to section 124.42;
- (4) A levy to pay the principal and interest on capital loans, pursuant to section 124.43;
- (5) A levy to pay amounts required in support of a teacher retirement fund, pursuant to section 422.13;
- (6) A levy for additional maintenance cost in excess of 30 mills times the adjusted assessed valuation of the school district, pursuant to ~~section 275.125, subdivision 3~~ ~~(4)~~ *section 75, subdivision 6, of this act.*

For the purpose of this subdivision, a school district mill rate for any of the forementioned levies which was not applied to the total taxable value of such school district shall be added to the forementioned sum of mill rates as if it had been applied to the entire taxable value of the school district.

Sec. 74. Minnesota Statutes 1974, Section 275.125, Subdivision 2a, is amended to read:

Subd. 2a. (1) In ~~1973~~ 1975, a school district may levy for all general and special school purposes, an amount equal to the amount raised by the ~~1972~~ 1974 adjusted assessed valuation of the district times the number of mills, not to exceed 30 29, that bears the same relation to 30 29, as the greater sum computed pursuant to section ~~124.212~~, subdivision 7a 29, clause (2), of this act, bears to \$820 \$960.

(2) In ~~1974~~ 1976, a school district may levy for all general and special school purposes, an amount equal to the amount raised by the ~~1973~~ 1975 adjusted assessed valuation of the district times the number of mills, not to exceed 30 29, that bears the same relation to 30 29, as the sum of the greater sum computed pursuant to section ~~124.212~~, subdivision 7a 29, clause (2), of this act, and the greater of (a) ~~one-half~~ five-sixths of the difference that results when such greater sum is subtracted from \$875 \$1015, or (b) \$50 \$55, bears to \$875 \$1015.

(3) *For any district levying less than the maximum levy allowable in clauses (1) and (2), beginning with the levy certified in 1976, payable in 1977, the foundation aid to the district for the 1977-78 and subsequent school years, calculated pursuant to section 124.212, shall be reduced by the amount of the difference between the actual levy and the maximum levy allowable under clauses (1) and (2). In the application of this clause, the maximum levy allowable under clauses (1) and (2) shall be reduced by any reduction of this levy which is required by section 75, subdivision 9 of this act or any other law.*

~~(3)~~ (4) The levy authorized by clauses (1) or (2) may be increased in any amount which is approved by the voters of the district at a referendum called for the purpose. Such a referendum may be called by the school board or shall be called by the school board upon written petition of qualified voters of the district. The referendum shall be held on a date set by the school board. Only one such election may be held in a single school year. The question on the ballot shall be whether a specific millage which will yield a specific amount based on the most recent assessed valuation may be added to that authorized by clauses (1) or (2). If approved, the amount provided by the millage applied to each year's assessed valuation shall be authorized for certification until revoked by the voters of the district at a subsequent referendum, which may be called by the school board and which shall be called by the school board upon the written petition of qualified voters of the district unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. A petition authorized by this clause shall

be effective if signed by a number of qualified voters in excess of 15 percent, or 10 percent if the school board election is held in conjunction with a general election, of the average number of voters at the two most recent district wide school elections. A referendum invoked by petition shall be held within three months of submission of the petition to the school board unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. Notwithstanding any law to the contrary, the approval of 50 percent plus one of those voting on the question is required to pass a referendum.

Sec. 75. Minnesota Statutes 1974, Section 275.125, Subdivision 3, is amended to read:

Subd. 3. In addition to the levy authorized by section 275.125, subdivision 2a, a qualifying district may levy additional amounts as follows: *provided in subdivisions 3 to 14 of this section.*

(1) *Subd. 4. The amounts necessary to make payments for bonds issued and for interest thereon, including the bonds and interest thereon, issued as authorized by clause (7) (C) of this subdivision section 275.125, subdivision 3, as it read in Minnesota Statutes 1974 , and for repayment of debt service loans and capital loans, the amount authorized for capital expenditures pursuant to section 124.04 , and the amount authorized for liabilities of dissolved districts pursuant to section 122.45 and the amounts necessary to pay the district's obligations under section 268.06, subdivision 25 .*

(2) *Subd. 5. For school transportation services, an amount not to exceed the amount raised by a levy of one mill times the adjusted assessed valuation of the taxable property of the district for the preceding year ; provided that in 1973 and thereafter a district having boundaries coterminous with the boundaries of a city of the first class may levy an amount not to exceed 20 percent of its costs for transportation and related services for which state aid is authorized for the 1974-1975 school year and thereafter, and provided further that . A district may levy under this clause subdivision for the annual cash payments to be made for the purchase of buses, but only for that portion of the payments not offset by state transportation aid received on account of depreciation; and provided further that beginning with the levy certified in 1974 1975 , a district may levy for that portion of transportation costs approved by the commissioner as qualifying for aid necessary because of extraordinary traffic hazards but for which no state aid is receivable for the current fiscal year pursuant to section 124.223, clause (1) .*

(3) *For purposes of the 1973 levy, collectible in 1974, any district which qualified for an extra levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4), shall be allowed to levy the same amount per pupil unit allowed by that clause. Provided, however, that a district having boundaries coterminous with the boundaries of a city of the first class which was affected by the limitation of an extra levy not to exceed 1.5 mills times the*

adjusted assessed valuation of the district shall be allowed to levy 1.9 mills. For purposes of the 1973 levy, collectible in 1974, any district which qualified for an extra levy in 1971, collectible in 1972, under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3) but did not qualify for an extra levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4) in 1972, collectible in 1973, shall be allowed to levy the amount per pupil unit it was qualified to levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3).

(4) In 1973 only, for a district which was authorized to levy pursuant to Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3), but which was not authorized to levy pursuant to Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4), an amount not to exceed the aggregate amount authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3).

(5) *Subd. 6. For the 1971 levy, collectible in 1975,*

(1) In 1975 any district, in which the 1970-1971 adjusted maintenance cost per pupil unit in average daily membership was greater than \$663 per pupil unit, may levy an amount per pupil unit which is equal to or less than the difference between the 1970-1971 adjusted maintenance cost per pupil unit in average daily membership and \$663 per pupil unit, reduced by two and one-half percent. No district may levy under this clause an amount which exceeds the sum of the levy permitted under section 275.125, subdivision 3 (3) and the amount raised by 2 mills times the adjusted assessed valuation of the taxable property of the district for the preceding year. Provided, however, that a district with boundaries coterminous with the boundaries of a city of the first class which was affected by the limitation of an extra levy not to exceed 1.9 mills times the adjusted assessed valuation of the district shall be allowed to levy 2.0 mills an amount per pupil unit which is equal to 2.0 mills times the 1974 adjusted assessed valuation of the district, divided by the number of pupil units in the district in 1975-1976.

(2) In 1976, any district which qualified in 1975 for an extra levy under clause (1) shall be allowed to levy the same amount per pupil unit allowed by that clause.

(3) In 1977 and each year thereafter, any district which qualified in 1976 for an extra levy under clause (2) shall be allowed to levy the same amount per pupil unit allowed by that clause, reduced by two and one half percent each year.

(4) For purposes of computing allowable levies under this subdivision, pupil units shall include only those units identified in section 124.17, subdivision 1, clauses (1), (2), (6) and (7). The provisions of this clause shall not affect or modify any district's 1970-1971 adjusted maintenance cost per pupil unit in average daily membership.

Subd. 7. (1) In addition to the excess levy authorized in subdivision 6, any district in Hennepin county or Ramsey county,

other than a district with boundaries coterminous with the boundaries of a city of the first class, whose excess levy per pupil unit pursuant to Minnesota Statutes 1974, Section 275.125, Subdivision 3, Clause (5), was among the lowest 20 percent of these levies in such districts shall be allowed in 1975 to make an excess levy if the district has had a decrease in actual pupil units for the previous three years. This additional permitted excess levy per pupil unit shall equal the difference between the excess levy per pupil unit for the district and the average excess levy per pupil unit for the districts in Hennepin and Ramsey counties, other than districts with boundaries coterminous with the boundaries of a city of the first class, allowed pursuant to Minnesota Statutes 1974, Section 275.125, Subdivision 3, Clause (5), or 2.0 mills times the 1974 adjusted assessed valuation of the property in the district, whichever is less.

(2) In 1976 any district which in 1975 qualified for an additional levy under the provisions of clause (1) and which continues to decline in enrollment may levy that same amount per pupil unit plus an amount equal to 2.0 mills times the 1975 adjusted assessed valuation of the taxable property in the district.

(3) In 1977 and each year thereafter, any district which in 1976 qualified for an additional levy under the provisions of clause (2) and which continues to decline in enrollment may levy the same amount per pupil unit reduced by two and one half percent each year.

(6) For districts in cities of the first class, maintaining post secondary vocational schools, one half mills times the adjusted assessed valuation of the taxable property of the district for the preceding year, and for other districts maintaining post secondary vocational schools, three mills times the adjusted assessed valuation of the taxable property of the district for the preceding year, provided that districts formed pursuant to Laws 1967, Chapter 822, and Laws 1969, Chapters 775 and 1060, shall be subject to the levy limitations imposed by these laws, as amended.

(7) (A) In order that the transition from existing patterns of financing public schools to the system prescribed in Extra Session Laws 1971, Chapter 31, Article 20 may be made in an orderly fashion, a district may levy an additional levy under the terms of this section.

(B) If that part of the levy certified by the school district in 1970, received in 1971, plus so much of the levy, allowed under subdivisions 2 and 3, sections 1 to 5 of this act, to be certified in 1971, received in 1972, as will be received between July 1, 1971 and June 30, 1972, and when added to all other state aids, local funds available and net existing local debts, exclusive of bonded debt and existing capital loans will not be sufficient to allow a district to spend an amount per pupil unit sufficient to raise its 1970-1971 adjusted maintenance cost per pupil unit by \$42 it may petition the commissioner of education for authority to levy an additional levy. Before such a levy can be made, the commissioner must authorize such a levy. Such authorization shall specify the

amount of the levy, provided that such levy may not exceed .5 mills in a city of the first class or 1.5 mills in any other district times the 1970 adjusted assessed valuation of the district as determined by the equalization aid review committee.

(C) If the additional levy allowed in (B) is insufficient to raise the adjusted maintenance cost of a district to \$42 above its costs in 1970-1971 it may petition the commissioner of education for authority to issue general obligation bonds of an amount sufficient to meet the deficiency. The commissioner must authorize such a bond issue. The authorization shall specify the amount of the bond issue provided that the levy authorization to pay the principal and interest on the bonds may not exceed .5 mills in a district within a city of the first class, or 1.5 mills in any other district, times the 1970 adjusted assessed valuation of the district as determined by the equalization aid review committee. The bonds authorized by this section shall be sold and issued pursuant to the provisions of chapter 475, except as otherwise provided herein. Such bonds shall not be included in computing any debt limitation for a district and no election shall be required for their sale and issuance.

A district may not be authorized an additional levy under both (B) and (C) of this section.

(8) Subd. 8. In 1973 1975, and each year thereafter, for a district with a population of more than 15,000 persons which has established a community school advisory council pursuant to section 121.88, whether or not the district receives reimbursement from the state pursuant to section 121.89, may levy an amount of money raised by the greater of (A) \$1 per capita, or (B) the number of EARC mills not to exceed the number of EARC mills necessary in 1973 to raise \$1 per capita in 1973. In 1975, and each year thereafter, a district with a population of fewer than 15,000 persons which has established a community school advisory council pursuant to section 121.88, may levy an amount of money raised by the greater of (A) \$2 per capita, or (B) the number of EARC mills not to exceed the number of EARC mills necessary in 1975 to raise \$2 per capita in 1975. These levies shall be used for community services including summer school, nonvocational adult programs, recreation programs, and programs contemplated by sections 121.85 to 121.89 121.88.

A district which provides 95 percent or more of the cost of the recreation program for the municipalities and townships in which the district or any part thereof is located may, with the approval of the commissioner, levy an additional amount, not to exceed one mill times the adjusted assessed valuation of the district for the preceding year, to be used for the costs of the recreation program.

A school district shall be authorized to make a levy pursuant to this subdivision only after it has filed a certificate of compliance with the commissioner of education, certifying that members of the school board have met with members of the governing bodies of the county, municipality or township in which the school district, or any part thereof, is located, in order to discuss methods of increasing mutual cooperation between such bodies.

The population of the district for purposes of this clause *subdivision* is the population determined as provided in section 275.14 or as certified by the department of education from the most recent federal census.

~~(9)~~ *Subd. 9.* Districts which receive payments which result in deductions from foundation aid pursuant to section 124.212, subdivision 8a, shall reduce the permissible levies authorized by ~~this subdivision~~ *subdivisions 3 to 14 of this section* by 25 percent in 1973, 50 percent in 1974, 75 percent in 1975, and 100 percent for each year thereafter of that portion of the previous year's payment not deducted from foundation aid on account of the payment, unless such a levy reduction is otherwise required by law. The levy reductions shall be made in the proportions that each permissible levy bears to the sum of the permissible levies.

Notwithstanding any other law to the contrary, districts which received payments pursuant to sections 294.21 to 294.28; 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; and any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; shall not include a portion of these aids in their permissible levies pursuant to those sections, but instead shall reduce the permissible levies authorized by section 275.125 to be spread in the calendar year in which the deduction from foundation aid is made pursuant to section 124.212, subdivision 8a, by the portion of the previous fiscal year's payment which was not deducted from foundation aid in that calendar year pursuant to section 124.212, subdivision 8a.

~~(10)~~ *Subd. 10.* The commissioner shall certify to the county auditors the levy limits for all school districts headquartered in the respective counties together with adjustments for errors in levies not penalized pursuant to subdivision 4 15 as well as adjustments to final pupil unit counts.

A school district shall have the right to require the commissioner to review his certification and to present evidence in support of modification of his certification.

The county auditor shall reduce levies for any excess of levies over levy limitations pursuant to section 275.16. Such reduction in excess levies may at the discretion of the school district be spread over not to exceed two calendar years.

~~(11)~~ *Subd. 11.* The commissioner of education shall certify to the county auditors any underlevies made in 1971 and 1972 in the transportation levy amounts. The 1971 underlevies shall be determined to be (1) the actual net costs of reimbursable transportation as reported to the department of education for the 1972-1973 school year plus the amount expended by the district to acquire school buses in 1972-1973 used for reimbursable transportation, less (2) the 1971 certified transportation levy as amended and state aids received in 1972-1973 for transportation including depreciation. Underlevies in the 1972 transportation levy shall be computed in like manner using 1973-1974 costs and state aids

received in the 1973-1974 school year. The 1974 levy shall be adjusted to correct for such underlevies, provided that upon written request of the affected school board to the commissioner, the adjustment shall be prorated in the 1974 and 1975 transportation levies. No district may levy under this clause in any year an amount which exceeds the amount raised by a levy of two mills times the previous year's adjusted assessed valuation of the taxable property of the district.

(12) *Subd. 12.* When a district finds it economically advantageous to rent or lease existing school buildings for instructional purposes, and the proceeds of the levy permitted under section 124.04 are insufficient for this purpose, it may apply to the commissioner for permission to make an additional capital expenditure levy for this purpose. An application for permission to levy under this clause shall contain financial justification for the proposed levy, the terms and conditions of the proposed lease, and a description of the space to be leased and its proposed use. The criteria for approval of applications to levy under this clause shall include: the reasonableness of the price, the appropriateness of the space to the proposed activity, the feasibility of transporting pupils to the leased building, conformity of the lease to the laws and regulations of the state of Minnesota, and the appropriateness of the proposed lease to the space needs and the financial condition of the district. The commissioner shall not authorize a levy under this clause in an amount greater than the cost to the district of renting or leasing a school building for approved purposes.

Sec. 76. Minnesota Statutes 1974, Section 275.125, is amended by adding a subdivision to read:

Subd. 13. Districts maintaining a post-secondary vocational-technical school shall levy for post-secondary vocational-technical purposes as follows:

(1) *For districts in cities of the first class, a minimum of one-half mill up to a maximum of one mill, exclusive of debt service, times the adjusted assessed valuation of the taxable property of the district for the preceding year as determined by the equalization aid review committee.*

(2) *For districts formed pursuant to Laws 1967, Chapter 822, as amended, and Laws 1969, Chapters 775 and 1060 as amended, a minimum of one-half mill up to a maximum of one mill, exclusive of debt service, times the adjusted assessed valuation of the taxable property of the district for the preceding year as determined by the equalization aid review committee.*

(3) *For other districts maintaining post-secondary vocational schools, a minimum of one mill up to a maximum of three mills, exclusive of debt service, times the adjusted assessed valuation of the taxable property of the district for the preceding year as determined by the equalization aid review committee.*

Sec. 77. Minnesota Statutes 1974, Section 275.125, is amended by adding a subdivision to read:

Subd. 14. Districts maintaining a post-secondary vocational-technical school may levy additional amounts as follows:

(1) A district maintaining a post-secondary vocational-technical school shall assume responsibility for a local share of the district post-secondary vocational deficit. The local share shall be 30 percent, or 15 percent in Independent School District Nos. 595 and 793, of the district post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education pursuant to section 63, subdivision 4 of this act.

(2) For the purpose of eliminating the local share of its post-secondary vocational deficit, a district may petition the commissioner of education for authority to make an additional levy. Before such a levy may be made, it must be approved by the commissioner. The approval shall specify the years in which the additional levy may be made and shall specify its dollar amount. No levy so approved shall be made in more than four successive years, beginning with the levy certified in 1975, and shall not annually exceed .25 mills in a district in a city of the first class, 1.5 mills in districts formed pursuant to Laws 1969, Chapter 1060, as amended; Laws 1969, Chapter 775, as amended; or Laws 1967, Chapter 822, as amended, or three mills in any other district maintaining a post-secondary vocational-technical school times the adjusted assessed valuation of the district for the preceding year as determined by the equalization aid review committee. Under no circumstances may a district levy a total amount greater than the local share of its post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education.

(3) If the additional levy allowed in clause (2) of this subdivision would be insufficient to eliminate the local share of the district's post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education, it may petition the commissioner of education for authority to issue general obligation bonds in an amount sufficient to meet the deficiency. Before the bonds may be issued, they must be authorized by the commissioner. The authorization shall specify a term not to exceed seven years and the amount of the bond issue provided that the levy authorization to pay the principal and interest on the bonds may not annually exceed .25 mills in a district in a city of the first class, .5 mills in districts formed pursuant to Laws 1969, Chapter 1060, as amended; Laws 1969, Chapter 775, as amended; or Laws 1967, Chapter 822, as amended, or six mills in any other district maintaining a post-secondary vocational-technical school times the 1974 adjusted assessed valuation of the district as determined by the equalization aid review committee; provided, however, that the mill limitation is subject to the provisions of Minnesota Statutes, Section 475.74. The bonds authorized by this section shall be sold and issued pursuant to the provisions of Minnesota Statutes, Chapter 475, except as otherwise provided herein. The bonds shall not be included in computing any debt limitation for a district and no election shall be required for their sale and issuance.

(4) A district may not be authorized an additional levy under both clauses (2) and (3) of this subdivision.

(5) The state shall assume responsibility for 70 percent, or in In-

dependent School District Nos. 595 and 793 for 85 percent, of a district's post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education. The state portion of the deficit shall be paid to each district in fiscal years 1977 and 1978 in two equal payments, provided that the levy for the district's portion of the deficit has been approved by the commissioner and the required portion for the 1975 levy has been certified to the county auditor.

Sec. 78. Minnesota Statutes 1974, Section 275.125, Subdivision 4, is amended to read:

Subd. 4. 15. Any district which in any year levies an amount which is greater than the amount allowed by subdivisions 2 and 3 sections 74 to 77 of this act, shall lose an amount of state foundation aid equal to one-half of the excess in the levy, provided that any levy which is found to be excessive as a result of a decision of the tax court or a redetermination by the equalization aid review committee under section 124.212, subdivisions 11 to 20 18, shall not be compensated for in the next levy of the district. The amount of aid lost shall be deducted from the aid which would otherwise have been received for the school year which commences in the calendar year during which the excessive levy is being collected. Any foundation aid so withheld shall be withheld in accordance with the procedures specified in section 124.15. A levy made in 1971 prior to the effective date of Extra Session Laws 1971, Chapter 31, Article 20 shall be reviewed, and may be modified, by the appropriate authority of the district for the purpose of reducing such levy to conform to the limitation imposed by Extra Session Laws 1971, Chapter 31, Article 20. Any reduction in such levy made prior to December 15, 1971 shall be given the same effect as though such reduction had been made prior to the expiration of the time allowed by law for making the levy.

Sec. 79. Minnesota Statutes 1974, Section 275.125, Subdivision 5, is amended to read:

Subd. 5 16. For the purposes of this section, the number ~~by~~ of pupil units in average daily membership shall be computed in accordance with section 124.17, provided that the district may use an estimated average daily membership for the current school year. Any district which increased its pupil units, exclusive of consolidation, or merger of districts, or change of definition of pupil units by more than five percent from one year to another may use an estimated pupil unit count for the next succeeding school year for determining a levy certified in the current year. If as a result of such estimate the levy is different from the amount that could actually have been levied under this section had such levy been based upon the pupil units computed under section 124.17 for that school year, then in that event the authorized levy for the following year shall be adjusted for the difference.

Sec. 80. Minnesota Statutes 1974, Section 275.125, Subdivision 6, is amended to read:

Subd. 6 17. Notwithstanding any other charter provision, general or special laws to the contrary, every school district in the state shall abide by the terms and provisions of this section.

Sec. 81. Minnesota Statutes 1974, Section 275.125, Subdivision 7, is amended to read:

Subd. 7 18. By November 1 of each year each district shall submit to the commissioner of education a certificate of compliance with the levy limitations of this section. The commissioner of education shall prescribe the form of this certificate.

Sec. 82. Minnesota Statutes 1974, Section 275.48, is amended to read:

275.48 [ADDITIONAL TAX LEVIES IN CERTAIN MUNICIPALITIES.] Whenever *by virtue of chapter 278, sections 270.07, 375.192, or otherwise*, the assessed valuation of any city, township or school district for any taxable year is reduced after the taxes for such year have been spread by the county auditor and whenever the mill rate as determined by the county auditor based upon the original assessed valuation is applied upon such reduced valuations and does not produce the full amount of taxes as actually levied and certified for such taxable year upon the original assessed valuations, such city, township or school district may include in its tax levy made following *final determination and notice* of such reduction in assessed valuation, an amount equal to the difference between the total amount of taxes actually levied and certified for such taxable year upon the original assessed valuation, not exceeding the maximum amount which could be raised upon such assessed valuation as reduced, within existing mill limitations, if any, and the amount of taxes collected for such taxable year upon such reduced valuations.

The amount of taxes so included shall be levied separately and shall be levied in addition to all limitations ~~permitted by section 275.11, as other applicable laws limiting levies in cities, towns or school districts imposed by law; and further shall not result in any penalty in the nature of a reduction in state aid of any kind~~.

Sec. 83. Minnesota Statutes 1974, Section 475.54, Subdivision 2, is amended to read:

Subd. 2. A serial maturity schedule conforming to subdivision 1 may be established for each new issue of obligations of a municipality, or the governing body may in its discretion adjust such schedule so that the combined maturities of the new issue and any other designated issue or issues will conform to subdivision 1, provided that all such issues are general obligations or all are payable from a common fund. Notwithstanding the provisions of any other general or special law, any school district having an outstanding state loan or loans, if it issues and sells bonds on the public market for any purpose other than refunding such loans, *or refunding outstanding bonds as provided in this subdivision* shall adjust the schedule of the maturities thereof so that the total amount of principal and interest to become due on these bonds and on all other bonds of the school district, during each of the 30 fiscal or calendar years next following, will be as nearly equal as practicable, provided that the annual amounts of maturing principal may be fixed at multiples of \$5,000. *A school district which has an outstanding state loan or loans may refund outstanding bonds, provided that the*

school loan committee established in section 124.41 approves such refunding. The committee shall approve refunding outstanding bonds only if such refunding results in lower annual debt service payments than the district made prior to the refunding.

Sec. 84. Laws 1967, Chapter 822, Section 7, as amended by Laws 1969, Chapter 945, Section 2, is amended to read:

Sec. 7. [TAX LEVIES.] *If so provided in the agreement, The joint school board may shall each year, for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred for area vocational-technical schools, certify to each participating school district a the tax levy which shall never in any year exceed four mills on each dollar of assessed valuation of all taxable property specified in section 76, clause (2) of this act . Additional tax levies may be certified which shall not in any year exceed two .6 mills on each dollar of adjusted assessed valuation for expenses for the following: special education and .7 mills on each dollar of adjusted assessed valuation for expenses for secondary vocational education ; and driving of motor vehicles. Of the amount so levied, however, not to exceed one half of one mill shall be for the driving of motor vehicles, it being contemplated that 50 percent of the cost thereof be paid by the student. Each participating school district shall include such tax levy levies in the next tax roll which it shall certify to the county auditor or auditors, and shall remit the collections of such levy levies to the board promptly when received. Such levies shall not be included in computing the limitations upon the levy of any district under Minnesota Statutes, Section 275.12 275.125 . The board may, any time after such levy has levies have been certified to the participating school districts, issue and sell certificates of indebtedness in anticipation of the collection of such levy levies , but in aggregate amounts such as will not exceed the portion of the levy levies which is are then not collected and not delinquent.*

Sec. 85. Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended by Laws 1971, Chapter 267, Section 3, is amended to read:

Subd. 2. The intermediate school board may shall in each year for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred certify to each county auditor of each county in which said intermediate school district shall lie, as a single taxing district, a the tax levy which shall never in any year exceed five mills, exclusive of debt service, on each dollar of assessed valuation of all taxable property within said intermediate school district specified in section 76, clause (2) of this act. Additional tax levies may be certified which shall not in any year exceed .6 mills on each dollar of adjusted assessed valuation for expenses for special education and .5 mills on each dollar of adjusted assessed valuation for expenses for secondary vocational education . Said annual tax levy levies shall be certified pursuant to Minnesota Statutes 1969 , Section 124.02. Upon such certification the county auditor or auditors and other appropriate county officials shall levy and collect such levies and remit the

proceeds of collection thereof to the intermediate school district as in the case with independent school districts. Such levy levies shall not be included in computing the limitations, if any, upon the levy of the intermediate district or any of the participating districts under Minnesota Statutes 1967, Section 275.12 275.125. After such levies have been certified to the appropriate county officials the intermediate school board may issue and sell by negotiation or at public sale its certificates of indebtedness in anticipation of the collection of such levies, but in aggregate amount such as will not exceed the portion of such tax levy which is then not collected and not delinquent.

Sec. 86. Laws 1969, Chapter 1060, Section 7, is amended to read:

Sec. 7. [TAX LEVIES.] ~~If so provided in the agreement,~~ The joint school board ~~may shall~~ each year, for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred for area vocational-technical schools, certify to each participating school district ~~a the tax levy which shall never in any year exceed four mills on each dollar of assessed valuation of all taxable property specified in section 76, clause (2) of this act. Additional tax levies may be certified which shall not in any year exceed .6 mills on each dollar of adjusted assessed valuation for expenses for special education and .5 mills on each dollar of adjusted assessed valuation for expenses for secondary vocational education.~~ Each participating school district shall include such tax ~~levy levies~~ in the next tax roll which it shall certify to the county auditor or auditors, and shall remit the collections of such ~~levy levies~~ to the board promptly when received. Such levies shall not be included in computing the limitations upon the levy of any district under Minnesota Statutes, Section 275.12 275.125. The board may, any time after such ~~levy has levies have~~ been certified to the participating school districts, issue and sell certificates of indebtedness in anticipation of the collection of such ~~levy levies~~, but in aggregate amounts such as will not exceed the portion of the ~~levy levies~~ which ~~is are~~ then not collected and not delinquent.

Sec. 87. Laws 1971, Chapter 722, Section 1, is amended to read:

Section 1. [SPECIAL SCHOOL DISTRICT NO. 1; TAX LEVY.] To provide moneys to pay any administrative, operational, planning or capital expenses of an area vocational-technical school established pursuant to the provisions of Minnesota Statutes, Section 121.21, the board of directors of special school district No. 1 of Minneapolis ~~may shall~~ levy ~~annually upon all taxable property in the district a the tax specified in section 76, clause (1) of this act in excess of the limitation contained in Minnesota Statutes, Section 275.12.~~

Sec. 88. Laws 1973, Chapter 683, Section 26, Subdivision 17, is amended to read:

Subd. 17. The provisions of this section shall expire July 1, ~~1977~~ 1979. At any time the experimental school may be termi-

nated upon unanimous vote of the officers of the committee and 30 days notice to the board of District No. 309, whereupon the board of District No. 309 shall resume the care, management and control of the entire district on July 1 following. Prior to December 1 of each year the committee shall submit to the legislature a report of the experimental school established by this section. Such report shall document the success or failure of the experimental school.

Sec. 89. Laws 1974, Chapter 521, Section 9, is amended to read:

Sec. 9. Notwithstanding any law to the contrary, in Independent School Districts No. 93 and No. 99 where the adjusted assessed valuation is under contest in a Minnesota court as of February 1, 1974, foundation aid payments for the 1972-73 and 1973-74 school years *and for any future school years until such time as the valuation is finally decided* shall be made on the basis of the uncontested portion of the valuation of these districts. If as a result of the pending litigation these districts experience an increase in the adjusted assessed value as determined by the equalization aid review committee and recover tax revenues in excess of those which would have been raised on the uncontested adjusted assessed value as determined by the equalization aid review committee, any excess in foundation aid payments which resulted from the use of this uncontested adjusted assessed value in the aid determination shall be returned to the state by these districts.

Sec. 90. Laws 1974, Chapter 561, Section 7, is amended to read:

Sec. 7. [EFFECTIVE DATE.] This act shall be effective on ~~July 1~~ August 25, 1975.

Sec. 91. Laws 1975, Chapter 13, Section 110, Subdivision 1, is amended to read:

Sec. 110. [473.633] [SCHOOL DISTRICTS, AID TO.] Subdivision 1. [ALLOCATION FROM PROCEEDS OF INCOME TAXES.] ~~Allocation from proceeds of income taxes.~~ When the properties of any school district in this state are detached from such school district because they comprise a part of or are located on a major airport *or if such properties are once detached or subsequently reattached to said district by resolution pursuant to Extra Session Laws, 1971, Chapter 31*, such district shall receive annually an allocation from the proceeds of income taxes in the amount that would be produced by a tax on such detached properties at the current tax rate for school purposes in the school district. *In fiscal year 1976, the district shall receive 66⅔ percent of the amount that would be produced by a tax on such detached properties at the current tax rate for school purposes in the school district, and in fiscal year 1977, 33⅓ percent of such amount.*

Sec. 92. Laws 1975, Chapter 13, Section 110, is amended by adding a subdivision to read:

Subd. 6. This section shall expire on June 30, 1977.

Sec. 93. Laws 1975, Chapter 13, Section 111, is amended to read:

Sec. 111. [473.635] [APPROPRIATION IN LIEU OF TAXES ON AIRPORT PROPERTY.] *In fiscal year 1976, there is hereby appropriated annually to Independent School District No. 16 of Anoka county the sum of \$15,000 \$10,000 , of which \$9,750 65 percent of this amount is appropriated from the state airports account within the special revenue fund in the state treasury and \$5,250 35 percent of this amount is appropriated from the general fund in the state treasury, all as payment in lieu of taxes upon real property owned by the Minneapolis-St. Paul metropolitan airports commission. In fiscal year 1977, there is appropriated \$5,000 to Independent School District No. 16 with the same percentages appropriated from the same funds. This section shall expire June 30, 1977.*

Sec. 94. *There is appropriated to the department of education from the general fund in the state treasury the sum of \$190,000 to be paid to Independent School District 381. If as a result of any litigation Independent School District No. 381 recovers tax revenues raised in 1973 on that portion of Independent School District No. 381 which is situated outside of Lake county, the amount recovered shall be paid to the state by Independent School District No. 381.*

Sec. 95. [APPROPRIATIONS.] Subdivision 1. [SHARED TIME REIMBURSEMENT AID.] *The sum of \$170,000 is appropriated to the department of education from the general fund in the state treasury for payment of a deficiency in funds available for reimbursement aids to school districts for shared time instructional programs for the biennium ending June 30, 1975.*

Subd. 2. [REPORTING SYSTEM AIDS.] *The sum of \$10,200 is appropriated to the department of education for the fiscal year ending June 30, 1975 to complete the implementation of Laws 1973, Chapter 683, Section 22.*

Sec. 96. [APPROPRIATION.] *There is appropriated from the general fund of the state treasury to the department of education the following sums for the years and purposes indicated:*

For the year ending June 30

1976 1977

| | | |
|---------------------------|----------------------|----------------------|
| <i>(1) Foundation Aid</i> | <i>\$600,400,000</i> | <i>\$613,000,000</i> |
|---------------------------|----------------------|----------------------|

The appropriation in (1) includes not to exceed \$300,000 in 1976 for emergency aid. The appropriation in (1) also includes \$400,000 for 1976 to be expended pursuant to Laws 1965, Chapter 719, as amend-

For the year ending June 30
1976 1977

ed, and if the appropriation for this purpose is insufficient, the aid shall be prorated among all qualifying districts.

(2) Transportation Aid \$ 62,310,000 \$ 67,173,000

The appropriation in (2) includes not to exceed \$125,000 in each year indicated for transportation aid pursuant to section 40, clause (6) of this act. The appropriation in (2) also includes \$125,000 for 1976 and \$150,000 for 1977 for transportation aid pursuant to section 40, clause (7) of this act. The appropriation in (2) also includes \$200,000 for 1976 and \$300,000 for 1977 for transportation aid pursuant to section 37 of this act. If the appropriation for any of these purposes in either year is insufficient, the aid for that purpose shall be prorated among all qualifying districts and the state shall not be obligated for any amount in excess of the appropriation for that purpose.

| | | |
|--|---------------|---------------|
| (3) Special Education Aid | \$ 38,600,000 | \$ 46,750,000 |
| (4) Secondary Vocational Aid . . | \$ 13,700,000 | \$ 16,300,000 |
| (5) Adult Vocational Aid | \$ 3,625,000 | \$ 4,375,000 |
| (6) Veteran Farmer Cooperative Training Programs | \$ 950,000 | \$ 1,050,000 |
| (7) Post-Secondary Vocational Foundation Aid | \$ 0 | \$ 50,800,000 |
| (8) Post-Secondary Vocational Categorical Aid | \$ 36,500,000 | \$ 10,800,000 |
| (9) Post-Secondary Vocational Debt Service Aid | \$ 0 | \$ 7,000,000 |
| (10) Post-Secondary Vocational Capital Expenditure Aid | \$ 0 | \$ 6,000,000 |
| (11) Post-Secondary Vocational Deficit Payment | \$ 0 | \$ 1,600,000 |

For the year ending June 30

1976

1977

(12) *Post-Secondary Vocational Construction*

\$ 17,000,000 \$ 0

The appropriation in (12) shall be expended for post-secondary vocational construction in the following school districts: Special School District No. 1; Independent School District No. 11; Dakota County Area Vocational-Technical Institute District No. 917; Independent School District Nos. 423; 701; 535; 583; and 206. If a law enacted at the 1975 session identified as House File No. 1810 or any other law enacted at this session provides any funds for post-secondary vocational construction or for vocational-technical building bonds, the amount of the funds provided in that law shall be subtracted from the appropriation in (12).

(13) *Adult Education Aid*

\$ 306,000 \$ 324,000

(14) *Eligible Teacher Program*..

\$ 0 \$ 150,000

(15) *G.E.D. Reimbursement Aid*..

\$ 60,000 \$ 60,000

If the appropriation for this purpose in either year is insufficient, the reimbursement shall be prorated among all qualifying testing centers.

(16) *Council on quality education*

\$ 500,000 \$ 500,000

The appropriation in (16) shall be used for funding no fewer than ten early childhood identification and education programs pursuant to sections 3.9271 to 3.9275. No more than \$30,000 may be expended each year for dissemination of information and administration of these programs by the council on quality education, of which no more than \$15,000 may be expended each year for evaluation of these programs.

For the year ending June 30

| | 1976 | 1977 |
|--|--------------|--------------|
| (17) Community Education Aid. | \$ 1,200,000 | \$ 1,600,000 |
| (18) Flexible School Year Planning Grants | \$ 100,000 | |
| <i>The appropriation in (18) may be used by the state board of education as planning grants for school districts which intend to begin operation of flexible school year programs pursuant to sections 120.59 to 120.67, after July 1, 1975.</i> | | |
| <i>Any unexpended balance remaining from the appropriations in (1) to (18) for 1976 shall not cancel but shall be available for the second year of the biennium, unless otherwise provided in (1) to (18)</i> | | |
| (19) Extraordinary Tax Delinquency Advances to School Districts | \$ 70,000 | \$ 95,000 |
| (20) For Gross Earnings Aid pursuant to section 124.28 | \$ 800,000 | \$ 700,000 |
| (21) Exempt Land Special School Aid pursuant to section 124.30 | \$ 267,000 | \$ 133,000 |
| (22) For Aid to School Districts pursuant to Laws 1975, Chapter 13, Section 110 | \$ 96,670 | \$ 48,330 |
| (23) School Aid - Counties A/C of Non Tax Areas | \$ 32,000 | \$ 16,000 |

The amount appropriated in (23) shall be expended in 1976 and 1977, as provided in Laws 1971, Chapter 966, Section 16, for 1971 and 1972.

If any appropriation made in (19) to (23) in either year is insufficient, the aid shall be prorated among all qualifying districts and the state shall not be obligated for any amount in excess of the appropriation for that purpose.

For the year ending June 30

1976

1977

None of the amounts appropriated in (1) to (23) of this section shall be expended for a purpose other than the purpose indicated, unless otherwise provided in (1) to (23).

Sec. 97. [REPEALER.] *Laws 1919, Chapter 271; Laws 1951, Chapter 659; Minnesota Statutes 1974, Sections 121.21, Subdivisions 7, 9 and 10; 121.211; 121.89; 124.212, Subdivisions 6a and 7a; 124.222, Subdivisions 1 and 2; 124.475; and 190.31, are repealed.*

Sec. 98. [REPEALER.] *Laws 1969, Chapter 945, Section 3; Laws 1969, Chapter 1060, Section 8; Minnesota Statutes 1974, Sections 121.21, Subdivision 5; 124.50; 124.801; 124.802; 124.803; 124.804; 124.805; and 124.806, are repealed. This section shall be effective June 30, 1976.*

Sec. 99. [REPEALER.] *Laws 1971, Chapter 966, Section 16, is repealed. This section shall be effective June 30, 1977.*

Sec. 100. [EFFECTIVE DATE.] *Sections 1, 2, 16, 24, 44, 45, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 70, 71, 83, 89, 90, 94 and 95 shall be effective the day following final enactment. Section 19 shall be effective July 1, 1976."*

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

"A bill for an act relating to the operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; changing the funding of adult education, special education, post-secondary vocational-technical education, and community school education to a current funding basis; granting certain powers and duties to school districts, the commissioner of education, the state board of education, and the state board for vocational education; providing for changes in the maximum effort school aid law; providing a July 15 date for resignation of teachers; providing state aid for extraordinary tax delinquency in certain school districts; appropriating money; amending Minnesota Statutes 1974, Sections 3.924, by adding a subdivision; 3.9271, Subdivision 1; 120.03, Subdivision 3; 120.17, Subdivision 1, and by adding subdivisions; 120.76; 120.80, Subdivision 1; 121.21, Subdivisions 2, 4 and 6; 123.34, Subdivision 1; 123.80; 124.04; 124.11; 124.14, Subdivision 1; 124.17, Subdivisions 1 and 2; 124.18, Subdivision 2; 124.20; 124.212, Subdivisions 1, 2, 3a, 8a, 11, 12, and by adding subdivisions; 124.215, Subdivision 2a; 124.222, Subdivision 3, and by adding subdivisions; 124.223; 124.25; 124.26; 124.28, Subdivision 2; 124.30, Subdivisions 3 and 4, and by adding a subdivision; 124.32, Subdivisions 1 and 5, and by adding a subdivision; 124.38, Subdivisions 4, 5, 7 and 8; 124.42, Subdivisions 1, 2 and 4; 124.43, Subdivisions 1, 2, 3 and 4; 124.45; 124.57; 125.12, Subdivision 4; 128.04; 273.138, Subdivision 3;

275.125, Subdivisions 2a, 3, 4, 5, 6, 7, and by adding subdivisions; 275.48; 475.54, Subdivision 2; Chapter 124, by adding sections; Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended; Laws 1969, Chapter 1060, Section 7; Laws 1971, Chapter 722, Section 1; Laws 1973, Chapter 683, Section 26, Subdivision 17; Laws 1974, Chapter 521, Section 9; Laws 1974, Chapter 561, Section 7; Laws 1975, Chapter 13, Section 110, Subdivision 1, and by adding a subdivision; Laws 1975, Chapter 13, Section 111; repealing Minnesota Statutes 1974, Sections 121.21, Subdivisions 5, 7, 9 and 10; 121.211; 121.89; 124.212, Subdivisions 6a and 7a; 124.222, Subdivisions 1 and 2; 124.475; 124.50; 124.801; 124.802; 124.803; 124.804; 124.805; 124.806; 190.31; Laws 1919, Chapter 271; Laws 1951, Chapter 659; Laws 1969, Chapter 945, Section 3; Laws 1969, Chapter 1060, Section 8; and Laws 1971, Chapter 966, Section 16."

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

House Conferees: (Signed) Joseph P. Graba, Carl M. Johnson, Salisbury Adams, Tom K. Berg, Bruce F. Vento.

Senate Conferees: (Signed) Jerald C. Anderson, Jerome M. Hughes, H. H. Humphrey III, Joseph T. O'Neill, Douglas H. Silvers.

Mr. Anderson moved that the foregoing recommendations and Conference Committee Report on H. F. No. 235 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. 235: A bill for an act relating to the operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; changing the funding of adult education, special education, post-secondary vocational-technical education, and community school education to a current funding basis; granting certain powers and duties to school districts, the commissioner of education, the state board of education, and the state board for vocational education; providing for changes in the maximum effort school aid law; providing a July 15 date for resignation of teachers; providing state aid for extraordinary tax delinquency in certain school districts; appropriating money; amending Minnesota Statutes 1974, Sections 3.924, by adding a subdivision; 3.9271, Subdivision 1; 120.03, Subdivision 3; 120.17, Subdivision 1, and by adding subdivisions; 120.76; 120.80, Subdivision 1; 121.21, Subdivisions 2, 4 and 6; 123.34, Subdivision 1; 123.80; 124.04; 124.11; 124.14, Subdivision 1; 124.17, Subdivisions 1 and 2; 124.18, Subdivision 2; 124.20; 124.212, Subdivisions 1, 2, 3a, 8a, 11, 12, and by adding subdivisions; 124.215, Subdivision 2a; 124.222, Subdivision 3, and by adding subdivisions; 124.223; 124.25; 124.26; 124.28, Subdivision 2; 124.30, Subdivisions 3 and 4, and by adding a subdivision; 124.32, Subdivisions 1 and 5, and by adding a subdivision; 124.38, Subdivisions 4, 5, 7 and 8; 124.42, Subdivisions 1, 2 and 4; 124.43, Subdivisions 1, 2, 3 and 4; 124.45; 124.57; 125.12, Subdivision 4; 128.04; 273.138, Subdivision 3; 275.125, Subdivisions 2a, 3, 4, 5, 6, 7, and by adding subdivisions; 275.48; 475.54, Subdivision 2; Chapter 124, by adding sections; Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended;

Laws 1969, Chapter 1060, Section 7; Laws 1971, Chapter 722, Section 1; Laws 1973, Chapter 683, Section 26, Subdivision 17; Laws 1974, Chapter 521, Section 9; Laws 1974, Chapter 561, Section 7; Laws 1975, Chapter 13, Section 110, Subdivision 1, and by adding a subdivision; Laws 1975, Chapter 13, Section 111; repealing Minnesota Statutes 1974, Sections 121.21, Subdivisions 5, 7, 9 and 10; 121.211; 121.89; 124.212, Subdivisions 6a and 7a; 124.222, Subdivisions 1 and 2; 124.475; 124.50; 124.801; 124.802; 124.803; 124.804; 124.805; 124.806; 190.31; Laws 1919, Chapter 271; Laws 1951, Chapter 659; Laws 1969, Chapter 945, Section 3; Laws 1969, Chapter 1060, Section 8; and Laws 1971, Chapter 966, Section 16."

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 54 and nays 9, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Fitzsimons | Kleinbaum | Ogdahl | Schmitz |
| Arnold | Frederick | Knutson | Olhoft | Sillers |
| Bernhagen | Gearty | Kowalczyk | Olson, A. G. | Solon |
| Borden | Hansen, Baldy | Larson | Olson, H. D. | Spear |
| Chenoweth | Hansen, Mel | Laufenburger | Olson, J. L. | Stokowski |
| Chmielewski | Hanson, R. | Lewis | O'Neill | Stumpf |
| Coleman | Humphrey | McCutcheon | Patton | Tennessen |
| Conzemius | Jensen | Merriam | Perpich, A. J. | Ueland |
| Davies | Josefson | Milton | Perpich, G. | Wegener |
| Doty | Keefe, S. | Moe | Purfeerst | Willet |
| Dunn | Kirchner | North | Renneke | |

Those who voted in the negative were:

| | | | | |
|---------|-------|-----------|-----------|---------|
| Ashbach | Berg | Brataas | Nelson | Stassen |
| Bang | Blatz | Keefe, J. | Pillsbury | |

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 has adopted the recommendation and report of the Conference Committee on House File No. 229, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 229: A bill for an act relating to taxes on or measured by net income; appropriating money; amending Minnesota Statutes 1974, Chapter 290, by adding a section; Sections 290.01, Subdivisions 8, 20, 21, and 22; and by adding subdivisions; 290.02; 290.06, Subdivisions 2c and 11; 290.0601, Subdivisions 6 and 9; 290.061; 290.086, Subdivision 7; 290.09, Subdivisions 4 and 15; 290.16, by adding a subdivision; 290.21, Subdivision 4; 290.26; 290.50, Subdivisions 1, 2, 3 and 5; 290.92, Subdivisions 6 and 19; 290.931, Subdivision 1; 290.933, Subdivision 1; 290.972, Subdivision 2; 290.983, Subdivision 1; 290.985; repealing Minnesota Statutes 1974, Sections 290.072; 290.08, Subdivisions 9, 10, 11, 15, 16, 17, 18 and 22; 290.0801; and 290.931, Subdivision 2.

House File No. 229 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 17, 1975

SUSPENSION OF RULES

Mr. Perpich, A. J. moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 229. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 229

A bill for an act relating to taxes on or measured by net income; appropriating money; amending Minnesota Statutes 1974, Chapter 290, by adding a section; Sections 290.01, Subdivisions 8, 20, 21, and 22, and by adding subdivisions; 290.02; 290.06, Subdivisions 2c and 11; 290.0601, Subdivisions 6 and 9; 290.061; 290.086, Subdivision 7; 290.09, Subdivisions 4 and 15; 290.16, by adding a subdivision; 290.21, Subdivision 4; 290.26; 290.50, Subdivisions 1, 2, 3 and 5; 290.92, Subdivisions 6 and 19; 290.931, Subdivision 1; 290.933, Subdivision 1; 290.972, Subdivision 2; 290.983, Subdivision 1; 290.985; repealing Minnesota Statutes 1974, Sections 290.072; 290.08, Subdivisions 9, 10, 11, 15, 16, 17, 18 and 22; 290.0801; and 290.931, Subdivision 2.

May 16, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 229 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments to H. F. No. 229 and that H. F. No. 229 be amended as follows:

Page 5, strike lines 17 through 22

Page 7, strike lines 7 through 15

Page 22, line 20, after "*that the*" insert "*recipient*"

Page 28, strike line 32

Page 29, strike lines 1 through 32

Page 38, strike lines 14 through 32

Page 39, strike lines 1 through 8

Page 42, line 31, strike ", 27 and 28" and insert "26"

Renumber the sections accordingly

Further amend the title as follows:

Line 11, strike ", 3 and 5" and insert "and 3"

Line 14, strike "290.983, Subdivision 1;"

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

House Conferees: (Signed) Neil B. Dieterich, James R. Casserly, Mike Jaros, John D. Tomlinson, Joel Jacobs.

Senate Conferees: (Signed) Edward J. Gearty, Jack I. Kleinbaum, Otto T. Bang, George R. Conzemius.

Mr. Perpich, A. J. moved that the foregoing recommendations and Conference Committee Report on H. F. No. 229 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. 229: A bill for an act relating to taxes on or measured by net income; appropriating money; amending Minnesota Statutes 1974, Chapter 290, by adding a section; Sections 290.01, Subdivisions 8, 20, 21, and 22, and by adding subdivisions; 290.02; 290.06, Subdivisions 2c and 11; 290.0601, Subdivisions 6 and 9; 290.061; 290.086, Subdivision 7; 290.09, Subdivisions 4 and 15; 290.16, by adding a subdivision; 290.21, Subdivision 4; 290.26; 290.50, Subdivisions 1, 2 and 3; 290.92, Subdivisions 6 and 19; 290.931, Subdivision 1; 290.933, Subdivision 1; 290.972, Subdivision 2; 290.985; repealing Minnesota Statutes 1974, Sections 290.072; 290.08, Subdivisions 9, 10, 11, 15, 16, 17, 18 and 22; 290.0801; and 290.931, Subdivision 2.

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 45 and nays 13, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|------------|--------------|----------------|-----------|
| Anderson | Davies | Jensen | North | Schmitz |
| Arnold | Doty | Josefson | Ogdahl | Schrom |
| Ashbach | Dunn | Keefe, S. | Olhoft | Sillers |
| Bang | Fitzsimons | Kirchner | Olson, H. D. | Solon |
| Borden | Frederick | Kleinbaum | O'Neill | Stassen |
| Brown | Gearty | Laufenburger | Perpich, A. J. | Stokowski |
| Chenoweth | Hanson, R. | McCutcheon | Perpich, G. | Stumpf |
| Chmielewski | Hughes | Milton | Purfeerst | Tennessen |
| Coleman | Humphrey | Moe | Renneke | Willet |

Those who voted in the negative were:

| | | | | |
|---------|---------------|-----------|--------------|-----------|
| Berg | Hansen, Baldy | Kowalczyk | Nelson | Patton |
| Blatz | Hansen, Mel | Larson | Olson, J. L. | Pillsbury |
| Brataas | Knutson | Merriam | | |

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

Pursuant to Rule 21, Mr. Perpich, G. moved that the following members be excused for a Conference Committee on H. F. No. 1743 at 7:00 p.m.:

Messrs. Perpich, G.; Olson, J. L.; Moe; Renneke and Doty. The motion prevailed.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the rec-

ommendation and report of the Conference Committee on House File No. 1, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1: A bill for an act relating to employment services; unemployment compensation; defining unemployment and wages; eliminating seasonal employment; eliminating collection of contributions of less than \$1; experience rating; deleting obsolete language; joint account; establishing a weekly maximum for benefits; charging of benefits to an employer not a party to a strike; payment of benefits to an employee who refuses to accept reemployment during a strike; appeals; notice of hearing; increasing fees of appeal tribunal members and of advisory council members; benefits paid through error or fraud; records; amending Minnesota Statutes 1974, Sections 268.04, Subdivisions 10, 12, 23, 25 and 26; 268.06, Subdivisions 1, 6, 21 and 22, and by adding a subdivision; 268.07, Subdivision 2; 268.071, Subdivision 1; 268.08, Subdivisions 1, 3, and 5; 268.09, Subdivision 1; 268.10, Subdivisions 2, 4 and 5; 268.12, Subdivisions 6, 8 and 13; 268.16, Subdivision 1, and by adding a subdivision; 268.18, by adding a subdivision; and repealing Minnesota Statutes 1974, Section 268.07, Subdivision 5.

House File No. 1 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 17, 1975

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1

A bill for an act relating to employment services; unemployment compensation; defining unemployment and wages; eliminating seasonal employment; eliminating collection of contributions of less than \$1; experience rating; deleting obsolete language; joint account; establishing a weekly maximum for benefits; charging of benefits to an employer not a party to a strike; payment of benefits to an employee who refuses to accept reemployment during a strike; appeals; notice of hearing; increasing fees of appeal tribunal members and of advisory council members; benefits paid through error or fraud; records; amending Minnesota Statutes 1974, Sections 268.04, Subdivisions 10, 12, 23, 25 and 26; 268.06, Subdivisions 1, 6, 21 and 22, and by adding a subdivision; 268.07, Subdivision 2; 268.071, Subdivision 1; 268.08, Subdivisions 1, 3, and 5; 268.09, Subdivision 1; 268.10, Subdivisions 2, 4 and 5; 268.12, Subdivisions 6, 8 and 13; 268.16, Subdivision 1, and by adding a subdivision; 268.18, by adding a subdivision; and repealing Minnesota Statutes 1974, Section 268.07, Subdivision 5.

May 16, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 1 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. 1 be amended as follows:

Page 19, line 9, after "*exceeds*" insert "*the lesser of \$6,500 or*"

Page 24, delete lines 6 to 21 and insert:

"Sec. 8. Minnesota Statutes 1974, Section 268.06, Subdivision 8, is amended to read:

Subd. 8. [DETERMINATION OF CONTRIBUTION RATES.] For the year ~~1974~~ 1976 and for each calendar year thereafter the commissioner shall determine the contribution rate of each employer by adding the ~~experience ratio to the minimum rate~~ *minimum rate to the experience ratio, except that if the ratio for the current calendar year exceeds the experience ratio for the preceding calendar year by more than one and one half percentage points, the increase for the current year shall be limited to one and one half percentage points*. The minimum rate for all employers shall be nine tenths of one percent if the amount in the unemployment compensation fund is less than \$90,000,000 on June 30 of the preceding calendar year; or eight tenths of one percent if the fund is more than \$90,000,000 but less than \$110,000,000; or seven tenths of one percent if the fund is more than \$110,000,000 but less than \$130,000,000; or six tenths of one percent if the fund is more than \$130,000,000 but less than \$150,000,000; or five tenths of one percent if the fund is more than \$150,000,000 but less than \$170,000,000; or three tenths of one percent if the fund is more than \$170,000,000 but less than \$200,000,000; or one tenth of one percent if the fund is \$200,000,000 or more; provided that no employer shall have a contribution rate of more than five percent *except that in the case of an employer whose experience ratio in each of the immediately preceding three calendar years was in excess of five percent, the maximum contribution rate shall be six percent.*"

Page 27, line 6, strike "50 percent" and insert "*60 percent of the first \$85, 40 percent of the next \$85 and 50 percent of the remainder*"

Page 27, line 9, delete "66.666" and insert "*the lesser of \$116 or 62*"

Page 28, line 9, restore the stricken "June 30,"

Page 28, line 9, delete "July 6,"

Page 33, line 10, after "unemployment" insert "*in a benefit year*"

Page 33, line 12, strike "full time"

Page 36, line 25, after "occurs" insert "*because of a voluntary separation as described in this clause or*"

Page 36, strike lines 27 to 29

Page 36, line 30, strike "(c)" and insert "(b)"

Page 46, delete lines 6 to 28

Renumber the remaining sections in sequence

Further, amend the title as follows:

Page 1, line 16, delete "21" and insert "8"

Page 1, line 20, delete "6,"

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

House Conferees: (Signed) Harry Sieben, Stanley Enebo, Leo Adams, Arne Carlson, Thomas Osthoff.

Senate Conferees: (Signed) Gene Merriam, Steve Keefe, Roger Laufenburger, Roger Hanson, Nancy Brataas.

Mr. Merriam moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1 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. 1: A bill for an act relating to employment services; unemployment compensation; defining unemployment and wages; eliminating seasonal employment; eliminating collection of contributions of less than \$1; experience rating; deleting obsolete language; joint account; establishing a weekly maximum for benefits; charging of benefits to an employer not a party to a strike; payment of benefits to an employee who refuses to accept reemployment during a strike; appeals; notice of hearing; increasing fees of appeal tribunal members and of advisory council members; benefits paid through error or fraud; records; amending Minnesota Statutes 1974, Sections 268.04, Subdivisions 10, 12, 23, 25 and 26; 268.06, Subdivisions 1, 6, 8 and 22, and by adding a subdivision; 268.07, Subdivision 2; 268.071, Subdivision 1; 268.08, Subdivisions 1, 3, and 5; 268.09, Subdivision 1; 268.10, Subdivisions 2, 4 and 5; 268.12, Subdivisions 8 and 13; 268.16, Subdivision 1, and by adding a subdivision; 268.18, by adding a subdivision; and repealing Minnesota Statutes 1974, Section 268.07, Subdivision 5.

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 55 and nays 4, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Dunn | Kleinbaum | Ogdahl | Schaaf |
| Arnold | Fitzsimons | Knutson | Olhoft | Schmitz |
| Ashbach | Gearty | Kowalczyk | Olson, A. G. | Schrom |
| Borden | Hansen, Baldy | Laufenburger | Olson, H. D. | Solon |
| Brataas | Hansen, Mel | Lewis | Olson, J. L. | Spear |
| Brown | Hanson, R. | McCutcheon | O'Neill | Stassen |
| Chenoweth | Hughes | Merriam | Patton | Stokowski |
| Chmielewski | Humphrey | Milton | Perpich, A. J. | Stumpf |
| Coleman | Josefson | Moe | Perpich, G. | Ueland |
| Conzemius | Keefe, J. | Nelson | Pillsbury | Wegener |
| Doty | Keefe, S. | North | Purfeerst | Willet |

Messrs. Bang, Bernhagen, Jensen, and Renneke voted in the negative.

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 has adopted the recommendation and report of the Conference Committee on House File No. 929, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 929: A bill for an act relating to banks, savings banks and credit unions; authorizing consumer banking facilities; providing penalties.

House File No. 929 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

CONFERENCE COMMITTEE REPORT ON H. F. NO. 929

A bill for an act relating to banks; savings banks and credit unions; authorizing consumer banking facilities; providing penalties.

May 16, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 929 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. 929 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 10 the terms defined in this section have the meanings ascribed to them:*

Subd. 2. "Bank" means a bank or savings bank organized under the laws of this state as defined in Minnesota Statutes, Section 47.02, or any national banking association having its principal office in this state.

Subd. 3. "Consumer banking facility" means any manned or unmanned device located separate and apart from a bank's principal office or detached facility as authorized by Minnesota Statutes, Sections 47.51 to 47.57, which meets all of the following specifications:

(a) A consumer banking facility shall perform only services which may legally be provided by banks for their customers. However, a

consumer banking facility located on the business premises of a person engaged in the sale of goods may be used to perform internal non-banking functions for such persons.

(b) Banking services, when performed by a consumer banking facility, must be pursuant to the terms of an existing contractual arrangement between the bank providing its services and its customers.

(c) The person maintaining a consumer banking facility shall make it available for use by a bank located in Minnesota on a fair, equitable and non-discriminatory basis consistent with the provisions of this act.

Subd. 4. "Municipality" means the geographical area within the legal boundaries of any city or organized town located in Minnesota.

Sec. 2. [AUTHORIZATION.] Subdivision 1. Thirty days after written notice has been filed with the commissioner of banks, any bank may establish and maintain at a specific location, one or more consumer banking facilities for use by its customers, or may provide for the use of such facility to its customers by entering into agreement with any person or persons maintaining one or more consumer banking facilities. The commissioner of banks shall adopt rules and regulations specifying the contents of such notice. Written notification shall not be deemed filed until all information required by the commissioner of banks has been received by his office, which shall make such information available to any other bank requesting the use of any or all consumer banking facilities which are the subject of such notice.

Subd. 2. Subject to the notification procedures adopted by the commissioner of banks, a consumer banking facility may be established and maintained anywhere within a municipality in which no banks or detached facilities are located, or anywhere within a municipality in which at least one bank is located, provided a bank in that municipality, pursuant to the provisions of this section, has established and maintains or provides the use of one or more consumer banking facilities located in one or more municipalities. The location and placement of consumer banking facilities shall not be designed to give or promote an unfair competitive advantage to any bank in Minnesota.

Sec. 3. [FUNCTIONS OF A CONSUMER BANKING FACILITY.] Subdivision 1. Banking transactions which may be performed through the use of a consumer banking facility shall be limited to only lawful banking services, provided the services performed are pursuant to the terms of a preexisting contractual agreement between the bank and its customers. In particular and not in limitation of the foregoing, deposits and withdrawals may be made through the use of a consumer banking facility, but accounts may not be opened at such facilities.

Subd. 2. The method by which a consumer banking facility performs banking transactions may include, but are not limited to, the utilization of electronic based systems.

Subd. 3. A consumer banking facility may be operated exclusively by bank customers or it may perform banking transactions through the assistance of any person provided that person is not employed by any bank, bank holding company or subsidiary. Such assistance shall

not be deemed to be engaging in the business of banking. Persons assisting bank customers at the site of a consumer banking facility may be trained by bank employees and nothing in this section shall be construed to prohibit periodic servicing of a consumer banking facility by a bank employee.

Sec. 4. [ESTABLISHMENT AND MAINTENANCE OF A CONSUMER BANKING FACILITY.] *Subdivision 1. One or more consumer banking facilities may be established and maintained by a bank, or a group or combination of banks or by a third party if the party establishing and maintaining a consumer banking facility, exclusive of any supporting equipment, structure or system, limits its use to the performance of banking transactions for customers of Minnesota banks.*

Subd. 2. All banks shall comply with the notification procedures adopted by the commissioner of banks prior to providing the services of a consumer banking facility to its customers. Nothing in sections 1 to 10 shall be construed to provide authority for a party, other than a bank, to engage in the business of banking. The activities of third parties referred to in sections 1 to 10 are limited to the ownership, operation and maintenance of consumer banking facilities and any supporting equipment, structures or systems.

Subd. 3. A bank, group or combination of banks or third party establishing and maintaining a consumer banking facility shall, upon written request, make the services available to any bank on a fair, equitable and nondiscriminatory basis approved by the commissioner of banks which includes a pricing structure limited to the owner's direct costs, including a reasonable return on the capital expenditures incurred by the owner in establishing and maintaining consumer banking facilities.

Subd. 4. Sections 1 to 10 shall be construed as permitting the use of a consumer banking facility only to facilitate, between a bank and a customer thereof, banking transactions deemed a part of the authorized business of such bank as conducted at its principal office. Content, use and distribution of any information, advertising material, or the use of any other promotional effort, to the contrary, is prohibited. Consistent with the foregoing, any advertisement, either on or off a consumer banking facility, promoting the use or the location of a consumer banking facility which identifies any bank, group or combination of banks or any third parties owning or providing for the use of its services, is prohibited. Provided, however, the following shall be expressly permitted:

(a) A simple directory listing placed at the site of a consumer banking facility identifying the particular banks using its services;

(b) The use and the name, either on or off the consumer banking facility, which does not promote or identify any particular bank, group or combination of banks or any third party;

(c) A direct mailing of any information from a bank to its customers identifying the location and use of any consumer banking facility which said banks will provide, under the provisions of sections 1 to 10, for its customers.

Sec. 5. [VIOLATIONS; PENALTIES.] *A violation of sections 1 to 10 shall be subject to penalties applicable to violations of laws affecting banks. In addition, a violation of sections 1 to 10 may be enjoined by a civil action for injunction by any aggrieved bank.*

Sec. 6. *The authorization for banks to establish, maintain or use the services of a consumer banking facility granted in sections 1 to 10 is rescinded upon a ruling by a federal court that any of the restrictions contained in sections 1 to 10 which regulate consumer banking facilities including the prohibition on opening new accounts at a consumer banking facility, the prohibition on advertising a consumer banking facility in a manner which identified it as belonging to a particular bank and the requirement that a consumer banking facility be available to all banks on a nondiscriminatory basis, do not apply to national banking associations.*

Sec. 7. [CONSUMER PRIVACY.] *To protect the privacy of customers using consumer banking facilities, a consumer banking facility, financial institution, or commercial business, except as provided by law, rule of the commissioner of banks, or consent of a customer, shall not provide any information about a customer transaction or a customer account to any unauthorized party.*

Sec. 8. [ANTI-TRUST.] *No financial institution, bank or bank holding company or service corporation engaged in consumer banking facility activities shall contract, combine or conspire to restrain trade in the market for consumer banking facilities or engage in anti-competitive practices to the detriment of the public interest.*

Sec. 9. [EXAMINATION.] *A service corporation that provides any services to a consumer bank facility may be examined whenever the commissioner of banks deems it necessary. The service corporation shall pay examination fees as determined by the commissioner of banks.*

Sec. 10. [RULES AND REGULATIONS.] *The commissioner of banks may promulgate such rules and regulations as are reasonably necessary to carry out and make effective the provisions and purposes of this act pursuant to Minnesota Statutes 1974, Chapter 15.*

Sec. 11. Minnesota Statutes 1974, Chapter 52, is amended by adding a section to read:

[52.041] *Subdivision 1. [DEFINITIONS.] (a) A "credit union" means a cooperative association organized in accordance with the provisions of this chapter or Title 12 of the United States Code. (b) A "credit union consumer facility" means any manned or unmanned electronic based system, device or machine located separate and apart from the credit union offices through which a credit union member may communicate and obtain from his credit union any authorized service pursuant to terms of an existing contractual arrangement between a credit union and its member. The device may receive or dispense cash or transfer funds for a member's benefit, subject to verification of the credit union.*

Subd. 2. [CREDIT UNION CONSUMER FACILITY; AU-

THORITY.] *A credit union having its principal office in this state may own, establish, maintain or use one or more credit union consumer facilities.*

Subd. 3. [SHARED FACILITIES.] A credit union may participate in the ownership, establishment, maintenance or use of one or more credit union consumer facilities with one or more credit unions. Approval to own, establish, maintain or use a credit union consumer facility shall be given by the commissioner of banks upon application of a credit union if it shall appear that the facility will benefit the members of the credit union and is consistent with purposes of Minnesota Statutes, Chapter 52.

Subd. 4. [RULES AND REGULATIONS.] Pursuant to Minnesota Statutes, Chapter 15, the commissioner of banks shall promulgate rules and regulations consistent with all applicable provisions of this act that are reasonably necessary to carry out and make effective the provisions and purposes of this section.

Sec. 12. This act is effective the day following its final enactment."

Further, strike the title in its entirety and insert the following:

"A bill for an act relating to banks; authorizing consumer banking facilities; credit union communication facilities; providing penalties; amending Minnesota Statutes 1974, Chapter 52, by adding a section."

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

House Conferees: (Signed) Walter Hanson, Willis Eken, Randy Kelly.

Senate Conferees: (Signed) Alec G. Olson, Al Kowalczyk, Roger Laufenburger.

Mr. Olson, A. G., moved that the foregoing recommendations and Conference Committee Report on H. F. No. 929 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. 929: A bill for an act relating to banks; authorizing consumer banking facilities; credit union communication facilities; providing penalties; amending Minnesota Statutes 1974, Chapter 52, by adding a section.

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 43 and nays 4, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|-------------|--------------|----------------|-----------|
| Arnold | Coleman | Keefe, S. | Olson, A. G. | Solon |
| Ashbach | Conzemius | Kirchner | Patton | Spear |
| Bang | Dunn | Kleinbaum | Perpich, A. J. | Stassen |
| Bernhagen | Fitzsimons | Knutson | Pillsbury | Stokowski |
| Borden | Gearty | Laufenburger | Purfeerst | Stumpf |
| Brataas | Hansen, Mel | McCutcheon | Schaaf | Ueland |
| Brown | Hughes | Merriam | Schmitz | Wegener |
| Chenoweth | Humphrey | Milton | Schrom | |
| Chmielewski | Keefe, J. | North | Sillers | |

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

So the bill, as amended by the Conference Committee, was re-passed 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 House File No. 511, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 511: A bill for an act relating to commerce; interest rates on money; continuing the exemption of certain loans from maximum interest rates; amending Minnesota Statutes 1974, Section 334.01, Subdivision 2; repealing Laws 1974, Chapter 238, Section 2.

H. F. No. 511 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

CONFERENCE COMMITTEE REPORT ON H. F. NO. 511

A bill for an act relating to commerce; interest rates on money; continuing the exemption of certain loans from maximum interest rates; amending Minnesota Statutes 1974, Section 334.01, Subdivision 2; repealing Laws 1974, Chapter 238, Section 2.

May 17, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 511 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments.

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

House Conferees: (Signed) Bernard Brinkman, O. J. Heinitz, Michael George, Ted Suss, M. J. McCauley.

Senate Conferees: (Signed) Winston Borden, Otto Bang, Roger Laufenburger, Roger D. Moe, Harmon T. Ogdahl.

Mr. Borden moved that the foregoing recommendations and Conference Committee Report on H. F. No. 511 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. 511: A bill for an act relating to commerce; interest rates on money; continuing the exemption of certain loans from maximum interest rates; amending Minnesota Statutes 1974, Section 334.01, Subdivision 2; repealing Laws 1974, Chapter 238, Section 2.

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 49 and nays 1, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|---------------|--------------|----------------|-----------|
| Anderson | Chmielewski | Humphrey | Milton | Schrom |
| Arnold | Coleman | Josefson | North | Sillers |
| Aashbach | Davies | Keefe, J. | Ogdahl | Solon |
| Bang | Dunn | Keefe, S. | Olhoft | Spear |
| Berg | Fitzsimons | Kirchner | O'Neill | Stassen |
| Bernhagen | Gearty | Kleinbaum | Patton | Stokowski |
| Blatz | Hansen, Baldy | Larson | Perpich, A. J. | Stumpf |
| Borden | Hansen, Mel | Laufenburger | Purfeerst | Ueland |
| Brataas | Hanson, R. | McCutcheon | Schaaf | Wegener |
| Chenoweth | Hughes | Merriam | Schmitz | |

Mr. Willet voted in the negative.

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 has adopted the recommendation and report of the Conference Committee on House File No. 1769, and repassed said bill in accordance with the report of the Committee, so adopted:

H. F. No. 1769: A bill for an act relating to the operation of state government; providing for salaries, fringe benefits and other terms and conditions of employment in the state civil service; providing salaries for department heads and certain judicial positions; amending Minnesota Statutes 1974, Sections 15A.081, Subdivi-

sion 1; 15A.083; 43.05, Subdivision 2; 43.062, Subdivision 3, and by adding a subdivision; 43.067; 43.069, Subdivision 1; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivisions 1, 2, and 3; 43.122, Subdivisions 1, 3 and 4; 43.126, Subdivisions 2 and 3; 43.17, Subdivision 2; 43.18, Subdivision 2; 43.19, Subdivisions 1 and 4; 43.21; 43.23, Subdivisions 1 and 2; 43.328, Subdivision 1; 43.50, Subdivision 1; and 299D.03, Subdivisions 2 and 9; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivisions 1a and 4; 487.05; and 526.18.

House File No. 1769 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 19, 1975

SUSPENSION OF RULES

Mr. McCutcheon moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 1769. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1769

A bill for an act relating to the operation of state government; providing for salaries, fringe benefits and other terms and conditions of employment in the state civil service; providing salaries for department heads and certain judicial positions; amending Minnesota Statutes 1974, Sections 15A.081, Subdivision 1; 15A.083; 43.05, Subdivision 2; 43.062, Subdivision 3, and by adding a subdivision; 43.067; 43.069, Subdivision 1; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivisions 1, 2, and 3; 43.122, Subdivisions 1, 3 and 4; 43.126, Subdivisions 2 and 3; 43.17, Subdivision 2; 43.18, Subdivision 2; 43.19, Subdivisions 1 and 4; 43.21; 43.23, Subdivisions 1 and 2; 43.328, Subdivision 1; 43.50, Subdivision 1; and 299D.03, Subdivisions 2 and 9; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivisions 1a and 4; 487.05; and 526.18.

May 19, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 1769 report that we have agreed upon the items in dispute and recommend as follows:

That the House accede to the Senate amendments and that H. F. No. 1769, as amended pursuant to Rule 49, be further amended as follows:

Page 6, line 1, strike "*dollar*" and insert "*cent*"

Page 6, line 2, of the McCutcheon amendment, after "*classes*" insert "*assigned to salary schedule B*"

Page 8, lines 18 to 20, strike the new language

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

House Conferees: (Signed) J. Lindstrom, H. Sieben, P. Fugina.

Senate Conferees: (Signed) B. McCutcheon, H. Ogdahl, E. Gearty.

Mr. McCutcheon moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1769 be now adopted, and that the bill be repassed as amended by the Conference Committee.

Mr. Stassen moved that the Senate reject the Conference Committee Report on H. F. No. 1769 and the report be re-referred to the Conference Committee as formerly constituted for further consideration.

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

And the roll being called, there were yeas 25 and nays 30, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|------------|-----------|-----------|---------|
| Bang | Brown | Keefe, J. | Nelson | Sillers |
| Berg | Dunn | Kirchner | O'Neill | Spear |
| Bernhagen | Fitzsimons | Knutson | Patton | Stassen |
| Blatz | Frederick | Kowalczyk | Pillsbury | Ueland |
| Brataas | Josefson | Milton | Schaaf | Wegener |

Those who voted in the negative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Davies | Larson | Olhoff | Schrom |
| Arnold | Gearty | Laufenburger | Olson, A. G. | Solon |
| Borden | Hansen, Baldy | McCutcheon | Olson, H. D. | Stokowski |
| Chenoweth | Hughes | Merriam | Perpich, A. J. | Stumpf |
| Chmielewski | Humphrey | North | Purfeerst | Tennessen |
| Coleman | Kleinbaum | Ogdahl | Schmitz | Willet |

The motion did not prevail.

The question recurred on the motion of Mr. McCutcheon to adopt the recommendations and Conference Committee Report on H. F. No. 1769. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1769: A bill for an act relating to the operation of state government; providing for salaries, fringe benefits and other terms and conditions of employment in the state civil service; providing salaries for department heads and certain judicial positions; amending Minnesota Statutes 1974, Sections 15A.081, Subdivision 1; 15A.083; 43.05, Subdivision 2; 43.062, Subdivision 3, and by adding a subdivision; 43.067; 43.069, Subdivision 1; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivisions 1, 2, and 3; 43.122, Subdivisions 1, 3 and 4; 43.126, Subdivisions 2 and 3; 43.17, Subdivision 2; 43.18, Subdivision 2; 43.19, Subdivisions 1 and 4; 43.21; 43.23, Subdivisions 1 and 2; 43.328, Subdivision 1; 43.50, Subdivision 1; and 299D.03, Subdivisions 2 and 9; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivisions 1a and 4; 487.05; and 526.18.

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 58 and nays 1, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Coleman | Keefe, J. | North | Sillers |
| Arnold | Davies | Keefe, S. | Ogdahl | Solon |
| Ashbach | Dunn | Kirchner | Olthoff | Spear |
| Bang | Fitzsimons | Kleinbaum | Olson, H. D. | Stassen |
| Berg | Frederick | Knutson | O'Neill | Stokowski |
| Bernhagen | Gearty | Kowalczyk | Patton | Stumpf |
| Blatz | Hansen, Baldy | Larson | Perpich, A. J. | Tennessen |
| Borden | Hansen, Mel | Laufenburger | Pillsbury | Ueland |
| Brataas | Hanson, R. | Lewis | Purfeerst | Wegener |
| Brown | Hughes | McCutcheon | Schaaf | Willet |
| Chenoweth | Humphrey | Merriam | Schmitz | |
| Chmielewski | Josefson | Nelson | Schrom | |

Mr. Milton voted in the negative.

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 has adopted the recommendation and report of the Conference Committee on House File No. 1758, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1758: A bill for an act relating to the organization and operation of state government; imposing regulations for community college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, community colleges, higher education coordinating commission, and moneys for medical education.

H. F. No. 1758 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

SUSPENSION OF RULES

Mr. Davies moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 1758.

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

And the roll being called, there were yeas 29 and nays 25, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Arnold | Gearty | Laufenburger | Perpich, A. J. | Stokowski |
| Borden | Hansen, Baldy | Merriam | Purfeerst | Stumpf |
| Chenoweth | Hughes | Milton | Schaaf | Tennessee |
| Chmielewski | Humphrey | North | Schmitz | Wegener |
| Coleman | Keefe, S. | Olhoff | Solon | Willet |
| Davies | Kleinbaum | Olson, H. D. | Spear | |

Those who voted in the negative were:

| | | | | |
|-----------|------------|-------------|-----------|-----------|
| Ashbach | Brataas | Hansen, Mel | Knutson | Pillsbury |
| Bang | Brown | Hanson, R. | Kowalczyk | Schrom |
| Berg | Dunn | Jensen | Nelson | Sillers |
| Bernhagen | Fitzsimons | Josefson | O'Neill | Stassen |
| Blatz | Frederick | Kirchner | Patton | Ueland |

The motion did not prevail.

Mr. Davies moved that H. F. No. 1758 and the Conference Committee report thereon be laid on the table. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 733

A bill for an act relating to rates of interest; permitting lending institutions to charge interest rates on business and agricultural loans of up to five percent more than the federal discount rate at the time the loan was made.

May 19, 1975

The Honorable Alec G. Olson
President of the Senate

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

We, the undersigned conferees for S. F. No. 733 report that we have agreed upon the items in dispute and recommend as follows:

That the house recede from its amendment to page 1, line 17 and that the house recede from its amendment to the title.

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

Senate Conferees: (Signed) Baldy Hansen, Lew W. Larson, B. Robert Lewis.

House Conferees: (Signed) Bernard J. Brinkman, M. J. McCauley.

Mr. Hansen, Baldy moved that the foregoing recommendations and Conference Committee Report on S. F. No. 733 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. 733: A bill for an act relating to rates of interest; permitting lending institutions to charge interest rates on business

and agricultural loans of up to five percent more than the federal discount rate at the time the loan was made.

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 13, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|--------------|-----------|
| Anderson | Coleman | Jensen | North | Solon |
| Arnold | Davies | Josefson | Olson, H. D. | Stassen |
| Ashbach | Fitzsimons | Kirchner | O'Neill | Stokowski |
| Bang | Frederick | Kleinbaum | Patton | Ueland |
| Bernhagen | Gearty | Kowalczyk | Pillsbury | Wegener |
| Blatz | Hansen, Baldy | Larson | Purfeerst | |
| Borden | Hansen, Mel | Laufenburger | Schmitz | |
| Brataas | Hanson, R. | Lewis | Schrom | |
| Chmielewski | Humphrey | Nelson | Sillers | |

Those who voted in the negative were:

| | | | | |
|-----------|---------|----------------|--------|-----------|
| Chenoweth | Merriam | Olson, A. G. | Spear | Tennessee |
| Hughes | Milton | Perpich, A. J. | Stumpf | Willet |
| Keefe, S. | Olhoft | Schaaf | | |

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

SUSPENSION OF RULES

Mr. Frederick moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on S. F. No. 1026.

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

And the roll being called, there were yeas 52 and nays 3, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|--------------|-----------|
| Anderson | Fitzsimons | Kleinbaum | Olson, A. G. | Spear |
| Arnold | Frederick | Larson | Olson, H. D. | Stassen |
| Ashbach | Gearty | Laufenburger | O'Neill | Stokowski |
| Bang | Hansen, Baldy | Lewis | Patton | Stumpf |
| Blatz | Hansen, Mel | McCutcheon | Pillsbury | Tennessee |
| Borden | Hanson, R. | Merriam | Purfeerst | Ueland |
| Brataas | Hughes | Milton | Schaaf | Wegener |
| Chenoweth | Humphrey | Nelson | Schmitz | Willet |
| Chmielewski | Jensen | North | Schrom | |
| Coleman | Keefe, S. | Ogdahl | Sillers | |
| Davies | Kirchner | Olhoft | Solon | |

Messrs. Berg, Bernhagen and Knutson voted in the negative.

The motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1026

A bill for an act relating to agricultural lands; regulating the ownership of such lands by certain corporations; exempting lands acquired for growing asparagus; amending Minnesota Statutes 1974, Section 500.24, Subdivision 2.

May 17, 1975

The Honorable Alec G. Olson
President of the Senate

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

We, the undersigned conferees for S. F. No. 1026 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. 1026 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 500.24, is amended to read:

500.24 [CORPORATE FARMING.] Subdivision 1. [DEFINITIONS.] For the purposes of this section, the terms defined in this subdivision have the meanings here given them:

(a) "Farming" means the cultivation of land for the production of (1) agricultural crops; (2) livestock or livestock products; (3) poultry or poultry products; (4) milk or dairy products; or (5) fruit or other horticultural products. It shall not include the production of timber or forest products; nor shall it include a contract whereby a processor or distributor of farm products or supplies provides spraying, harvesting or other farm services.

(b) "Family farm" means an unincorporated farming unit owned by one or more persons residing on the farm or actively engaging in farming.

(c) "Family farm corporation" means a corporation founded for the purpose of farming and the ownership of agricultural land in which the majority of the voting stock is held by and the majority of the stockholders are ~~members of a family persons or the spouses of persons~~ related to each other within the third degree of kindred according to the rules of the civil law, and at least one of ~~whose stockholders said related persons~~ is a person residing on or actively operating the farm, and none of whose stockholders are corporations; provided that a family farm corporation shall not cease to qualify as such hereunder by reason of any devise or bequest of shares of voting stock.

(d) "Authorized farm corporation" means a corporation meeting the following standards:

- (1) Its shareholders do not exceed ~~ten~~ 5 in number;

(2) All its shareholders, other than any estate are natural persons;

(3) It does not have more than one class of shares; and

(4) Its revenues from rent, royalties, dividends, interest and annuities does not exceed 20 percent of its gross receipts ; *and*

(5) *A majority of the shareholders must be residing on the farm or actively engaging in farming.*

(e) "Agricultural land" means land used for farming.

Subd. 2. [FARMING AND OWNERSHIP OF AGRICULTURAL LAND BY CORPORATIONS RESTRICTED.] After May 20, 1973, no corporation shall engage in farming; nor shall any corporation, directly or indirectly, own, acquire, or otherwise obtain an interest, whether legal, beneficial or otherwise, in any title to real estate used for farming or capable of being used for farming in this state. Provided, however, that the restrictions provided in this subdivision shall not apply to the following:

(a) A bona fide encumbrance taken for purposes of security;

(b) A family farm corporation or an authorized farm corporation as defined in subdivision 1;

(c) Agricultural land and land capable of being used for farming owned by a corporation as of May 20, 1973 including the normal expansion of such ownership at a rate not to exceed 20 percent of *the amount of land owned as of May 20, 1973* , measured in acres, in any five year period, and including additional ownership reasonably necessary to meet the requirements of pollution control regulations;

(d) ~~A farm~~ *Agricultural land* operated for research or experimental purposes, provided that any commercial sales from such farm shall be incidental to the research or experimental objectives of the corporation;

(e) Agricultural land operated by a corporation for the purpose of raising breeding stock for resale to farmers or operated for the purpose of growing seed, wild rice, nursery plants or sod;

(f) Agricultural land and land capable of being used for farming leased by a corporation in an amount, measured in acres, not to exceed the acreage under lease to such corporation as of May 20, 1973 and the additional acreage required for normal expansion at a rate not to exceed 20 percent of *the amount of land leased as of May 20, 1973* in any five year period, and the additional acreage reasonably necessary to meet the requirements of pollution control regulations;

(g) ~~Future interests, including but not limited to remainder interests following life estates,~~ *Agricultural land* when acquired as a gift (either by grant or a devise) by an educational, religious or charitable non-profit corporation; *provided that all lands so acquired which are not operated for research or experimental purposes, or are not operated for the purpose of raising breeding stock*

for resale to farmers or operated for the purpose of growing seed, wild rice, nursery plants or sod must be disposed of within ten years after acquiring title thereto;

(h) Agricultural land acquired by a corporation other than a family farm corporation or authorized farm corporation, as defined in subdivision 1, for immediate or potential use in non-farming purposes for which the corporation has documented plans to use and subsequently uses the land within six years from the date of purchase for a specific nonfarming purpose, or if the land is zoned nonagricultural, or if the land is located within an incorporated area. A corporation may hold such agricultural land in such acreage as may be necessary to its nonfarm business operation; provided, however, that pending the development of agricultural land for nonfarm purposes, such land may not be used for farming except under lease to a family farm unit, a family farm corporation or an authorized farm corporation, or except when controlled through ownership, options, leaseholds, or other agreements by a corporation which has entered into an agreement with the United States of America pursuant to the New Community Act of 1968 (Title IV of the Housing and Urban Development Act of 1968, 42 U.S.C. 3901-3914) as amended, or a subsidiary or assign of such a corporation; or

(i) Agricultural lands acquired by a corporation by process of law in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, however, that all lands so acquired be disposed of within ten years after acquiring the title thereto, and further provided that the land so acquired shall not be used for farming during the ten year period except under a lease to a family farm unit, a family farm corporation or an authorized farm corporation. The aforementioned ten year limitation period shall be deemed a covenant running with the title to the land against any corporate grantee or assignee or the successor of such corporation ;

(j) Agricultural land acquired by a corporation regulated under the provisions of Minnesota Statutes 1974, Chapter 216B, for purposes described in that chapter or by an electric generation or transmission cooperative for use in its business, provided, however, that such land may not be used for farming except under lease to a family farm unit, or a family farm corporation;

(k) Agricultural land, either leased or owned, totaling no more than 2700 acres, acquired after May 20, 1973 for the purpose of replacing or expanding asparagus growing operations, provided that such corporation had established 2000 acres of asparagus production;

(l) All agricultural land or land capable of being used for farming which was owned or leased by an authorized farm corporation as defined in Minnesota Statutes 1974, Section 500.24, Subdivision 1, clause (d) but which does not qualify as an authorized farm corporation as defined in subdivision (1), clause (d);

(m) A corporation formed primarily for religious purposes whose sole income is derived from agriculture;

(n) *Agricultural land owned or leased by a corporation prior to the effective date of this act, which was exempted from the restriction of subdivision 2 under the provisions of Laws 1973, Chapter 427, including normal expansion of such ownership or leasehold interest to be exercised at a rate not to exceed 20 percent of the amount of land owned or leased on the effective date of this act in any five year period and the additional ownership reasonably necessary to meet requirements of pollution control regulations .*

Subd. 3. [REPORTS.] (a) *Every corporation which holds any interest in agricultural land or land used for the breeding, feeding, pasturing, growing, or raising of livestock, dairy or poultry, or products thereof, or land used for the production of agricultural crops or fruit or other horticultural products, other than a bona fide encumbrance taken for purposes of security, or which is engaged in farming or proposing to commence farming in this state after May 20, 1973 , shall file with the commissioner of agriculture a report containing the following information:*

(1) *The name of the corporation and its place of incorporation;*

(2) *The address of the registered office of the corporation in this state, the name and address of its registered agent in this state and, in the case of a foreign corporation, the address of its principal office in its place of incorporation;*

(3) *The acreage and location listed by quarter-quarter section, township and county of each lot or parcel of land in this state owned or leased by the corporation and used for the growing of crops or the keeping or feeding of poultry or livestock; and*

(4) *The names and addresses of the officers , shareholders owning more than 10 percent of the stock, including the percent of stock owned by each such shareholder and the members of the board of directors of the corporation ; and*

(5) *The farm products which the corporation produces or intends to produce on its agricultural land.*

The report of a corporation seeking to qualify hereunder as a family farm corporation or an authorized farm corporation shall contain the following additional information: The number of shares owned by persons residing on the farm or actively engaged in farming, or their relatives within the third degree of kindred according to the rules of the civil law or *their spouses* ; the name, address and number of shares owned by each shareholder; and a statement as to percentage of gross receipts of the corporation derived from rent, royalties, dividends, interest and annuities. No corporation shall commence farming in this state until the ~~commission~~ commissioner of agriculture has inspected the report and certified that its proposed operations comply with the provisions of this section.

(b) *Every corporation engaged in farming in this state as described in clause (a) shall, prior to April 15 of each year, file with the commissioner of agriculture a report containing the infor-*

mation required in clause (a), based on its operations in the preceding calendar year and its status at the end of such year ; *provided that every corporation not engaged in farming on the effective date of this act, but engaged in activities described in clause (a) shall file the first required report prior to September 15, 1975 .*

(c) Failure to file a required report, or the willful filing of false information, shall constitute a gross misdemeanor.

Subd. 4. [ENFORCEMENT.] If the attorney general has reason to believe that a corporation is violating *subdivision 2* of this section, he shall commence an action in the district court in which any agricultural lands relative to such violation are situated, or if situated in two or more counties, in any county in which a substantial part of the lands are situated. The attorney general shall file for record with the register of deeds or the registrar of titles of each county in which any portion of said lands are located a notice of the pendency of the action as provided in section 557.02. If the court finds that the lands in question are being held in violation of *subdivision 2* of this section, it shall enter an order so declaring. The attorney general shall file for record any such order with the register of deeds or the registrar of titles of each county in which any portion of said lands are located. Thereafter, the corporation owning such land shall have a period of five years from the date of such order to divest itself of such lands. The aforementioned five year limitation period shall be deemed a covenant running with the title to the land against any corporate grantee or assignee or the successor of such corporation. Any lands not so divested within the time prescribed shall be sold at public sale in the manner prescribed by law for the foreclosure of a mortgage by action. *In addition, any prospective or threatened violation may be enjoined by an action brought by the attorney general in the manner provided by law. "*

Further, strike the title and insert:

"A bill for an act relating to agriculture; clarifying restrictions upon farming by corporation; amending Minnesota Statutes 1974, Section 500.24."

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

Senate Conferees: (Signed) Mel Frederick, John Bernhagen, Ed Schrom, Howard Olson, Baldy Hansen.

House Conferees: (Signed) George Mann, John Biersdorf, Russell Stanton, Glen Anderson, Marion Menning.

Mr. Frederick moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1026 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. 1026: A bill for an act relating to agricultural lands; regulating the ownership of such lands by certain corporations; exempting lands acquired for growing asparagus; amending Minnesota Statutes 1974, Section 500.24, Subdivision 2.

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 56 and nays 2, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Davies | Keefe, J. | Ogdahl | Spear |
| Arnold | Dunn | Keefe, S. | Olthoff | Stassen |
| Ashbach | Fitzsimons | Kirchner | Olson, A. G. | Stokowski |
| Bang | Frederick | Kleinbaum | Olson, H. D. | Stumpf |
| Berg | Gearty | Kowalczyk | O'Neill | Tennessen |
| Bernhagen | Hansen, Baldy | Larson | Patton | Ueland |
| Borden | Hansen, Mel | Laufenburger | Perpich, A. J. | Wegener |
| Brataas | Hanson, R. | Lewis | Pillsbury | Willet |
| Brown | Hughes | McCutcheon | Schaaf | |
| Chenoweth | Humphrey | Merriam | Schmitz | |
| Chmielewski | Jensen | Milton | Schrom | |
| Coleman | Josefson | Nelson | Solon | |

Messrs. Knutson and Sillers voted in the negative.

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

RECONSIDERATION

Mr. North moved that the vote whereby S. F. No. 177 and the Conference Committee Report thereon failed to pass the Senate on May 17, 1975, be now reconsidered. The motion prevailed.

Mr. North moved that the recommendations and Conference Committee Report as printed in the Journal May 15, 1975 on S. F. No. 177 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. 177: A bill for an act relating to public health; changing requirements and procedures for obtaining certificates of need for health care facilities; amending Minnesota Statutes 1974, Sections 145.72, Subdivisions 2 and 3; 145.76; 145.78; 145.80; 145.82; Chapter 145, by adding sections; and repealing Minnesota Statutes 1974, Section 145.81.

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 47 and nays 8, as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|-------------|------------|-------------|-----------|
| Anderson | Borden | Davies | Hansen, Mel | Keefe, S. |
| Arnold | Brataas | Dunn | Hanson, R. | Kirchner |
| Ashbach | Brown | Fitzsimons | Hughes | Kleinbaum |
| Bang | Chenoweth | Frederick | Humphrey | Kowalczyk |
| Blatz | Chmielewski | Gearty | Josefson | Larson |

| | | | | |
|--------------|---------|-----------|-----------|---------|
| Laufenburger | Nelson | Pillsbury | Spear | Wegener |
| Lewis | North | Schaaf | Stassen | Willet |
| McCutcheon | Ogdahl | Schmitz | Stokowski | |
| Merriam | Olhoff | Sillers | Stumpf | |
| Milton | O'Neill | Solon | Tennessee | |

Those who voted in the negative were:

| | | | | |
|---------------|-----------|--------------|--------|--------|
| Bernhagen | Jensen | Olson, H. D. | Schrom | Ueland |
| Hansen, Baldy | Keefe, J. | Patton | | |

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 has adopted the recommendation and report of the Conference Committee on House File No. 133, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 133: A bill for an act relating to taxation; eliminating assessor's function of obtaining agricultural statistics and information; appointment of special boards of review and equalization; providing for certification of assessor; reclassification procedures for certain property; amending Minnesota Statutes 1974, Sections 17.03, Subdivision 2; 270.11, by adding a subdivision; 270.48; 273.17, Subdivision 1; 274.01; 274.13; 274.14.

House File No. 133 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 17, 1975

CONFERENCE COMMITTEE REPORT ON H. F. NO. 133

A bill for an act relating to taxation; eliminating assessor's function of obtaining agricultural statistics and information; appointment of special boards of review and equalization; providing for certification of assessor; reclassification procedures for certain property; amending Minnesota Statutes 1974, Sections 17.03, Subdivision 2; 270.11, by adding a subdivision; 270.48; 273.17, Subdivision 1; 274.01; 274.13; 274.14.

May 17, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 133 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. 133 be amended as follows:

Page 2, line 15, after "property" insert "*, or that he can establish that he did not receive notice of his market value at least five days before the local board of review meeting*"

Page 5, line 23, after "273.01" insert "*, or that he can establish that he did not receive notice of his market value at least five days before the local board of review meeting*"

Page 6, line 6, delete "*of the first class*"

Page 7, line 16, delete "*provided that the board may*"

Page 7, delete lines 17 and 18

Page 7, line 19, delete "*equalization*"

Page 8, line 32, delete "*over*"

Page 9, line 1, delete "*100,000 population, according to the census of 1970,*"

Page 10, after line 3, insert a new section to read:

"Sec. 9. Minnesota Statutes 1974, Section 273.13, Subdivision 16, is amended to read:

Subd. 16. [HOMESTEAD ESTABLISHED AFTER ASSESSMENT DATE.] (1) Any property which was not used for the purpose of a homestead on the assessment date, but which was used for the purpose of a homestead on June 1 of such year, shall constitute class 3b, class 3c or class 3cc, as the case may be, to the extent of one-half of the valuation which would have been includible in such class and one-half the homestead tax credit to which it would have been entitled had the property been used as a homestead on both such dates.

(2) Any taxpayer meeting the requirements of clause (1) must notify the county assessor, or the assessor who has the powers of the county assessor pursuant to section 273.063, in writing, prior to June 15 of such year in order to qualify thereunder.

The county assessor and the county auditor are hereby empowered to make the necessary changes on their assessment and tax records to provide for proper homestead classification and credit as provided in clauses (1) and (2).

(3) *The owner of any property qualifying under this subdivision, which has not been accorded the benefits of this subdivision, regardless of whether or not the notification required in clause (2) has been timely filed, may be entitled to receive such benefits by proper application as provided in section 270.07, or section 375.192.*

Renumber the sections accordingly

Page 10, line 4, delete "*and 7*" and insert "*, 7 and 9*"

Further, amend the title as follows:

Line 10, after "270.48;" insert "273.13, Subdivision 16;"

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

House Conferees: (Signed) James Pehler, John D. Tomlinson, Maurice D. McCollar, Frank H. DeGroat, Jim F. White.

Senate Conferees: (Signed) Alec G. Olson, Joseph T. O'Neill, A. J. Perpich, Jack I. Kleinbaum, Otto T. Bang.

Mr. Olson, A. G. moved that the foregoing recommendations and Conference Committee Report on H. F. No. 133 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. 133: A bill for an act relating to taxation; eliminating assessor's function of obtaining agricultural statistics and information; appointment of special boards of review and equalization; providing for certification of assessor; reclassification procedures for certain property; amending Minnesota Statutes 1974, Sections 17.03, Subdivision 2; 270.11, by adding a subdivision; 270.48; 273.13, Subdivision 16; 273.17, Subdivision 1; 274.01; 274.13; 274.14.

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 54 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Coleman | Jensen | Nelson | Schmitz |
| Arnold | Davies | Josefson | North | Schrom |
| Ashbach | Dunn | Keefe, J. | Ogdahl | Spear |
| Bang | Fitzsimons | Keefe, S. | Olhoft | Stassen |
| Berg | Frederick | Kleinbaum | Olson, A. G. | Stokowski |
| Bernhagen | Gearty | Knutson | Olson, H. D. | Stumpf |
| Blatz | Hansen, Baldy | Kowalczyk | O'Neill | Tennessen |
| Brataas | Hansen, Mel | Larson | Patton | Ueland |
| Brown | Hanson, R. | Laufenburger | Perpich, A. J. | Wegener |
| Chenoweth | Hughes | McCutcheon | Pillsbury | Willet |
| Chmielewski | Humphrey | Merriam | Schaaf | |

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 has adopted the recommendation and report of the Conference Committee on House File No. 1518, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1518: A bill for an act relating to the city of St. Paul; providing for the abolition of the power of the city to levy and raise taxes for the payment of severance pay obligations of the board of

education of said city; amending certain provisions pertaining to the method of computing severance pay for city of St. Paul employees; increasing the mill rate levy for payment of severance pay obligations of the city; amending Laws 1959, Chapter 690, Sections 2, as amended, and 3, as amended.

House File No. 1518 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 17, 1975

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1518

A bill for an act relating to the city of St. Paul; providing for the abolition of the power of the city to levy and raise taxes for the payment of severance pay obligations of the board of education of said city; amending certain provisions pertaining to the method of computing severance pay for city of St. Paul employees; increasing the mill rate levy for payment of severance pay obligations of the city; amending Laws 1959, Chapter 690, Sections 2, as amended, and 3, as amended.

May 15, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 1518 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. 1518 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Laws 1959, Chapter 690, Section 2, as amended by Laws 1963, Chapter 729, Section 1, and Laws 1971, Chapter 599, Section 1, is amended to read:

Sec. 2. [ST. PAUL, CITY OF; SEVERANCE PAY.] The provisions, rules and regulations under any such ordinance for such payment of severance pay by said city, authorized under the foregoing provisions of section 1 hereof, shall be applicable to all employees of said city other than its elected city officials. Thereunder provisions shall be made for the computation of such severance pay for noncivil service or unclassified employment personnel, other than elected city officials, among other things, by the attachment to the several employments, throughout the periods of the same, sick leaves and vacation leaves, as shall be applicable comparable in amount to those which would have attached thereto had the same been civil service or classified employments, thereunder by virtue of the civil service rules and regulations of said city, adopted, prescribed and promulgated under and pursuant to its said charter; and further provisions shall be made for the computation of such severance pay for civil

service or classified employment personnel, among other things, by the attachment to the several employments throughout the periods of the same, sick leaves and vacation leaves, as shall be applicable, under and by virtue of such civil service rules and regulations. Thereunder, further provisions shall be made for the determination, in respect of the several employments affected, of such accumulated and unused sick leaves and vacation leaves and the amounts of the same, by reasonable and practicable methods therefor to be prescribed by the council of said city. Thereunder, *Such severance pay shall be excluded from retirement deductions and from any calculations in retirement benefits, and shall be paid over a period not to exceed five years from termination of employment.* The amount of such severance pay allowable or to become payable in respect of any such employment or to any such employee *after December 31, 1973, shall not be in excess of \$3,000, hereby established as the maximum authorized severance pay provision or payment in any such separate case. This section shall be retroactive to December 31, 1970 exceed \$4,000 .*

Sec. 2. Laws 1959, Chapter 690, Section 3, as amended by Laws 1961, Chapter 549, Section 1; Laws 1963, Chapter 729, Section 2; Laws 1965, Chapter 659, Section 1; Laws 1967, Chapter 488, Section 1; and Laws 1971, Chapter 599, Section 2, is amended to read:

Sec. 3. [ST. PAUL, CITY OF; EMPLOYEE'S SEVERANCE PAY.] Subdivision 1. The said city, for the purpose of providing moneys for the payment of its severance pay obligations under any such ordinance, hereby is authorized and empowered, by resolution of its council, in addition to all other powers possessed by said city and in addition to and in excess of any existing limitation upon the amount it is otherwise authorized by law to levy as taxes, to levy taxes annually not exceeding in any one year an amount equal to ~~50/100~~ *one-third* of one mill upon each dollar of the assessed valuation thereof, for city services other than public schools, upon all taxable property in said city, exclusive of moneys and credits, which taxes as levied shall be spread upon the tax rolls, and all collections thereof shall be paid into the treasury of said city, therein to be allocated therefor and to be disbursed and expended by said city in payment of any such city services other than public schools severance pay obligations and for no other purpose.

Subd. 2. The said city, for the purpose of providing moneys for the payment of its severance pay obligations under any such ordinance, hereby is authorized and empowered, by resolution of its council, in addition to all other powers possessed by said city and in addition to and in excess of any limitation upon the amount it is otherwise authorized by law to levy as taxes, to levy taxes annually not exceeding in any one year an amount equal to ~~40/100~~ of one mill upon each dollar of the assessed valuation thereof for public schools, upon all taxable property in said city, exclusive of moneys and credits, which taxes as levied shall be spread upon the tax rolls, and all collections thereof shall be paid into the treasury of said city, therein to be allocated therefor and to be

disbursed and expended by said city in payment of any such public school severance pay obligations and for no other purpose.

Subd. 3 2 . The disbursements and expenditures hereinbefore authorized in behalf of said city and the board of education of the city of St. Paul for payment of such city and board of education severance pay obligations hereunder shall not be deemed to constitute any part of the cost of said city's or board's government within the meaning of any statutory or charter limitation on said city's expenditures.

Sec. 3. Laws 1973, Chapter 691, Section 4, Subdivision 1, is amended to read:

Sec. 4. [ST. PAUL, CITY OF; OFFICERS' COMPENSATION.] Subdivision 1. Notwithstanding any provision of law or the St. Paul city charter to the contrary, the city of St. Paul shall have the power, from and after the effective date of this section, to fix in term and refix from time to time the compensation of all duly elected officers under its charter. Such compensation shall be fixed by ordinance passed upon in the manner provided for by the charter of the city of St. Paul, provided that no ordinance increasing compensation of elected officials may be passed during the last three months of any term of office. Except for the initial fixing of compensation authorized as provided herein, no subsequent fixing of compensation shall be prescribed to take effect during the term of office for which the elected officials shall have been elected. *The city of St. Paul is authorized to provide by ordinance passed upon in the manner provided for by the charter of the city of St. Paul that compensation of all duly elected officers under its charter may be increased by an amount not to exceed \$2,000, such ordinance to be enacted and to become effective prior to December 31, 1975.*

Sec. 4. Laws 1965, Chapter 705, is amended by adding a section to read:

Sec. 6. *The school board, for the purpose of providing moneys for the payment of its severance pay obligations under a plan approved by resolution of the district, in addition to all other powers possessed by the school district and in addition to and in excess of any existing limitation upon the amount it is otherwise authorized by law to levy as taxes, is authorized to levy taxes annually not exceeding in any one year an amount equal to two-tenths of one mill upon each dollar of the assessed valuation thereof upon all taxable property within the school district which taxes as levied shall be spread upon the tax rolls, and all corrections thereof shall be held by the school district, and allocated therefor to be disbursed and expended by the school district in payment of any public school severance pay obligations and for no other purpose. Disbursements and expenditures previously authorized on behalf of the school district for payment of severance pay obligations shall not be deemed to constitute any part of the cost of the operation and maintenance of the school district within the meaning of any statutory limitation of any school district expenditures.*

The amount of such severance pay allowable or to become payable in respect of any such employment or to any such employee shall not exceed \$4,000.

Sec. 5. Section 4 shall become effective only after approval by a majority of the governing body of Independent School District No. 625 and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Sec. 6. [SAINT PAUL, CITY OF; REZONING.] Whenever the governing body of the city of Saint Paul has adopted a new zoning ordinance or plan, the city may, notwithstanding the provisions of any statute, charter provision or ordinance, for a period of two years after the adoption thereof, alter the zoning of any lot or tract from such new zoning classification to a classification substantially equivalent to the previous zoning thereof or to any zoning classification, the degree of restriction of which would be intermediate between such new and previous classifications, without the consent of any property owner. The alterations authorized by this section shall be made only after a public hearing on such proposed change has been held by a committee of the governing body or by a designated agency of the city of which hearing written notice shall been mailed to the owner of the affected property and all the owners of real state within 350 feet of the affected property according to the records of the auditor of the county in which such property is situated and such alterations thereof adopted by the affirmative vote in favor thereof by $\frac{2}{3}$ of all of the members of the governing body of the city.

Sec. 7. The authority granted to the city of Saint Paul by this act is in addition to any other authority granted to the city.

Sec. 8. Sections 1 to 3 and sections 6 and 7 shall become effective only after its approval by a majority of the governing body of the city of Saint Paul, and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Further, strike the title and insert

"A bill for an act relating to the city of St. Paul and Independent School District No. 625; providing for the abolition of the power of the city to levy and raise taxes for the payment of severance pay obligations of the board of education of the city; providing for severance pay and the authority to levy and raise taxes for the payment of severance pay obligations of the school district board; amending certain provisions pertaining to the method of computing severance pay for city employees; providing for ordinance for increased limited compensation for officers; increasing the mill rate levy for payment of severance pay obligations of the city; authorizing the city to rezone lots or tracts of land in certain circumstances without the consent of landowners in the immediate vicinity; amending Laws 1959, Chapter 690, Sections 2, as amended, and 3, as amended; Laws 1965, Chapter 705, by adding a section; and Laws 1973, Chapter 691, Section 4, Subdivision 1."

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

House Conferees: (Signed) Bruce F. Vento, Walter R. Hanson, Richard J. Kostohryz.

Senate Conferees: (Signed) Joseph T. O'Neill, Robert D. North, Peter P. Stumpf.

Mr. O'Neill moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1518 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. 1518: A bill for an act relating to the city of St. Paul and Independent School District No. 625; providing for the abolition of the power of the city to levy and raise taxes for the payment of severance pay obligations of the board of education of the city; providing for severance pay and the authority to levy and raise taxes for the payment of severance pay obligations of the school district board; amending certain provisions pertaining to the method of computing severance pay for city employees; providing for ordinance for increase limited compensation for officers; increasing the mill rate levy for payment of severance pay obligations of the city; authorizing the city to rezone lots or tracts of land in certain circumstances without the consent of landowners in the immediate vicinity; amending Laws 1959, Chapter 690, Sections 2, as amended, and 3, as amended; Laws 1965, Chapter 705, by adding a section; and Laws 1973, Chapter 691, Section 4, 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 42 and nays 4, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Davies | Kowalczyk | O'Neill | Spear |
| Ashbach | Fitzsimons | Larson | Patton | Stokowski |
| Beng | Gearty | Laufenburger | Perpich, A. J. | Stumpf |
| Blatz | Hansen, Baldy | McCutcheon | Purfeerst | Tennessee |
| Borden | Hanson, R. | Merriam | Schaaf | Wegener |
| Chenoweth | Hughes | Nelson | Schmitz | Willet |
| Chmielewski | Humphrey | North | Schrom | |
| Coleman | Keefe, J. | Olhoft | Sillers | |
| Conzemius | Kirchner | Olson, H. D. | Solon | |

Messrs. Bang; Brown; Hansen, Mel and Pillsbury voted in the negative.

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 has adopted the recommendation and report of the Conference Committee on House File No. 533, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 533: A bill for an act relating to public welfare; Red Lake Indian reservation; state payments; amending Minnesota Statutes 1974, Chapter 256, by adding a section.

H. F. No. 533 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

CONFERENCE COMMITTEE REPORT ON H. F. NO. 533

A bill for an act relating to public welfare; Red Lake Indian reservation; state payments; amending Minnesota Statutes 1974, Chapter 256, by adding a section.

May 18, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 533 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 533 be amended as follows:

Page 2, line 7, strike "*the day following final*"

Page 2, line 8, strike "*enactment*" and insert "*July 1, 1975*"

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

House Conferees: (Signed) Douglas J. St. Onge, Donald B. Samuelson, Irvin N. Anderson.

Senate Conferees: (Signed) Gerald L. Willet, Roger D. Moe, Norbert Arnold.

Mr. Willet moved that the foregoing recommendations and Conference Committee Report on H. F. No. 533 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. 533: A bill for an act relating to public welfare; Red Lake Indian reservation; state payments; amending Minnesota Statutes 1974, Chapter 256, by adding a section.

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 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Frederick | Kleinbaum | O'Neill | Solon |
| Bang | Gearty | Kowalczyk | Patton | Spear |
| Berg | Hansen, Baldy | Larson | Perpich, A. J. | Stokowski |
| Blatz | Hansen, Mel | Laufenburger | Perpich, G. | Stampf |
| Brown | Hanson, R. | McCutcheon | Pillsbury | Tennessen |
| Chmielewski | Hughes | Merriam | Purfeerst | Ueland |
| Davies | Humphrey | Nelson | Schaaf | Wegener |
| Doty | Keefe, J. | North | Schmitz | Willet |
| Dunn | Keefe, S. | Olhoft | Schrom | |
| Fitzsimons | Kirchner | Olson, H. D. | Sillers | |

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 wishes to recall for the purpose of further consideration Senate File No. 869.

S. F. No. 869: A bill for an act relating to St. Louis county; providing for the disposition of the proceeds from the sale or rental of tax forfeited lands or from the sale of any products therefrom.

Edward A. Burdick, Chief Clerk, House of Representatives

May 19, 1975

Mr. Perpich, G. moved that the Senate accede to the request of the House for the recall of S. F. No. 869. The motion prevailed.

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. 638, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 638: A bill for an act relating to boxing; amending certain boxing commission rules; amending Minnesota Statutes 1974, Sections 341.04; 341.05, Subdivision 1; 341.10; and 341.11.

H. F. No. 638 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

CONFERENCE COMMITTEE REPORT ON H. F. NO. 638

A bill for an act relating to boxing; amending certain boxing commission rules; amending Minnesota Statutes 1974, Sections 341.04; 341.05, Subdivision 1; 341.10; and 341.11.

May 17, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 638 report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendments except the amendments to page 1, lines 15, 16, 17 and 18 and that the Senate recede from its amendments to page 1, lines 15, 16, 17 and 18.

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

House Conferees: (Signed) Harry A. Sieben, Jr., John S. Biersdorf, Leo J. Reding.

Senate Conferees: (Signed) Eugene E. Stokowski, Sam G. Solon, Lew W. Larson.

Mr. Stokowski moved that the foregoing recommendations and Conference Committee Report on H. F. No. 638 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. 638: A bill for an act relating to boxing; amending certain boxing commission rules; amending Minnesota Statutes 1974, Sections 341.04; 341.05, Subdivision 1; 341.10; and 341.11.

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 52 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Dunn | Kirchner | Olson, J. L. | Spear |
| Ashbach | Fitzsimons | Kleinbaum | O'Neill | Stassen |
| Bang | Frederick | Kowalczyk | Patton | Stokowski |
| Berg | Gearty | Larson | Perpich, A. J. | Stumpf |
| Blatz | Hansen, Baldy | Laufenburger | Perpich, G. | Tennessen |
| Borden | Hansen, Mel | McCutcheon | Pillsbury | Ueland |
| Brown | Hanson, R. | Merriam | Purfeerst | Wegener |
| Chmielewski | Hughes | Moe | Renneke | Willet |
| Coleman | Humphrey | Nelson | Schrom | |
| Davies | Josefson | North | Sillers | |
| Doby | Keefe, J. | Olhoft | Solon | |

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 has adopted the recommendation and report of the Conference Committee on House File No. 1160, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1160: A bill for an act relating to bicentennial projects; authorizing governmental units to furnish services, property and money in connection with bicentennial projects; validating prior expenditures.

H. F. No. 1160 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1160

A bill for an act relating to bicentennial projects; authorizing governmental units to furnish services, property and money in connection with bicentennial projects; validating prior expenditures.

May 17, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 1160 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. 1160 be amended as follows:

Page 2, line 6, strike "act" and insert "section"

Page 2, after line 7, insert

"Sec. 2. [MINNESOTA AMERICAN REVOLUTION BICENTENNIAL COMMISSION; CREATION.] Subdivision 1. [CREATION.] The Minnesota American revolution bicentennial commission shall consist of 40 members appointed by the governor, five members from each congressional district. Members of the legislature may be appointed to the commission. Members of the commission shall serve without compensation but shall be reimbursed for expenses in the same manner and amount as state employees.

Subd. 2. [CHAIRMAN; EXECUTIVE COMMITTEE; EMPLOYEES.] The commission shall elect from among its membership a chairman and other officers as necessary. The commission

may form an executive committee to expedite the conduct of its duties. It shall appoint and prescribe the duties of its employees as it deems advisable. All employees are in the unclassified service of the state.

Subd. 3. [DUTIES.] The commission shall plan, encourage, develop, coordinate, and implement an overall statewide program for Minnesota's observances and activities commemorating the historic events and activities associated with the American revolution, including voluntary participation by all cities, counties, and regions. The commission shall coordinate its efforts with those of the American revolution bicentennial commission and shall cooperate with that agency in the development of an effective national observance of the bicentennial. To carry out its responsibilities the commission may enter into necessary contracts, receive and expend applicable grants, extend grants to participating Minnesota governmental subdivisions, distribute bicentennial information to the general public, encourage, receive and utilize gifts of any type, provide for the creation and sale of bicentennial memorabilia and conduct and collect fees for regional bicentennial conferences.

Subd. 4. [APPROPRIATION.] The commission is the successor to the Minnesota American revolution bicentennial commission established by Executive Order No. 51, December 18, 1972. Upon completion of appointment of all the members of the commission, the unencumbered balances of the appropriations made to the governor for the benefit of the Minnesota bicentennial committee by Laws 1973, Chapter 720, Section 43, Subdivision 5, and to the governor for the benefit of the Minnesota American revolution bicentennial commission by Laws 1974, Chapter 355, Section 65, or by any other law shall be transferred and made available to the commission until the expiration of this act. Gifts and receipts from sales and conferences with respect to the commission's bicentennial functions are appropriated to the commission and shall remain available to the commission until the expiration of this act.

Subd. 5. [EFFECTIVE DATE.] This section is effective the day following final enactment and shall expire December 31, 1976."

Further amend the title as follows:

Page 1, line 2, delete "bicentennial projects" and insert "the American revolution bicentennial; creating a commission"

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

House Conferees: (Signed) M. J. McCauley, James Pehler, Maurice D. McCollar, Bernard J. Brinkman, Mike Jaros.

Senate Conferees: (Signed) Roger Laufenburger, Wayne Olhofft, Baldy Hansen, Mel Frederick, Lew W. Larson.

Mr. Laufenburger moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1160 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. 1160: A bill for an act relating to the American revolution bicentennial, creating a commission authorizing governmental units to furnish services, property and money in connection with bicentennial projects; validating prior expenditures.

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 56 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Doty | Kleinbaum | Olhoft | Solon |
| Arnold | Dunn | Knutson | Olson, H. D. | Spear |
| Ashbach | Fitzsimons | Kowalczyk | Olson, J. L. | Stassen |
| Bang | Frederick | Larson | O'Neill | Stokowski |
| Berg | Gearty | Laufenburger | Patton | Stumpf |
| Bernhagen | Hansen, Baldy | Lewis | Perpich, A. J. | Ueland |
| Blatz | Hanson, R. | McCutcheon | Perpich, G. | Wegener |
| Brataas | Hughes | Merriam | Pillsbury | Willet |
| Brown | Humphrey | Milton | Purfeerst | |
| Chmielewski | Josefson | Moe | Renneke | |
| Coleman | Keefe, S. | North | Schrom | |
| Davies | Kirchner | Ogdahl | Sillers | |

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 has adopted the recommendation and report of the Conference Committee on House File No. 787, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 787: A bill for an act relating to education; higher education coordinating commission; prescribing additional duties for the commission; authorization of reciprocity agreements; authorizing contracts with private colleges; providing for increasing scholarships and grants-in-aid; authorizing revenue bonds for student loans; appropriating money; amending Minnesota Statutes 1974, Sections 136A.04; 136A.05; 136A.08; 136A.101, Subdivision 4; 136A.121, Subdivision 3; 136A.171; 136A.20; 147.30, and 147.31.

H. F. No. 787 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 19, 1975

SUSPENSION OF RULES

Mr. Moe moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 787. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 787

A bill for an act relating to education; higher education coordinating commission; prescribing additional duties for the commission; authorization of reciprocity agreements; authorizing contracts with private colleges; providing for increasing scholarships and grants-in-aid; authorizing revenue bonds for student loans; appropriating money; amending Minnesota Statutes 1974, Sections 136A.04; 136A.05; 13A.08; 13A.101, Subdivision 4; 136A.121, Subdivision 3; 136A.171; 136A.20; 147.30; and 147.31.

May 19, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 787 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. 787 be amended as follows:

Page 5, line 7, delete "*sum of \$1,200,000*" and insert "*amounts necessary*"

Page 5, line 8, delete "*Any unexpended*"

Page 5, line 9, delete the entire line

Page 5, line 10, delete "*shall be available for the second year of the biennium.*"

Page 5, line 14, after the period insert "*All provisions in this subdivision pertaining to North Dakota shall also be applied to South Dakota and all authority and conditions granted for higher education reciprocity with North Dakota are also granted for higher education reciprocity with South Dakota.*"

Page 6, line 23, delete "*\$1,200*" and insert "*\$1,100*"

Page 6, line 30, delete "*\$1,200*" and insert "*\$1,100*"

Page 9, line 10, strike "without regard to the number"

Page 9, line 11, strike "of students previously enrolled"

Page 9, line 20, after "and" insert "*\$120,000 per year*"

Page 9, line 20, after "for" and before "loans" insert "*new*"

Page 9, line 21, strike ", for up to"

Page 9, line 22, strike "a maximum of"

Page 9, line 23, strike "20"

Page 9, line 23, strike "recipients"

Page 9, line 23, strike "*per year of the*"

Page 9, line 24, strike "biennium"

Page 10, line 12, delete "or school of osteopathy"

Page 10, line 17, after "commission." insert "*In selecting medical students priority shall be given to students enrolled in schools in Minnesota.*"

Page 10, line 26, strike "three years" and insert "*a period of 18 months for each initial or renewal period of the loan, or five years, whichever is less,*"

Page 11, line 2, strike "\$6,000" and insert "\$5,000"

Page 11, line 5, strike "\$24,000" and insert "\$20,000"

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

House Conferees: (Signed) Peter X. Fugina, Rodney Searle, Carl Kroening.

Senate Conferees: (Signed) Roger D. Moe, J. A. Josefson, Jack Davies.

Mr. Moe moved that the foregoing recommendations and Conference Committee Report on H. F. No. 787 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. 787: A bill for an act relating to education; higher education coordinating commission; prescribing additional duties for the commission; authorization of reciprocity agreements; authorizing contracts with private colleges; providing for increasing scholarships and grants-in-aid; authorizing revenue bonds for student loans; appropriating money; amending Minnesota Statutes 1974, Sections 136A.04; 136A.05; 136A.08; 136A.101, Subdivision 4; 136A.121, Subdivision 3; 136A.171; 136A.20; 147.30; and 147.31.

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 53 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Coleman | Keefe, J. | Nelson | Schrom |
| Arnold | Davies | Keefe, S. | North | Sillers |
| Ashbach | Dunn | Kirchner | Olhoft | Solon |
| Bang | Fitzsimons | Kleinbaum | Olson, H. D. | Spear |
| Berg | Frederick | Knutson | Olson, J. L. | Stassen |
| Bernhagen | Gearty | Kowalczyk | O'Neill | Stokowski |
| Blatz | Hansen, Baldy | Larson | Patton | Stumpf |
| Borden | Hansen, Mel | Laufenburger | Perpich, A. J. | Ueland |
| Brataas | Hanson, R. | McCutcheon | Perpich, G. | Willet |
| Brown | Hughes | Merriam | Pillsbury | |
| Chmielewski | Josefson | Moe | Purfeerst | |

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 has adopted the recommendation and report of the Conference Committee on House File No. 1526, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1526: A bill for an act relating to the city of Saint Paul; establishing the city's tax levy limits as that levy limit established by general and special state law; repealing Laws 1971, Chapter 762.

House File No. 1526 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 19, 1975

SUSPENSION OF RULES

Mr. McCutcheon moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 1526. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1526

A bill for an act relating to the city of Saint Paul; establishing the city's tax levy limits as that levy limit established by general and special state law; repealing Laws 1971, Chapter 762.

May 17, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 1526 report that we have agreed upon the items in dispute and recommend as follows:

Strike everything after the enacting clause and insert:

"Section 1. [CITY OF SAINT PAUL; TAX LIMITS.] Notwithstanding any provision of the charter of the city of Saint Paul to the contrary, the council of the city of Saint Paul is authorized to levy taxes for general city purposes in such amounts not to exceed the levy limits imposed by general and special state law.

Sec. 2. Laws 1974, Chapter 435, Section 1.0207, is amended to read:

Sec. 1.0207. [HEALTH.] (a) [ADDITION TO ST. PAUL-RAMSEY HOSPITAL; PLANNING.] Ramsey county may issue and sell general obligation bonds of the county in an amount not to exceed \$400,000 to plan and design an addition to St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority. The county shall pledge its full faith and credit and taxing powers for the payment of the bonds in accordance with Minnesota Statutes, Chapter 475, except that no election shall be required and these bonds shall not be included in computing the net debt of the county under any laws; and taxes required to be levied for the payment of the bonds shall not be subject to any limitation of rate or amount.

(b) [MORGUE.] (1) [DUTY TO PROVIDE.] Ramsey county shall provide and equip a public morgue at the county seat for the receipt and proper disposition of all dead bodies, which are by law subject to a postmortem or coroner's inquest, without charge to anyone.

(2) [MAINTENANCE.] The morgue shall be under the control of the county, be maintained in a suitable building, separate from any other business, and equipped with the best modern approved appliances for the handling and disposition of dead bodies. It may not be connected in any manner with an undertaking establishment; no person may be employed in or about the morgue who is in any manner connected with or interested in the undertaking business.

(c) [HEALTH DEPARTMENT.] (1) [HEALTH DEPARTMENT; PURPOSE.] It is the purpose of this subsection to provide enabling authority for Ramsey county to establish a comprehensive health department and to provide coordinated public and mental health services to the residents of Ramsey county. The term "department" means the comprehensive health department established in Ramsey county. This subsection is in addition to any statutory authority now existing for the establishment of a health department for Ramsey county.

(2) [CREATION OF DEPARTMENT.] Ramsey county may create a county health department which is under the supervision and control of the county board.

(3) [POWERS AND RESPONSIBILITIES.] (A) The responsibilities assigned to the department shall include but not be limited to all or some of the responsibilities as set forth in the following subparagraphs.

(B) The powers and duties vested in or imposed upon a local health board as provided in Minnesota Statutes 1969, Chapter 145, for the area of all of Ramsey county.

(C) The powers and duties imposed upon a board of county commissioners to employ public health nurses as provided in Minnesota Statutes 1969, Chapter 145.

(D) Health services for school children vested in or imposed upon a school district when the board of education of the school

district petitions the county to provide the services by contract or otherwise for its district.

(E) The powers and duties vested in or imposed upon the health officer of a city inside the county of Ramsey who has elected to maintain local registration of vital statistics and the powers and duties of the clerk of the district court of Ramsey county as local registrar of vital statistics.

(F) The county may authorize the health department to operate a mental health program and may utilize the authorities of the community mental health boards as set forth in Minnesota Statutes, Sections 245.61 to 245.68. When so authorized, the county board shall suffice to function in lieu of the community mental health board provided for in Minnesota Statutes, Section 245.66.

(G) Prepare and have published an annual report of the work of the health department.

(H) Recommend to the governing body of a governmental unit inside the county of Ramsey local legislation pertaining to public health.

(I) The department may be authorized to provide other health services as may be directed by the county board if the services are authorized by law to be provided by the county or by any agency or department thereof.

(J) The department may be authorized to buy services from other agencies, public or private, that are providing services consistent with health department purposes.

(K) The department may be authorized to establish fee schedules based on ability to pay for services rendered.

(L) The county shall have the authority to adopt and enforce regulations for the preservation of public health applicable to the whole or a part of the county, but no county regulation may supersede higher standards established by statute, the regulations of the state board of health, or provisions of the charter or ordinances of a municipality inside the county pertaining to the same subject. Nothing in this subparagraph shall prohibit a municipality from adopting ordinances or resolutions for the regulation of the public health setting higher standards than those of the state board of health, the county board, or state law.

(M) The health department shall cause all laws and regulations relating to public health to be obeyed and enforced inside its jurisdictional area.

(4) [FUNDING.] (A) The health department shall be operated and maintained from funds appropriated for and fees collected by the department together with the state, federal, and private grants that are made available to it or to any of the local governmental units in the county of Ramsey for health purposes.

(B) The county shall annually prepare and approve a budget of the department's proposed expenditures for the ensuing fiscal year.

(5) [TRANSFER OF FUNCTIONS.] Upon assignment by the county board of the responsibilities under paragraph (3), the powers and duties of a department, board, agency, governmental subdivision, or bureau whose powers and duties have been placed in the health department shall end and its records and personnel relating to the powers and duties are transferred to the health department.

(6) [PERSONNEL.] (A) [HEALTH OFFICER.] The county shall appoint a health officer who shall be designated the director of public health and who shall be responsible for the operation of the department. The county shall fix his salary.

(B) [QUALIFICATIONS OF HEALTH OFFICER.] The health officer must be a licensed physician experienced or trained in public health administration, or instead a person, other than a physician with training or experience in public health administration. If the appointee is not a physician, the county board shall provide, in addition, the services of a licensed physician that are necessary on either a part time or full time basis and provide reasonable compensation therefor. The director of the department shall select subordinate personnel subject to the approval of the county board.

(C) [EMPLOYEES.] (i) Each person transferred to the health department by this paragraph and each employee under a merit system governing public employees is considered to have qualified for a permanent position of similar class and grade in the classified civil service of Ramsey county, without reduction in pay or seniority, and without examination. Each other person so transferred who is a full time officer or employee shall take, within six months after the organization of the health department, and subject to civil service rules of Ramsey county, a noncompetitive, practical, qualifying examination. The qualifying examination may involve only the duties of the position occupied immediately prior to the organization of the health department or the position occupied on the date the examination is given, whichever examination the officer or employee elects to take. If a person taking the qualifying examination possesses the ability and capacity that enables him to perform the duties of the position for which he is examined, in a reasonably efficient manner, he shall be given a permanent civil service status in the Ramsey county civil service. A person who willfully refuses to take the examination when offered without reasonable excuse shall be removed from his position immediately. A person taking the examination who fails to pass shall be removed from his position at the end of 60 days after receipt of notice of failure to pass. A person required to take a qualifying examination shall not be laid off, suspended, discharged, or reduced in pay or position except in accordance with the provisions of laws applicable to members of the classified Ramsey county civil service having civil service status until he has completed the qualifying examination and has been notified of the result thereof.

(ii) A part time officer or employee of a department, board, agency, governmental subdivision or bureau whose powers and duties are placed in the health department may be transferred

upon the organization of the health department and may become officers or employees thereof.

(7) [RESOLUTION, APPROVAL.] No resolution adopted by the board of county commissioners of Ramsey county establishing a county health department is effective inside each of the following governmental units unless approved by the governing body of the particular unit, namely: city of Saint Paul; city of White Bear Lake; villages of Arden Hills, Blaine, Falcon Heights, Gem Lake, Little Canada, Lauderdale, Maplewood, Mounds View, New Brighton, North Oaks, North Saint Paul, Roseville, Saint Anthony, Shoreview, Spring Lake Park, Vadnais Heights; town of White Bear. The resolution is effective in a unit upon the approval of that unit's governing body.

(8) [COUNTY NURSING SERVICE.] The Ramsey county nursing service presently existing shall not be discontinued unless the discontinuance is approved by two-thirds of the governing bodies of the governmental units listed in paragraph (7) of this subsection.

(9) [PAYMENT FOR SERVICES.] No governmental unit listed in paragraph (7) shall pay for any services provided by this subsection until its governing body has approved the resolution as provided in paragraph (7).

(10) [CITY HEALTH DEPARTMENTS; FUNCTIONS.] None of the functions of the presently-existing city health departments in the county of Ramsey may be abandoned by the county health department without proper provision for the exercise of the function by some agency of government.

(d) [AMBULANCE SERVICE.] (1) [LIMITED TO REQUESTING MUNICIPALITIES.] If the county of Ramsey, or an agency or department thereof, establishes an emergency ambulance service, the cost of operating and maintaining the service shall be a charge only against the real and personal property located inside those villages, cities or towns inside the county which by resolution of its governing body request the service.

(2) [SERVICE CHARGE.] If an emergency ambulance service as provided under the above paragraph is provided in a village, city or town in which the real and personal property is not charged for the cost thereof, then a reasonable charge for the service shall be made of the benefited person.

(e) [PARAMEDICS.] (1) [DEFINITIONS.] As used in this article, "physician's trained mobile intensive care paramedic" means a person who:

(A) Is an employee of the county of Ramsey or the city of St. Paul;

(B) Has been specially trained in emergency cardiac and non-cardiac care by a licensed physician in a training program certified by the state board of health or the state board of medical examiners and is certified as qualified to render the emergency lifesaving services enumerated herein.

(2) The city of St. Paul and the county of Ramsey are hereby authorized to maintain a staff of physician's trained mobile intensive care paramedics.

(3) (A) Notwithstanding any other provision of law, physician's trained mobile intensive care paramedics may do any of the following:

(i) Regular rescue, first aid and resuscitation services;

(ii) During training may administer parenteral medications under the direct supervision of a licensed physician or a registered nurse;

(iii) Perform cardiopulmonary resuscitation and defibrillation in a pulseless, nonbreathing patient;

(iv) Administer intravenous saline or glucose solutions;

(v) Administer parenteral injections in any of the following classes of drugs:

(a) antiarrhythmic agents;

(b) vagolytic agents;

(c) chronotropic agents;

(d) analgesic agents;

(e) alkalinizing agents;

(f) vasopressor agents;

(g) diuretics;

(vi) Administer, perform and apply all other procedures, drugs and skills in which they have been trained and are certified to give, apply and dispense.

(B) But at all times before undertaking the actions authorized by clauses (iii), (iv), (v) and (vi), paramedics shall make and continue to make, during the course of an emergency, attempts to establish voice communications with and receive instructions from a licensed physician who has been associated with the dispensing of emergency cardiac and noncardiac medical care. Additionally, the paramedics shall make and continue to make, during the course of what they believe to be a cardiac emergency, attempts to telemeter to a licensed physician, who has been associated with the dispensing of cardiac medical care, and electrocardiogram of the person being treated.

(C) Nothing contained in this subsection shall be construed to change existing law as it relates to delegation by a licensed physician of acts, tasks or functions to persons other than physician's trained mobile intensive care paramedics.

(4) No licensed physician or registered nurse, who in good faith and in the exercise of reasonable care gives emergency instructions to a certified physician's trained mobile intensive care paramedic at the scene of an emergency, or while in transit to and

from the scene of such emergency, shall be liable for any civil damages as a result of issuing such instructions.

(5) No certified physician's trained mobile intensive care paramedic, who in good faith *and in the exercise of reasonable care* renders emergency lifesaving care and treatment as set forth in this subsection, shall be liable for any civil damages because of rendering such care and treatment.

(f) [AIR QUALITY.] (1) [APPROPRIATION]. Ramsey county may appropriate and spend money in each year for the improvement and preservation of the purity and quality of the air.

(2) [JOINT POWERS.] Ramsey county may enter into contractual agreements with another governmental unit, body or group of bodies inside or outside the county without regard to whether the other governmental unit, body or group of bodies be a unit of state, county or municipal government or a school district, authority, or special district to perform on behalf of that unit, body or group of bodies the improvement and preservation of the purity and quality of the air.

(3) [ORDINANCE.] Ramsey county may, by ordinance, enact and enforce rules and regulations controlling the purity and quality of the air. No regulation adopted by the county pursuant hereto is effective within a governmental unit until ratified by the governing body of the governmental unit affected.

Sec. 3. Laws 1974, Chapter 435, is amended by adding a section to read:

[1.02072] [PAYMENT FOR PARAMEDIC SERVICE.] *Subdivision 1. The governing body of the city of Saint Paul, in conjunction with the operation of its emergency or paramedic ambulance program, may impose reasonable charges for the emergency or paramedic ambulance services in order to finance its costs.*

Subd. 2. The following persons shall not be subject to such charges:

(i) *Any person who is eligible for or receiving public assistance under the aid to families with dependent children program, but is not eligible for any federally, state or locally funded public assistance program which would pay for such charges nor has medical, health or accident insurance policies which would pay for such charges; or*

(ii) *Any person who, except for the amount of income or resources, would qualify for aid to families with dependent children, is in need of medical assistance but is not eligible for any federally, state or locally funded public assistance program which would pay for such charges nor has medical, health or accident insurance policies which would pay for such charges; or*

(iii) *Any person over 18 years of age, in need of medical care that neither he nor his relatives responsible under Minnesota Statutes, Sections 256B.01 to 256B.26 are financially able to*

provide, is not eligible for any federally, state or locally funded public assistance program which would pay for such charges and has no medical, health or accident insurance policies which would pay for such charges.

Sec. 4. *The provisions of Laws 1974, Chapter 435, Section 1.0207(e) and sections 2 and 3 of this act shall also apply to the city of Maplewood.*

Sec. 5. Laws 1974, Chapter 435, Section 1.0209, is amended to read:

Sec. 1.0209 [HIGHWAYS.] (a) [POWER TO APPROPRIATE FOR SAINT PAUL STREETS.] (1) [APPROPRIATION.] Ramsey county may appropriate the reasonable sums of money that ~~it considers proper~~ *shall annually appropriate to the city of Saint Paul an amount of money to assist in the construction, improvement and maintenance of roads and streets, and bridges thereon, inside the limits of the city of Saint Paul where the roads and streets, and bridges thereon, connect with, and are extensions of, roads in the county outside of the city, but leading into the city. In no year shall the amount appropriated be less than \$1,300,000. The moneys so appropriated shall be paid to the city of St. Paul in two equal amounts, one to be paid by June 15, and one by November 15 of each year.*

(2) [CITY TO CONTROL EXPENDITURE.] Moneys so appropriated shall be spent under the direction of the city.

(b) [DUTY TO APPROPRIATE FOR MUNICIPAL STREETS.] (1) [FORMULA FOR APPROPRIATION.] Ramsey county shall appropriate \$60,000 annually and pay it to the municipalities in the county, outside the city of St. Paul, to aid the municipalities in the construction and maintenance of municipal roads, streets or bridges, and this appropriation shall be apportioned in the following manner:

(A) 70 percent to be prorated to the municipalities in proportion as the number of miles of roads inside, and maintained exclusively by each municipality bears to the total number of miles of roads inside the county and maintained exclusively by all the municipalities; and

(B) 30 percent thereof to the municipalities, proportionately, according to the assessed valuation of all property for taxation in the municipalities, and shall be spent on municipal roads, streets, or bridges by the governing body of each municipality.

(2) [CERTIFICATE.] On or before March 15 of each year, the county engineer shall certify the actual number of miles of roads inside and maintained exclusively by the municipalities outside the city of St. Paul. The mileage so certified shall not include undeveloped roads, even though the plat thereof may have been filed for record.

(c) [COUNTY MAY DO MUNICIPAL WORK.] (1) [MUNICIPAL AUTHORITY.] In Ramsey county, the governing body of a city, village or town therein may authorize the county

to construct and maintain any or all of its highways without advertising for bids.

(2) [COST, LIMITATION.] The construction that is referred to in the above paragraph is only to be performed as part of a maintenance job, and, the cost of the construction shall not exceed \$2,500 for a project.

(d) [LEXINGTON AVENUE; OLD TRUNK HIGHWAY NO. 10.] That part of Lexington avenue in Ramsey county from Larpenteur avenue to the northerly boundary of county road E and that part of county road E from Lexington avenue to trunk highway marked No. 51, are a part of the county state-aid system of highways. Minnesota Statutes, Section 161.082, applies to this section of highway.

Sec. 6. *Notwithstanding any provision of the charter of the city of Minneapolis or any other statute, the park and recreation board of the city of Minneapolis is authorized and empowered to issue bonds for the cost of acquiring a title to land for parks and parkways, and to borrow, from time to time, for such times as it shall think expedient, not exceeding 50 years, a sum of money the annual interest upon which for all the moneys so borrowed including the sums heretofore borrowed, shall not exceed \$50,000, and for that purpose shall have authority to issue bonds of the city of Minneapolis, to be denominated "park bonds," secured upon said parks and the improvements thereon; which bonds shall issue under the seal of said park and recreation board, and shall be signed by the president and secretary of said board, and countersigned by the comptroller of the city of Minneapolis, and shall bear interest not exceeding the legal rate allowed by statute for general obligation bonds. And in no case shall bonds be issued by said commissioners so that the bonded debt of the city shall exceed the limit fixed by law. It shall be the duty of the secretary of said park and recreation board and of the city comptroller to keep an accurate register of all bonds issued, showing the amount, number and date of each bond. And for the payment of the principal and interest of said bonds, and said parks and improvements thereon shall be irrevocably pledged with a first lien thereon, and the city of Minneapolis shall be irrevocably bound; provided, that all lands shall be first subject to the unpaid purchase price thereof; and said bonds may be sold by said park and recreation board, upon such terms and for such prices as in its judgment are the best that can be obtained for the same.*

Sec. 7. *The bonding authority granted by this act shall not be in addition to that authorized by chapter 16, section 5 of the charter of the city of Minneapolis or any other statute.*

Sec. 8. *Laws 1971, Chapter 762, is repealed.*

Sec. 9. [LOCAL APPROVAL.] *Subdivision 1. Sections 1 and 3 of this act shall become effective only after their approval by a majority of the governing body of the city of Saint Paul and upon compliance with Section 645.021.*

Subd. 2. *Section 4 of this act shall become effective only after*

the approval of a majority of the governing body of the city of Maplewood and upon compliance with Section 645.021."

Further, strike the title and insert:

"A bill for an act relating to Ramsey county; the cities of Maplewood and St. Paul in Ramsey county; and the city of Minneapolis in Hennepin county; establishing the St. Paul levy limit as that levy limit established by general and special state law; authorizing the cities of St. Paul and Maplewood to impose reasonable charges for emergency or paramedic ambulance services; authorizing the city of Maplewood to establish a physician's trained intensive care paramedic program; requiring payment to the city of St. Paul by Ramsey county for road maintenance; providing for payment of certain fines to municipalities in Ramsey county; authorizing the issuance of general obligation bonds by the city of Minneapolis for parks and parkways; amending Laws 1974, Chapter 435, Sections 1.0207; 1.0209, and by adding a section; and repealing Laws 1971, Chapter 762."

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

House Conferees: (Signed) Neil B. Dieterich, Walter R. Hanson, Richard J. Kostohryz.

Senate Conferees: (Signed) Bill McCutcheon, John Milton, Joseph T. O'Neill.

Mr. McCutcheon moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1526 be now adopted, and that the bill be repassed as amended by the Conference Committee.

Mr. Ueland moved that the Senate reject the Conference Committee Report on H. F. No. 1526 and the report be re-referred to the Conference Committee as formerly constituted for further consideration.

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

And the roll being called, there were yeas 19 and nays 34, as follows:

Those who voted in the affirmative were:

| | | | | |
|---------|-------------|-----------|-----------|---------|
| Ashbach | Brataas | Josefson | Nelson | Sillers |
| Bang | Brown | Kirchner | Patton | Stassen |
| Berg | Dunn | Knutson | Pillsbury | Ueland |
| Blatz | Hansen, Mel | Kowalczyk | Renneke | |

Those who voted in the negative were:

| | | | | |
|-----------|---------------|--------------|--------------|-----------|
| Anderson | Gearty | Laufenburger | Olson, A. G. | Spear |
| Arnold | Hansen, Baldy | Lewis | O'Neill | Stokowski |
| Borden | Hughes | McCutcheon | Perpich, G. | Stumpf |
| Chenoweth | Humphrey | Merriam | Purfeerst | Tennessen |
| Coleman | Keefe, S. | Milton | Schaaf | Wegener |
| Conzemius | Kleinbaum | North | Schrom | Willet |
| Davies | Larson | Olhoft | Solon | |

The motion did not prevail.

The question recurred on the motion of Mr. McCutcheon to adopt the recommendations and Conference Committee Report on H. F. No. 1526. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1526: A bill for an act relating to Ramsey county; the cities of Maplewood and St. Paul in Ramsey county; and the city of Minneapolis in Hennepin county; establishing the St. Paul levy limit as that levy limit established by general and special state law; authorizing the cities of St. Paul and Maplewood to impose reasonable charges for emergency or paramedic ambulance services; authorizing the city of Maplewood to establish a physician's trained intensive care paramedic program; requiring payment to the city of St. Paul by Ramsey county for road maintenance; providing for payment of certain fines to municipalities in Ramsey county; authorizing the issuance of general obligation bonds by the city of Minneapolis for parks and parkways; amending Laws 1974, Chapter 435, Sections 1.0207; 1.0209, and by adding a section; and repealing Laws 1971, Chapter 762.

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 35 and nays 25, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|---------------|--------------|----------------|-----------|
| Anderson | Gearly | Laufenburger | Olson, A. G. | Schrom |
| Arnold | Hansen, Baldy | Lewis | Olson, H. D. | Solon |
| Borden | Hughes | McCutcheon | O'Neill | Spear |
| Chenoweth | Humphrey | Merriam | Perpich, A. J. | Stokowski |
| Coleman | Keefe, S. | Milton | Perpich, G. | Stumpf |
| Conzemius | Kleinbaum | North | Purfeerst | Wegener |
| Doty | Larson | Olthoff | Schaaf | Willet |

Those who voted in the negative were:

| | | | | |
|---------|-------------|-------------|--------------|-----------|
| Ashbach | Brown | Hansen, Mel | Nelson | Renneke |
| Bang | Chmielewski | Josefson | Ogdahl | Sillers |
| Berg | Dunn | Keefe, J. | Olson, J. L. | Stassen |
| Blatz | Fitzsimons | Knutson | Patton | Tennessen |
| Brataas | Frederick | Kowalczyk | Pillsbury | Ueland |

So the bill, as amended by the Conference Committee, was repassed 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.

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. 943, pursuant to the request of the House:

Messrs. Merriam; Keefe, J. and Borden.

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

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. 1674, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1674: A bill for an act relating to taxation; providing state relief to homeowners and renters for extraordinary property tax burdens; prohibiting certain escrow arrangements for tax payments; requiring interest payment on money received for payment of real estate taxes and insurance coverage; increasing market value of homesteads eligible for lower rate of assessment; providing for a four year rotation for reassessment of real property with increases in assessed valuation to be made in equal increments over the four year period; increasing and changing the calculation of local government aid to be paid for extended period; distributing certain gross earnings taxes to local governments; redefining special levies; altering means of calculation of property tax levy limitations for governmental subdivisions; providing for increases in levy limit bases of governmental subdivisions; exempting certain governmental subdivisions from levy limits; providing for reimbursement by the state to taxing districts for tax reduction granted to certain property; increasing the taconite production tax; creating a northeast Minnesota economic development and environment council; creating a northeast Minnesota economic protection fund; imposing a surtax on taconite producers which fail to meet standards for disposal of waste; creating a budget protection fund to hold excess money from the general fund and providing for transfers of money from that fund; exempting federal income tax rebates from state income taxation; modifying duties of the tax study commission; requiring payment of interest by corporations on unpaid estimated taxes; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 270.16; 273.01; 273.011, Subdivision 6; 273.012, by adding a subdivision; 273.03, Subdivision 1; 273.061, by adding a subdivision; 273.08; 273.11, Subdivisions 1, 2 and 5, and by adding a subdivision; 273.121; 273.13, Subdivisions 6 and 7; 273.135, Subdivision 2; 273.17, Subdivision 1; 275.50, Subdivision 5; 275.51, Subdivisions 1 and 4, and by adding subdivisions; 275.52, by adding a subdivision; 275.53, Subdivision 3; 275.59; 276.01; 276.04; 294.26; 298.03; 298.24, Subdivision 1; 298.27; 298.28, Subdivisions 1 and 1a, and by adding a subdivision; 298.282, Subdivisions 1 and 2; 477A.01, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, and 16; Chapters 273, by adding sections; and 477A, by adding a section; and Laws 1973,

Chapter 601, Section 1, Subdivisions 2 and 8; repealing Minnesota Statutes 1974, Sections 273.11, Subdivision 3; 273.13, Subdivisions 14a, 15a, and 18; 275.51, Subdivisions 3 and 3a; 298.24, Subdivision 2; 298.241; 298.242; 298.281; 298.32; and 477A.01, Subdivision 13.

House File No. 1674 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 19, 1975

SUSPENSION OF RULES

Mr. Olson, A. G. moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 1674.

The question being taken on the adoption of the motion of Mr. Olson, A. G.,

And the roll being called, there were yeas 36 and nays 27, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|----------------|-------------|-----------|
| Anderson | Hansen, Baldy | Merriam | Perpich, G. | Stumpf |
| Arnold | Hughes | Milton | Purfeerst | Tennessen |
| Borden | Humphrey | Moe | Schaaf | Wegener |
| Chenoweth | Keefe, S. | North | Schmitz | Willet |
| Chmielewski | Kleinbaum | Olhoft | Schrom | |
| Coleman | Laufenburger | Olson, A. G. | Solon | |
| Davies | Lewis | Olson, H. D. | Spear | |
| Gearty | McCutcheon | Perpich, A. J. | Stokowski | |

Those who voted in the negative were:

| | | | | |
|-----------|-------------|-----------|-----------|---------|
| Ashbach | Brown | Jensen | Larson | Sillers |
| Bang | Dunn | Josefson | Nelson | Stassen |
| Berg | Fitzsimons | Keefe, J. | O'Neill | Ueland |
| Bernhagen | Frederick | Kirchner | Patton | |
| Blatz | Hansen, Mel | Knutson | Pillsbury | |
| Brataas | Hanson, R. | Kowalczyk | Renneke | |

The motion did not prevail.

Mr. Olson, A. G. moved that H. F. No. 1674 and the Conference Committee report thereon be laid on the table. The motion prevailed.

On the Order of Business of Motions and Resolutions, Mr. Coleman moved that H. F. No. 1519 be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 1519: A bill for an act relating to the city of St. Paul; providing for and authorizing issuance of general obligation bonds for capital improvement budget purposes; amending Laws 1971, Chapter 773, Section 1, as amended.

Mr. O'Neill moved to amend H. F. No. 1519, as amended pursuant to Rule 49, adopted by the Senate May 6, 1975, as follows:

Pages 3 and 4, strike sections 4 and 5

Renumber the sections in sequence

Amend the title as follows:

Page 1, strike lines 5, 6, and 7

Page 1, line 8, strike "council;"

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

Mr. Chenoweth moved to amend H. F. No. 1519, as amended pursuant to Rule 49, adopted by the Senate May 6, 1975, as follows:

Page 1, line 20, strike "\$7,600,000" and insert "\$6,500,000"

Page 1, line 21, strike "two" and re-insert "four"

Page 3, after line 6, insert:

"Sec. 2. Minnesota Statutes 1974, Section 15.50, Subdivision 3, is amended to read:

Subd. 3. The administrative and planning expenses of the commission shall be borne by the state. The expenses of the commission for competition premiums, land acquisition or improvement or any other capital expenditures in or upon properties owned or to be owned by the state shall be borne by the state. The expenses of any other public body for such expenditures shall be borne by the body concerned. The city of Saint Paul shall ~~hold~~ expend moneys currently in the city of Saint Paul Capitol Approach Improvement Fund established by Laws 1945, Chapter 315, and acts amendatory thereof ~~until such time as the legislature may require the commission to request these funds for planning and for development purposes in the capitol area upon the request of the commission~~. Upon such request by the commission, the city shall expend such funds in the manner and for the purposes specified by the request.

Page 3, line 16, after the period, insert "*Nothing herein shall affect the validity and enforceability of any bonds issued by the St. Paul port authority prior to the effective date of this section.*"

Page 4, line 4, after the period, insert "*Nothing herein shall affect the validity and enforceability of any bonds issued by the housing and redevelopment authority of the city of St. Paul prior to the effective date of this section.*"

Page 4, after line 13, insert:

"Sec. 6. Subdivision 1. Sections 1 to 3 of this act shall become effective only after the approval by a majority of the governing body of the city of St. Paul and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Subd. 2. Section 4 of this act shall become effective only after its approval by a majority of the governing body of the city of St. Paul and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Page 4, line 14, strike "Sec. 6." and insert "Subd. 3. Section 5 of"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4 after "purposes" insert "and for expending moneys for the capitol area"

Page 1, line 9, before the period, insert "; and Minnesota Statutes 1974, Section 15.50, Subdivision 3"

The motion prevailed. So the amendment was adopted.

H. F. No. 1519 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Fitzsimons | Keefe, S. | Olhoft | Sillers |
| Arnold | Frederick | Kleinbaum | Olson, H. D. | Solon |
| Ashbach | Gerty | Kowalczyk | O'Neill | Spear |
| Bang | Hansen, Baldy | Laufenburger | Patton | Stokowski |
| Blatz | Hanson, R. | McCutcheon | Perpich, A. J. | Stumpf |
| Borden | Hughes | Merriam | Perpich, G. | Ueland |
| Chenoweth | Humphrey | Milton | Purfeerst | Wegener |
| Chmielewski | Jensen | Moe | Renneke | Willet |
| Davies | Josefson | North | Schmitz | |
| Dunn | Keefe, J. | Ogdahl | Schrom | |

Those who voted in the negative were:

| | | | | |
|-----------|---------|--------|-----------|---------|
| Berg | Brataas | Nelson | Pillsbury | Stassen |
| Bernhagen | Knutson | | | |

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

On the Order of Business of Motions and Resolutions, Mr. Davies moved that the Senate revert to the Order of Business of Messages From the House. 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 and has accordingly discharged the present Conference Committee and appointed a new committee, consisting of five members, on the following House File:

H. F. No. 1743: A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, corrections ombudsman, various health related boards, public assistance programs, aid to dependent children, Minnesota supplemental assistance, and public relief.

There has been appointed as such committee on said bill on the part of the House:

Samuelson, Hanson, McCarron, Wieser and Norton.

House File No. 1743 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 May 19, 1975

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1743

We, the undersigned conferees and managers on the part of the Senate and House upon the disagreeing votes as to H. F. No. 1743, beg leave to report that we have conferred, considered and disagreed upon the items in dispute between the Senate and House and the said conferees and managers respectfully request that the committees be discharged.

Messrs. Samuelson, McCarron, Forsythe, Hanson and Corbid, conferees on the part of the House.

Messrs. Perpich, G.; Doty; Moe; Renneke and Olson, J. L., conferees on the part of the Senate.

Mr. Perpich, G. moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1743 be adopted and the present Conference Committee be discharged and a new conference committee be appointed. The motion prevailed.

RECESS

Mr. Davies 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. 1743, pursuant to the request of the House:

Messrs. Conzemius; Doty; Olson, J. L.; Kirchner and Tennesen.

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

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. 1456, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1456: A bill for an act relating to courts and particularly to courts in Ramsey county; providing for fees and charges; providing for changes in the office of the court commissioner, in the office of the public defender, and in the composition of law library trustees; amending Minnesota Statutes 1974, Sections 140.21; 140.24, Subdivision 1; 260.311, by adding a subdivision; 486.06; 489.04; and 508.74, Subdivision 2; repealing Laws 1923, Chapter 77, Section 10, as amended; and Laws 1969, Chapter 838, Sections 1 to 6, as amended.

House File No. 1456 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1456

A bill for an act relating to courts and particularly to courts in Ramsey county; providing for fees and charges; providing for changes in the office of the court commissioner, in the office of the public defender, and in the composition of law library trustees; amending Minnesota Statutes 1974, Sections 140.21; 140.24, Subdivision 1; 260.311, by adding a subdivision; 486.06; 489.04; and 508.74, Subdivision 2; repealing Laws 1923, Chapter 77, Section 10, as amended; and Laws 1969, Chapter 838, Sections 1 to 6, as amended.

May 17, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 1456 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. 1456 be amended as follows:

Page 3, delete lines 16 to 22

Page 4, delete lines 7 to 9 and insert "*(4) One member learned in the law appointed by the chief judge of the second judicial district.*"

Page 4, line 23, before "*When*" insert "*(a)*"

Page 4, line 24, delete "*shall appear*" and insert "*appears*"

Page 5, line 3, delete the semicolon and insert a period

Page 5, line 4, delete "*(4)*" and insert "*(b) The public defender*"

Page 5, line 4, after "*may*" insert "*also*"

Page 5, line 5, after "*Minnesota*" insert "*, if the client was*

represented by the Ramsey county public defender in the matter giving rise to the appellate relief being sought "

Page 5, after line 25, insert

"Sec. 8. Laws 1974, Chapter 435, is amended by adding a section to read:

Sec. 1.02064. [RAMSEY COUNTY.] Subdivision 1. [ADULT DETENTION CENTER; BONDS.] *The board of county commissioners of Ramsey county is authorized to sell general obligation bonds of the county in an amount not to exceed \$7,500,000 for the costs of construction, including land acquisition, architectural, and other professional fees, of an adult detention center.*

Subd. 2. [JUVENILE CENTER; BONDS.] *The board of county commissioners of Ramsey county is authorized to sell general obligation bonds of the county in an amount not to exceed \$3,700,000 for the costs of construction equipment and furnishings, including land acquisition, architectural, and other professional fees, of a juvenile center.*

Subd. 3. [FULL FAITH AND CREDIT; NO ELECTION.] *The full faith and credit and taxing powers of the county shall be pledged for the payment of such bonds and interest thereon, and they may be issued in one or more series and shall be secured in accordance with Minnesota Statutes, Chapter 475, except that no election shall be required.*

Subd. 4. [INTEREST ON BOND PROCEEDS.] *Any other law to the contrary notwithstanding, interest earned from the investment of proceeds of these obligations as the term is defined in Minnesota Statutes 1974, Section 475.51, Subdivision 3 are authorized to be used for remodeling the jail annex of the Ramsey county sheriff's office and, may, at the discretion of the governing body of Ramsey county, be used either to pay any costs payable from the proceeds from which the interest is derived or, if the proceeds are not held in a sinking fund account established for the obligations, to pay any costs payable from the sinking fund account; provided the use is consistent with the covenants made with the holders of the obligations to secure payment.*

Subd. 5. [REFERENDUM.] *The provisions contained in subdivision 1 or 2 and a decision by the board to sell bonds for either the adult detention center or the juvenile center shall not become operative if, within 30 days after the county board by resolution indicates its intention to sell the first series of bonds, under subdivision 1 or 2, there shall be filed with the auditor of Ramsey county a petition or petitions, signed by not less than 20 percent of the qualified voters of the county requesting that a referendum be held to determine the question of the issuance of bonds by the county. Each of the signers on a petition shall affix his signature and his permanent address to the petition, and the signer shall swear that he is a resident of Ramsey county and qualified to vote at a general election therein. Any petition or petitions demanding a referendum under this act shall refer to this act by its chapter number, title, the date of passage*

and its subject matter. If a petition or petitions containing not less than the minimum number of signatures as designated above, are filed and the signatures are genuine and the petition or petitions answer completely the requirements as set out in this subdivision, the board shall fix a time for the holding of a referendum, which shall be not less than 30 days and not more 180 days after the petition or petitions are filed and the signatures thereon are found to be genuine and sufficient by the board. The election shall be held at a time and at places within Ramsey county as the board shall designate.

In submitting the question to the voters in said referendum, there shall be used a ballot in the following form:

COUNTY BALLOT

For the issuance of not to exceed \$..... of bonds of Ramsey county and the expenditure of such sum in order to acquire land for, erect, equip and furnish a (adult detention center or juvenile center, as appropriate), according to the provisions of Laws 1975, Chapter..... (Chapter number of this act to be here inserted).

Yes.....

No.....

If a majority of the voters voting on the question submitted to the voters of Ramsey county shall vote in the affirmative, all sections of this act immediately preceding this section shall take effect and be in force immediately. A negative vote by the voters in a referendum on bonds for the adult detention center or juvenile center pursuant to this subdivision shall apply to the entirety of the bonds able to be sold for the adult detention center or juvenile center, as appropriate.

Subd. 6. [EFFECTIVE DATE.] This section shall take effect upon its approval by the board of county commissioners of Ramsey county, and upon compliance with Minnesota Statutes, Section 645.021."

Renumber the sections in sequence

Further strike the title and insert

"A bill for an act relating to courts in Ramsey county; providing for fees and charges; providing for changes in the office of the court commissioner, in the office of the public defender, and in the composition of law library trustees; authorizing the board of county commissioners of Ramsey county to issue general obligation bonds for the costs of construction, including land acquisition and fees in the construction of an adult detention center and a juvenile center; permitting use of interest earnings for remodeling the Ramsey county jail annex; amending Minnesota Statutes 1974, Sections 140.21; 140.24, Subdivision 1; 260.311, by adding a subdivision; 486.06; 489.04; Laws 1974, Chapter 435, by adding a section; repealing Laws 1923, Chapter

77, Section 10, as amended; and Laws 1969, Chapter 838, Sections 1 to 6, as amended."

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

House Conferees: (Signed) Neil B. Dieterich, Walter R. Hanson, Richard Kostohryz.

Senate Conferees: (Signed) Jerome Hughes, Robert North, Joseph O'Neill.

Mr. Hughes moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1456 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. 1456: A bill for an act relating to courts in Ramsey county; providing for fees and charges; providing for changes in the office of the court commissioner, in the office of the public defender, and in the composition of law library trustees; authorizing the board of county commissioners of Ramsey county to issue general obligation bonds for the costs of construction, including land acquisition and fees in the construction of an adult detention center and a juvenile center; permitting use of interest earnings for remodeling the Ramsey county jail annex; amending Minnesota Statutes 1974, Sections 140.21; 140.24, Subdivision 1; 260.311, by adding a subdivision; 486.06; 489.04; Laws 1974, Chapter 435, by adding a section; repealing Laws 1923, Chapter 77, Section 10, as amended; and Laws 1969, Chapter 838, Sections 1 to 6, as amended.

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 53 and nays 2, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Coleman | Jensen | Nelson | Schmitz |
| Arnold | Davies | Josefson | North | Schrom |
| Ashbach | Dunn | Keefe, J. | Ogdahl | Solon |
| Berg | Fitzsimons | Keefe, S. | Olhoft | Stassen |
| Bernhagen | Frederick | Knutson | Olson, A. G. | Stokowski |
| Blatz | Gearty | Kowalczyk | O'Neill | Stumpf |
| Borden | Hansen, Baldy | Laufenburger | Patton | Ueland |
| Brataas | Hansen, Mel | McCutcheon | Perpich, A. J. | Wegener |
| Brown | Hanson, R. | Merriam | Perpich, G. | Willet |
| Chenoweth | Hughes | Milton | Pillsbury | |
| Chmielewski | Humphrey | Moe | Renneke | |

Messrs. Schaaf and Spear voted in the negative.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Anderson moved that H. F. No. 1241 be taken from the table. The motion prevailed.

H. F. No. 1241: A bill for an act relating to natural resources; creating the natural resource land fund and authorizing the issuance of state bonds to provide money for appropriation from the fund for acquisition and betterment of public lands and interests in land needed for natural resource programs for which the commissioner of natural resources and the metropolitan council are responsible, including the provision of funds sufficient for the payment and redemption of outstanding bonds issued by the council for this purpose; appropriating money from the fund for this purpose; requiring the approval of the board of county commissioners for land in the county the department of natural resources proposes to acquire; appropriating money from the general fund for payment of bonds.

Mr. Anderson moved to amend H. F. No. 1241 as follows:

Strike everything after the enacting clause and insert:

"Section 1. [APPROPRIATION FOR LAND ACQUISITION.] Subdivision 1. There is appropriated from the general fund in the state treasury to the commissioner of natural resources, except as otherwise indicated, the sums of money set forth in this section, for the acquisition of outdoor recreation lands and other purposes as more specifically described in subdivisions 2 to 8, to be available for the biennium ending June 30, 1977.

All acquisition shall be in accordance with the policies established in the outdoor recreation act of 1975, if enacted. Lands acquired for a unit of the outdoor recreation system shall be suited to accomplish the purposes for which the unit is established and suited to be managed in accordance with the management principles applicable to the unit. Lands shall be acquired by the commissioner of administration for the commissioner of natural resources where provided by law.

| | |
|----------------------|---------------|
| [TOTAL APPROPRIATED: | \$15,000,000] |
|----------------------|---------------|

| | |
|---|--------------|
| Subd. 2. State parks and recreation areas, as listed and described in sections 85.012 and 85.013. | \$ 7,000,000 |
|---|--------------|

First priority for acquisition shall be given to land within existing statutory boundaries where the property is needed for immediate development in order to accomplish the purposes for which the unit is authorized, or where the anticipated use of the property is incompatible with the purposes for which the unit is authorized, or where the market value of comparable property in the vicinity of the property to be acquired has risen more than ten percent in each of the previous two years.

| | |
|--|-----------|
| Subd. 3. State trails, as listed and described in section 85.015 | 1,000,000 |
|--|-----------|

Subd. 4. State forests, as listed and described in section 85.021 \$2,000,000

Priority shall first be given to acquiring the remaining lands in Sand Dunes state forest and then to lands particularly suited for use as state forest campgrounds or day use areas and to lands within state forests that possess outstanding natural or scenic values, forest growth, lake or river shoreland, or rare and distinctive species of flora and fauna native to the area, that should be preserved for the benefit of the public.

Subd. 5. Fishing management lands, comprising lands and riparian rights and other interests therein needed for management of waters for primary wildlife use and benefit and for access to fishing waters pursuant to section 97.48, subdivisions 8, 11 and 15. 1,000,000

Subd. 6. State wildlife management areas, acquired pursuant to section 97.48, subdivision 13; and 97.481 2,750,000

Acquisition shall be limited to wildlife lands and waters that are of high priority because they are critical to the functioning of a unit already in public ownership, or are threatened with development that is incompatible with preservation of the area for wildlife management, or the market value of comparable property in the vicinity of the property to be acquired has risen more than ten percent in each of the previous two years, and that can be acquired from a willing seller.

None of this appropriation shall be encumbered or expended for the purchase of wildlife management areas until 60 days after the commissioner of natural resources has submitted to the legislature in the manner provided in section 3.195 a long-range plan of acquisition of wildlife management areas. The plan shall list each parcel proposed for acquisition, showing its general location, its approximate acreage, and the estimated cost of acquisition. The list shall be ranked in order of priority and shall be divided into parcels that are 1) critical, 2) highly desirable but not critical, and 3) those eventually to be acquired. The division shall be made so that approximately one-third of the total estimated cost of acquisition is allocated to each category.

This appropriation shall be available to acquire only those parcels included in the "critical" category.

Subd. 7. Wetlands outside of designated wildlife management areas 750,000

This appropriation is available primarily for the acquisition of conservation restrictions, perpetual easements, and long-term leases. No more than half may be spent for acquisition of fee title. First priority shall be given to acquisition of wetland areas for which an application for a permit to drain pursuant to section 105.42 has been denied.

Subd. 8. Wild, scenic, and recreational rivers, designated pursuant to sections 104.25 to 104.40, and canoe and boating routes, portages, and camp sites, as listed and described in section 85.32 \$500,000

Subd. 9. Of the amounts appropriated by this section, not more than \$2,250,000 may be expended by the commissioners of administration and natural resources for professional services.

Sec. 2. [APPROPRIATION AND BONDS FOR METROPOLITAN PARKS.] Subdivision 1. [APPROPRIATION.] The sum of \$20,000,000 or so much thereof as is determined to be needed for application in accordance with the provisions of this section, is appropriated from the Minnesota state building fund to the commissioner of natural resources for grants to pay the cost of the acquisition and betterment by the metropolitan council and local government units of regional recreation open space in accordance with the council's policy plan, as provided in Laws 1975, Chapter 13, Sections 10, 43 to 51, and 147, by which Minnesota Statutes 1974, Chapter 473G, was repealed and substantially reenacted, and has continued in active operation under the provisions of Minnesota Statutes, Section 645.37. The metropolitan council may establish and enter into an agreement for the investment and administration of an escrow fund in the manner provided in Minnesota Statutes, Section 475.67, Subdivisions 5 to 10, sufficient and irrevocably appropriated for the payment and redemption, with interest and redemption premiums, if any, of all outstanding bonds issued by the council on or before April 1, 1975, for the purpose for which funds are appropriated in this section. From the funds herein appropriated the commissioner may grant to the council the sum required for the establishment of the escrow fund. The remaining amount herein appropriated may be granted by the commissioner to the council and to local government units for direct application in the manner and upon the conditions set forth in Laws 1975, Section 47. Such grants, together with the proceeds of the council's bonds, shall be available for payment of relocation costs and tax equivalents required in Laws 1975, Sections 47 and 51.

Subd. 2. [BOND SALE.] To provide the money appropriated in subdivision 1 the commissioner of finance upon request of the governor shall sell and issue bonds of the state in the amount of \$20,000,000 in the manner and upon the terms prescribed by Minnesota Statutes, Sections 16A.63 to 16A.67 and by the Constitution, Article XI, Sections 4 to 7. The proceeds of the bonds

are appropriated to the Minnesota state building fund except as otherwise provided in Minnesota Statutes, Section 16A.64.

Subd. 3. [DEBT SERVICE.] There is annually appropriated from the general fund in the state treasury to the Minnesota state building bond account in the state bond fund an amount sufficient to pay principal and interest coming due on bonds authorized by subdivision 2, in the amount and manner specified in Minnesota Statutes, Section 16A.64, Subdivision 5.

Sec. 3. This act is effective July 1, 1975"

Strike the title and insert:

"A bill for an act relating to outdoor recreation; appropriating money for acquisition of parks, trails, wildlife lands and for other purposes; authorizing sale of bonds."

The motion prevailed. So the amendment was adopted.

H. F. No. 1241: A bill for an act relating to natural resources; creating the natural resource land fund and authorizing the issuance of state bonds to provide money for appropriation from the fund for acquisition and betterment of public lands and interests in land needed for natural resource programs for which the commissioner of natural resources and the metropolitan council are responsible, including the provision of funds sufficient for the payment and redemption of outstanding bonds issued by the council for this purpose; appropriating money from the fund for this purpose; requiring the approval of the board of county commissioners for land in the county the department of natural resources proposes to acquire; appropriating money from the general fund for payment of bonds.

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 54 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Doty | Josefson | Nelson | Schaaf |
| Arnold | Dunn | Keefe, J. | North | Schmitz |
| Ashbach | Fitzsimons | Keefe, S. | Ogdahl | Solon |
| Berg | Frederick | Kleinbaum | Olhoft | Spear |
| Bernhagen | Gearty | Knutson | Olson, A. G. | Stassen |
| Blatz | Hansen, Baldy | Kowalczyk | O'Neill | Stokowski |
| Borden | Hansen, Mel | Larson | Patton | Stumpf |
| Brataas | Hanson, R. | Laufenburger | Perpich, A. J. | Tennessee |
| Chenoweth | Hughes | Merriam | Pillsbury | Ueland |
| Chmielewski | Humphrey | Milton | Purfeerst | Wegener |
| Davies | Jensen | Moe | Renneke | |

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

RECESS

Mr. Davies moved the Senate recess subject to the call of the President.

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

SUSPENSION OF RULES

Mr. Coleman moved that Joint Rule 13 be suspended as to the printing requirements for the following Conference Committee reports:

H. F. No. 1758, H. F. No. 1674, H. F. No. 1722 and H. F. No. 1798. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. North moved that H. F. No. 398 be taken from the table. The motion prevailed.

H. F. No. 398: A bill for an act relating to the pollution control agency; authorizing the issuance of bonds; appropriating money; amending Minnesota Statutes 1974, Section 116.18, Subdivisions 1 and 4.

Mr. North moved to amend H. F. No. 398 as follows:

Page 1, line 11, strike "\$142,000,000" and insert "\$95,000,000"

Page 3, strike line 8

Page 3, line 9, strike "fund for this purpose,"

Page 3, line 12, strike "\$142,000,000" and insert "\$84,000,000"

Page 3, after line 24, insert:

Sec. 3. [REPORT TO LEGISLATURE.] *The pollution control agency shall submit a report to the legislature by January 1, 1976, outlining alternative methods of providing revenues for the Minnesota state water pollution control fund. The report shall also contain an evaluation of the procedures and priorities established in implementing this program, including consideration of per capita costs of proposed projects, financial capability of the community and an equitable geographic distribution of state grants and loans.*

Sec. 4. [APPROPRIATION FROM GENERAL FUND; REIMBURSEMENT.] *The sum of \$11,000,000, or so much thereof as may be necessary, is appropriated from the general fund to the Minnesota state water pollution control fund, for the purpose of providing money appropriated in Minnesota Statutes, Section 116.18, Subdivision 1 for expenditure from that fund for the purpose therein stated, provided that no amount shall be credited at any time to the water pollution control fund, pursuant to this appropriation, which would cause the balance then on hand in the fund to exceed the aggregate amount of grants approved and not theretofore disbursed by the pollution control agency, as certified by its director. This appropriation is available and shall be obligated prior to the sale of the additional bonds authorized by this act."*

The motion prevailed. So the amendment was adopted.

H. F. No. 398 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 58 and nays 5, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Dunn | Keefe, S. | Nelson | Renneke |
| Arnold | Fitzsimons | Kirchner | North | SchAAF |
| Ashbach | Frederick | Kleinbaum | Ogdahl | Schmitz |
| Blatz | Gearty | Knutson | Olhoft | Stassen |
| Borden | Hansen, Baldy | Kowalczyk | Olson, A. G. | Stokowski |
| Brataas | Hansen, Mel | Larson | Olson, H. D. | Stumpf |
| Brown | Hanson, R. | Laufenburger | O'Neill | Tennessen |
| Chenoweth | Hughes | Lewis | Patton | Ueland |
| Chmielewski | Humphrey | McCutcheon | Perpich, A. J. | Wegener |
| Conzemius | Jensen | Merriam | Perpich, G. | Willet |
| Davies | Josefson | Milton | Pillsbury | |
| Doty | Keefe, J. | Moe | Purfeerst | |

Messrs. Bang, Berg, Bernhagen, Olson, J. L., and Sillers voted in the negative.

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

Mr. Davies moved that H. F. No. 1758 and the Conference Committee report thereon be taken from the table. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1758

A bill for an act relating to the organization and operation of state government; imposing regulations for community college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, community colleges, higher education coordinating commission, and moneys for medical education.

May 17, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 1758 report that we have agreed upon the items in dispute and recommend as follows: The Senate recede from its amendments to H. F. No. 1758 and that the bill be amended by striking all matter after the enacting clause and in lieu thereof substituting the following:

"Section 1. EDUCATIONAL PURPOSES, APPROPRIATIONS. Except as herein otherwise provided, the sums hereinafter set forth in the columns designated "APPROPRIATIONS", or

so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury or any other fund herein designated for the purposes specified in the following sections of this act, to be available for the fiscal year indicated for each purpose. The figures "1976", and "1977" wherever used in this act, shall mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1976, and 1977 respectively.

APPROPRIATIONS

Available for the Year

Ending June 30,

1976

1977

\$

\$

Sec. 2. DEPARTMENT OF EDUCATION

Subdivision 1. General Academic and Related Services. . .

1,909,586

1,475,910

(1) Salaries, supplies, and expenses

\$1,859,586 \$1,475,910

(2) Claims, grants, and shared revenue

\$50,000

Of the amount provided by this subdivision, \$14,100 each year is appropriated from the trunk highway fund.

The department shall direct the section on education professions development to determine the extent to which programs of teacher education in this state search for and communicate sound educational techniques to students of education. The department shall report by February 1, 1976 to the committee on finance of the senate and appropriations committee of the house on the plan devised to implement this provision and the progress made to that time.

Provided that notwithstanding the provisions of Minnesota Statutes, Sections 121.26 and 125.08 to the contrary, the fee for registering with the teachers

| | 1976 | 1977 |
|--|-----------|-----------|
| | \$ | \$ |
| employment bureau shall not be less than \$10, and the fee for a certificate to teach or for a renewal or extension of certificate to teach shall not be less than \$10. | | |
| Subd. 2. Vocational Technical Instruction and Related Services | 557,160 | 563,969 |
| (1) Salaries, supplies, and expenses | | |
| \$ 557,160 \$ 563,969 | | |
| Subd. 3. Special and Compensatory Instruction and Related Services | 761,691 | 767,370 |
| (1) Salaries, supplies, and expenses | | |
| \$ 361,691 \$ 367,370 | | |
| (2) Claims, grants, and shared revenue | | |
| (a) Indian scholarships | | |
| \$ 400,000 \$ 400,000 | | |
| Any unexpended balance remaining in (a) in the first year shall not cancel but shall be available for the second year of the biennium. | | |
| Subd. 4. Education Planning, Innovative Developmental and Evaluative Services | 702,627 | 704,296 |
| (1) Salaries, supplies, and expenses | | |
| \$ 181,517 \$ 183,186 | | |
| (2) Claims, grants, and shared revenue | | |
| \$ 521,110 \$ 521,110 | | |
| Subd. 5. School Management and Services | 1,917,952 | 1,921,224 |
| (1) Salaries, supplies, and expenses | | |
| \$ 424,740 \$ 430,440 | | |

| | 1976 | 1977 |
|--|-----------|-----------|
| | \$ | \$ |
| (2) Claims, grants, and shared revenue | | |
| \$1,493,212 \$1,490,784 | | |
| Of the amount provided in (2) of this subdivision, so much thereof as is necessary shall be used for the type "A" lunch program to be distributed under standards established by the state board of education. | | |
| Subd. 6. Auxiliary and General Support Services | 4,002,225 | 4,067,474 |
| (1) Salaries, supplies, and expenses | | |
| \$1,776,225 \$1,847,474 | | |
| (2) Claims, grants, and shared revenue | | |
| \$2,226,000 \$2,220,000 | | |

There is established in the state treasury a Minnesota educational computing consortium account. There is hereby appropriated from the general fund to the Minnesota educational computing consortium account the sum of \$150,000. The department shall charge MECC users for on-line computer time actually used, such receipts shall be deposited in the Minnesota educational computing consortium account, and are hereby reappropriated to the Minnesota educational computing consortium.

The department of education in consultation with MECC shall submit to the chairman of house appropriations and the chairman of senate finance no later than July 15 and December 31 of each year a progress report, proposed plans, and expenditures.

Any unexpended balance remaining in (2) in the first year

| | 1976 | 1977 |
|--|-----------|-----------|
| | \$ | \$ |
| shall not cancel but shall be available for the second year of the biennium. | | |
| Subd. 7. Public Library Services | 2,200,000 | 2,300,000 |
| (1) Salaries, supplies, and expenses | | |
| \$ 314,021 \$ 328,271 | | |
| (2) Claims, grants, and shared revenue | | |
| \$1,885,979 \$1,971,729 | | |

Any unexpended balance remaining in (2) in the first year shall not cancel but shall be available for the second year of the biennium.

These funds may be granted for the improvement of library services at welfare and corrections institution libraries and for library services to the blind and physically handicapped. These funds shall not exceed in either year the amount provided for fiscal year 1974.

A public library is a public library serving 20,000 or more persons or serving less than 20,000 persons with the approval of the commissioner of education and receiving annually from public funds financial support of at least one third of a mill on the assessed valuation of the taxable property in the area served by the library.

To qualify for the state library grant herein authorized, local levies for libraries shall not be less than the library levies in effect January 1, 1975. All of the above funds are limited to operating purposes only.

Applications for financial assistance shall contain such information as the department

1976

1977

\$

\$

requires including descriptions of areas served by the applicant and the number and distribution of persons residing therein; the local plan of the applicant for promoting library service in the areas it serves and an estimate of the financial assistance to put such a plan in effect, and a statement of the ability of local government within the area served by the applicant to finance operations out of public funds raised by local taxes. Financial assistance shall be granted to an eligible applicant proposing an economical and practical plan for the promotion of library service in the area in such amount and subject to such conditions as the department determines after considering the information contained in the application for assistance and the total amount of state and federal funds available for the promotion of library service in the state.

Provided that no state funds shall be used for construction of library facilities.

Subd. 8. Statewide Educational Assessment

250,000

The amount appropriated to the statewide assessment program shall be available only for fiscal year 1976; it shall be used to complete the analysis, reporting, and dissemination of the mathematics assessment data collected during fiscal year 1975, to complete the dissemination phase of the reading assessment data collected in fiscal year 1974, and to fulfill any departmental obligations incurred through contracts with school districts for ex-

| | 1976 | 1977 |
|--|-----------|-----------|
| | \$ | \$ |
| tended local assessment activities on a cost-sharing basis. Insofar as practical, the department shall make available to school districts, upon their request and at a reasonable cost assessment instruments and normative data for the districts' own use. | | |
| Subd. 9. Vocational Rehabilitation | 3,070,679 | 3,617,303 |
| (1) Salaries, supplies and expenses and counseling and care of persons | | |
| \$1,550,425 \$1,689,486 | | |
| (2) Claims, grants, and shared revenues | | |
| \$ 420,205 \$ 527,817 | | |
| (3) Long-term sheltered workshop and work activity | | |
| \$1,100,000 \$1,400,000 | | |

Any unexpended balance remaining in (3) in the first year shall not cancel but shall be available for the second year of the biennium.

Any additional federal funds which become available to the state of Minnesota after April 1 of any fiscal year as a result of a reallocation of funds returned by other states or release of additional funds may be carried over and expended in the next fiscal year. The state of Minnesota shall have earned these funds in the year they are received with state expenditures in accordance with the federal-state formula in effect for that year.

The state department of education may expend funds received from school districts, governmental subdivisions, mental health authorities, and private

| | 1976 | 1977 |
|--|------|------|
| | \$ | \$ |
| <p>nonprofit organizations for the purpose of conducting joint or cooperative vocational rehabilitation programs, and such funds are hereby appropriated for these purposes.</p> | | |

None of the amounts appropriated in subdivisions 3, 4, 5, 6, 7, and 9 listed as claims, grants and shared revenues or long term sheltered workshops on the official worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration, shall be transferred to any other expenditure category other than that for which it was appropriated.

The number of state funded positions shall not exceed the number shown on official worksheets.

Sec. 3. STATE COLLEGE BOARD

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|--|------------|------------|
| Subdivision 1. Maintenance and Equipment | 53,186,577 | 54,340,889 |
|--|------------|------------|

The amounts appropriated in subdivisions 1 and 2 include a sum in each year for recruitment of unclassified staff. Candidates for positions in the state college board central office or in a state college who have been invited by the state college board for interview, may be reimbursed for travel and subsistence expenses in the same manner and amounts as state employees. This reimbursement may be made from college imprest cash funds.

In developing new programs with the funds provided herein the state colleges shall, wherever appropriate and educa-

| | 1976 | 1977 |
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| | \$ | \$ |
| tionally sound, attempt to employ excess faculty resulting from declining or shifting enrollments. | | |
| Subd. 2. Metropolitan State College | 1,137,613 | 1,268,569 |

The above amount shall be used by the state college board for operating an educational program for a state college center as organized in the seven county metropolitan area. The center may operate in facilities acquired through the commissioner of administration by gift or lease. The faculty and staff of the state college system shall provide assistance in developing curricular and educational programs for the college.

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| Subd. 3. State College Board Contingent | 750,000 |
|---|---------|

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

In event the enrollment of full time equivalent students enrolled exceeds the budget estimates of 30,754 full time equivalents the first year and 30,777 full time equivalents the second year of the biennium for the total state college system, it is the intent of the legislature to provide additional teaching positions at a ratio of one position for each 19 full time equivalent undergraduate students, and one position for each 13 graduate students in excess of the biennial budget enrollment estimates for each year of the biennium.

It is the intent of the legisla-

| | 1976 | 1977 |
|---|-----------|---------|
| | \$ | \$ |
| <p>ture that any salary adjustments or other payments mandated by court action, a qualified administrative agency, or because of settlement of litigation in process be financed from the contingent fund.</p> <p>The above appropriation is to be expended with the approval of the governor after consultation with the legislative advisory committee as provided by Minnesota Statutes, Section 3.30.</p> | | |
| Subd. 4. Student Loans — State Matching | 175,000 | 175,000 |
| <p>The above appropriation shall be used as state's matching share for any federal student aid or loan program.</p> <p>Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. No portion of the appropriation shall be used to defray obligations incurred prior to July 1, 1975.</p> | | |
| Subd. 5. General Research .. | 25,000 | 25,000 |
| <p>None of this appropriation shall be allotted or encumbered until a research project has been approved by the state college board. Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.</p> | | |
| Subd. 6. Repairs and Betterments | 1,456,000 | |
| <p>Any unexpended balance remaining in the first year shall not cancel but will be available for the second year of the biennium.</p> <p>All receipts of every kind, in-</p> | | |

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cluding but not limited to students' tuition and fees, federal receipts, aids, contributions, and reimbursements in all state colleges are reappropriated to the state college board, but subject to budgetary control by the commissioner of administration, except the following receipts not subject to budgetary control by the commissioner of administration:

(a) those attributed to dormitory functions handled under Minnesota Statutes, Sections 136.31 to 136.38, and

(b) those attributable to college activity funds (including, for example, receipts from vending machines in buildings other than dormitories and student unions), and

(c) those attributable to grants for special projects, institutes, and similar activities subject to Minnesota Statutes, Sections 136.143 and 136.144.

A report shall be submitted to the 70th session of the legislature as to the use of all such excepted funds.

The state college board is hereby authorized to transfer funds within the various college operating accounts of the maintenance and equipment appropriation account after the close of a fiscal year; provided such transfers are in accordance with Minnesota Statutes, Chapter 16A.

Grants awarded to the state college system by any state agency shall be transferred to the account(s) of the state college board. Such transfers shall be by journal voucher or a request for transfer of funds

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as deemed most appropriate by the commissioner of finance.

During the 1975-77 biennium, the state college board shall identify nonacademic unclassified positions in the state college system for transfer to the classified state service. Persons in employee status in such positions at the time of transfer shall be transferred with their consent into the classified service of the state without competitive examination, and shall be placed in the proper classifications by the commissioner of personnel, provided, however, that the salary of any present incumbent shall not be reduced because the range maximum is lower than his or her present salary. Personnel occupying positions transferred may continue in the retirement programs in which they currently participate. Employees who have been employed by the colleges more than one year shall be granted permanent status; those employees with less than one year of service will be placed on probationary status. The above provisions shall be effective notwithstanding any other provisions of law to the contrary.

Notwithstanding any other law to the contrary, reimbursements are appropriated for use during the fiscal year in which they are received.

Notwithstanding the provisions of any law to the contrary, Minnesota metropolitan state college is authorized to deposit tuition receipts received during the final quarter of each fiscal year in a suspense account. The balance in such an account

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shall not cancel on June 30 but shall be available in the next fiscal year.

The state college board may allocate, not to exceed \$3,000 annually, to each college president and the office of the chancellor for miscellaneous expenses in connection with the state college system. The provisions of Minnesota Statutes, Chapter 16A shall not apply to such expenditures but the state college board shall prescribe the manner, amount, and purpose of such expenditures and report thereon to the 1977 legislature.

Notwithstanding the provisions of Minnesota Statutes, Section 136.06, or any other law to the contrary, expenses incurred in travel outside of the state of Minnesota shall be paid upon prior authorization of the chief executive officer or president of the state college board. No other approval shall be required.

The state college board is authorized to utilize up to \$200,000 of the maintenance and equipment appropriation each year for regional and community service projects provided that the agency or local unit of government receiving such services shall reimburse the college system for not less than one third their cost. Receipts so derived shall be treated as tuition for enrollment and budgetary purposes.

Notwithstanding any provision in Minnesota Statutes, Chapter 16A which may indicate the contrary, when the state college board so requests, technical educational equipment

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may be procured for the state colleges either by brand designation or in accordance with standards and specifications which the board may promulgate.

In addition to the fees prescribed by Minnesota Statutes, Section 136.11, the state college board may prescribe fees to be charged students for college activities, functions, and purposes.

Notwithstanding any other provision of law to the contrary, the state college board may make refunds to students for tuition, activity fees, union fees and any other fees from imprest cash funds. The imprest cash fund shall be reimbursed periodically by checks or warrants drawn on the funds and accounts to which the refund should ultimately be charged. The state college board shall obtain the approval of the legislative auditor for the procedures used in carrying out the provisions of this paragraph.

The state college board may waive tuition on institutes, courses or projects when the sponsor pays all costs.

Notwithstanding the provisions of any law to the contrary, the state college board is authorized to provide for the orderly replacement of aircraft. An equipment suspense account shall be established by the commissioner of finance within the general fund. All receipts which are attributable to the operation or use of such aircraft are hereby reappropriated to the state college board. These receipts, or such portion

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thereof as may be designated by the board, shall be credited to the equipment suspense account. Any balance in this account shall not cancel at the end of a fiscal year but shall remain available for transfer at the request of the board to its maintenance and equipment account.

The state colleges are authorized to charge a placement service registration fee of \$10 to each student or graduate upon registration with the college placement service.

The state college board is authorized to contract for hospital benefits coverage and medical benefits coverage for students in the same manner as authorized by Minnesota Statutes, Section 43.45.

The provisions of Minnesota Statutes, Section 136.13, notwithstanding, the state college board may hold its annual meeting on any day in the month of May.

All other provisions of law notwithstanding, the state college board is hereby authorized to demolish Lawrence hall at St. Cloud state college provided that a comprehensive space requirement study indicates such demolition represents the most economical course of action. Such demolition shall be accomplished at no cost in appropriated funds and shall not be initiated without the recommendation of the chairmen of the house appropriations and senate finance committees which shall be advisory only.

The commissioner of administration is authorized to dis-

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

pose of by sale or other means of selected buildings on the Mankato lower campus. The overall plan submitted to the legislature in a report authorized by Laws 1974, Chapter 516, Section 3, may be used to provide guidance for such sale but shall not be the only source of information in selecting buildings for disposal. The use of information in the report for this purpose does not infer acceptance of the recommendation by the legislature. Such sale shall not be authorized until the commissioner of administration has first consulted with the chairman of the senate finance and the chairman of the house appropriation committee and obtained their recommendations which shall be advisory only.

Sec. 4. UNIVERSITY OF MINNESOTA, COORDINATE CAMPUSES AND EXPERIMENT STATIONS

121,387,605

124,576,189

Subdivision 1. Operations and Maintenance

The board of regents of the university may use any money not specifically appropriated for other purposes for acquiring land by purchase or condemnation. In case it is desired to use the fund for the acquisition of land, the power of eminent domain may be exercised in accordance with Minnesota Statutes, Chapter 117.

No land shall be purchased and no buildings shall be purchased, constructed or erected on lands of the university until the regents have first consulted with the chairman of the senate finance committee and the

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chairman of the house appropriations committee and obtained their recommendations which shall be advisory only.

The board of regents shall direct a review of the admission policies of all the professional and graduate schools of the university of Minnesota. A preliminary report outlining the scope and method of the review to be employed shall be submitted to the legislature not later than August 15, 1975 and a final report shall be forwarded by January 1, 1976. Of the second year's appropriation to the Duluth basic sciences medical program, \$200,000 shall be available only if new facilities are available and the incoming class is expanded to 48 students.

Provided that these appropriations for maintenance and operations are made from revenues accruing to the university from:

- (1) the investments of the permanent university fund; and
- (2) the occupation tax on iron ore.

If such revenues are insufficient, the remainder of such appropriations are advanced and appropriated from any moneys in the state treasury credited to the general fund. The income derived from the investment of the permanent university fund is hereby appropriated to the board of regents pursuant to Minnesota Statutes, Section 137.022.

For the purposes of these appropriations it is estimated that the income to be derived from

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the investment of the permanent university fund will not exceed \$2,532,006 for the first year and \$2,563,506 for the second year. If at the end of any fiscal year there are unexpended revenues accruing to the university from the occupation tax on iron ore, the general fund shall be reimbursed therefrom to the extent that payments have been made from the general fund during such fiscal year pursuant to these appropriations. The board of regents shall certify to the commissioner of finance at the end of each quarter the amounts of earnings derived from the investment of the permanent university fund and if the income derived from the investment of the permanent university fund during any fiscal year exceeds the amounts herein stated, the amounts payable from the general fund shall be reduced accordingly.

For budgetary purposes it is estimated that the foregoing appropriation from the general fund will not exceed the sum of \$118,855,599 the first year and \$122,012,683 the second year.

On October 1, 1976 and 1977 the president of the university of Minnesota shall furnish the house appropriations and senate finance committees and the commissioner of administration the following information:

(1) the total amount of receipts during the fiscal year 1976 from all sources in excess of \$56,000,000 and during the fiscal year 1977 from all sources in excess of \$57,900,000.

(2) the sources of said receipts; and

| | 1976 | 1977 |
|---|-----------|-----------|
| | \$ | \$ |
| (3) the purposes for which any excess receipts were expended and accounts to which transferred. | | |
| The appropriation in section 4 for fiscal year ending June 30, 1976 includes deficiency funds for fuel, Diehl hall equipment and Wisconsin veterinary medicine reciprocity agreement which shall not become a part of the expenditure base. | | |
| Subd. 2. Student Loans — State Matching | 395,000 | |
| The above appropriation shall be used as state's matching share for any federal student aid or loan program. Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. | | |
| Subd. 3. Library Supplement.. | 700,000 | 700,000 |
| Subd. 4. Summer School Tuition and Continuing Education Supplement | 747,272 | 772,521 |
| Provided that the board of regents shall expend the funds to equalize tuition rates among undergraduate students for regular session, summer session and extension programs in order to facilitate to the maximum the use of campus units, buildings and staff. | | |
| Sec. 5. FOR CARE OF INDIGENT COUNTY PATIENTS TO BE RENDERED BY THE UNIVERSITY OF MINNESOTA HOSPITALS, INCLUDING THE HEART HOSPITAL | | |
| Subdivision 1. For State's Share of Expenses of County Indigent Patients | 1,580,000 | 1,700,000 |
| A county under this appropriation will be reimbursed for 70 | | |

| | 1976 | 1977 |
|---|---------|---------|
| | \$ | \$ |
| percent of the expenses charged against a patient at the university hospital up to \$5,000 in accordance with Minnesota Statutes, Chapter 158. A charge against a patient in excess of \$5,000 will be paid by the state. Except as otherwise herein set forth, the other provisions of the cited statute shall continue in force and effect. | | |
| Subdivision 1 shall include and cover the amounts which may become due to the university of Minnesota from the state during the fiscal years covered by said subdivisions. | | |
| There is further appropriated to the university of Minnesota the following sums, or so much thereof as may be necessary, for the purpose of reimbursing the said university for the sum due from counties during said fiscal years under the provisions of said acts, payments to be made quarterly out of said appropriation, as shown by certificates filed with the commissioner of finance pursuant to the provisions of Minnesota Statutes, Chapter 158. | 470,000 | 500,000 |
| The commissioner of finance is authorized and directed to pay the university out of sums collected from counties under the provisions of chapter 158, during the fiscal years ending June 30, 1976, and June 30, 1977 respectively, an amount sufficient to reimburse the university in full for the amount due it from counties during said fiscal years as shown by certificates filed with the commissioner of finance, and a sum sufficient to make such payments is hereby appropriated. | | |

| | 1976 | 1977 |
|--|-----------|-----------|
| | \$ | \$ |
| Sec. 6. SPECIAL HOSPITALS, COMMUNITY SERVICE, AND EDUCATIONAL OFFSET. | 4,703,485 | 4,847,477 |

Fees for service furnished to counties and individuals under this item shall be sought to augment the sum hereby appropriated, which fees are hereby reappropriated to the university hospital.

Sec. 7. FOR VARIOUS EXPERIMENTS AND INVESTIGATIONS TO BE CARRIED ON UNDER THE DIRECT SUPERVISION OF THE UNIVERSITY OF MINNESOTA

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|---|-----------|-----------|
| Subdivision 1. Agricultural Extension Service | 4,958,820 | 5,165,397 |
|---|-----------|-----------|

This subdivision includes the items of agriculture extension work, county agricultural agents, home demonstration and 4-H club work, and soil conservation. Any salary increases granted to personnel provided for by this subdivision by the university shall not result in a reduction of the county portion of the salary payments.

This appropriation includes funds for each year for the potato and sugar beet extension program in the Red River Valley, contingent on an equal amount being provided by the state of North Dakota.

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|--|-----------|-----------|
| Subd. 2. General Agricultural Research | 4,857,388 | 4,788,892 |
|--|-----------|-----------|

The above appropriation includes funds for research on aquatic plants (including wild rice), soybeans, avian disease, corn improvement and irrigation.

| | 1976 | 1977 |
|--|-----------|-----------|
| | \$ | \$ |
| Subd. 3. Veterinary Diagnostic Laboratory and Teaching Hospital | 436,391 | 468,732 |
| Subd. 4. Geological Survey . . . | 264,860 | 268,180 |
| Subd. 5. Lake Superior Basin Studies | 53,389 | 54,943 |
| The university shall submit a progress report to the 1977 legislature. | | |
| Subd. 6. General Research . . . | 1,407,584 | 1,501,259 |
| This appropriation is, as the board of regents may direct, for general research, business and economic research including Duluth, training for careers in fire prevention and protection, center for urban and regional affairs, museum of natural history, project Newgate, and juvenile justice seminar. | | |
| The amount for project Newgate shall be the final appropriation to the university of Minnesota and future appropriation requests for this program shall be submitted by the department of corrections. | | |
| Subd. 7. Industrial Relations Education Program | 300,347 | 339,006 |
| The above appropriation includes funds for short courses, programs, and seminars for labor and management. | | |
| Subd. 8. Duluth Campus | | |
| (a) Basic Sciences Program for Medical Training | 1,278,993 | 1,509,432 |
| (b) Dental Hygiene Program . | 181,298 | 188,643 |
| (c) Graduate School of Social Work | 340,880 | 370,045 |
| Subd. 9. Freshwater Biological Research Institute | 100,000 | 125,000 |
| Subd. 10. Child Care Center . | 25,000 | |

| | 1976 | 1977 |
|---|-----------|-----------|
| | \$ | \$ |
| The above appropriation is to assist the university in developing a self supporting child care center to be used as a teaching and research adjunct to the college of education. | | |
| Subd. 11. Intercollegiate Athletics | 75,000 | 100,000 |
| The above appropriation shall be used only for the support of women's intercollegiate athletic program. | | |
| Subd. 12. Medical Research.. | 1,117,288 | 1,155,224 |
| The above amount includes funds for cancer research, control of hypercholesterolemia, cystic fibrosis and biological regulation in disease. | | |
| Subd. 13. Graduate Residency Program | 2,808,000 | 2,960,000 |
| All hospitals receiving any portion of the above appropriation shall furnish the house appropriations and senate finance committees with a full report no later than December 31, 1975, of all actual and reasonable costs resulting from graduate family practice residency education, and all fees and income to the hospital generated by the graduate residents in family practice and the purposes for which such funds were expended. | | |
| The commissioner of finance, in cooperation with the university of Minnesota, shall prepare a form to be used by all hospitals making such reports. The commissioner of finance shall also issue guidelines for hospitals to use in determining costs and income related to family practice residency education. | | |

| | 1976 | 1977 |
|---|---------|---------|
| | \$ | \$ |
| Expenditures from this appropriation may be made only for activities directly related to the training of doctors in family practice. | | |
| Subd. 14. Medical Services and Instruction | 822,849 | 980,076 |
| The above amount includes funds for the rural health physicians' associate program, drug abuse information and education, and allied health—nurse—clinician generalist program. | | |
| Subd. 15. Hormel Institute—Austin | 100,000 | 100,000 |
| To support the operation of the institute and to promote research by such institute. | | |
| Subd. 16. Clinical Program Law | 95,000 | 105,000 |
| Serving civil legal needs of persons confined to state institutions. None of these funds shall be used to pay for law suits against public agencies or public officials to change social or public policy. | | |
| From the appropriation made to the university of Minnesota by this act and from other sources all nonacademic employees shall be paid a salary comparable to the salaries paid to state employees in the classified state civil service. | | |
| The university shall prepare a report on salaries and fringe benefits of their nonacademic staff. The report shall include but not be limited to the following information regarding nonacademic staff for each appropriation account: number of employees expressed in full time equivalents; salary costs | | |

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for the prior, current and subsequent year; fringe benefit costs for the prior, current and subsequent year; and the assumptions made in preparing this information. This information shall be summarized by salary schedules "A", "B", and "C" as established for the state classified civil service. For purposes of this report the university shall assign classifications that are unique to the university to the appropriate state classified civil service salary schedule. This report shall be submitted to the committee on finance of the senate, the committee on appropriations of the house of representatives, and the commissioner of administration. The report shall be submitted on or before December 15, 1975. A subsequent report shall be submitted on or before November 15, 1976. The appropriations made to the university of Minnesota by this act include funds for the employers share of social security, state retirement, and health insurance and such funds shall be expended only for these purposes. Any funds provided for these purposes by this act that are in excess of the employers share shall be returned to the state treasury.

None of the appropriations made in this act, with the exceptions of the appropriations for the university of Minnesota hospitals or made in this or other acts toward buildings, shall be made to the university by the commissioner of finance until the university first certifies to the commissioner of finance that its ag-

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gregate balances in the temporary investment pool, cash, or separate investments, resulting from all state maintenance and special appropriations do not exceed \$7 million plus one third of all tuition and fee payments from the previous fiscal year. Upon such certification, one twelfth of the annual appropriation to the university shall be paid at the beginning of each month. Additional payments shall be made by the commissioner of finance whenever the state appropriations and tuition aggregate balances in the temporary investment pool, cash, or separate investments, are reduced below the indicated levels.

No payment of appropriations toward buildings shall be made by the commissioner of finance until all balances separately invested, including cash, and those in the temporary investment pool attributable to all state building funds shall be reduced below \$5 million. Payment shall then be made upon certification of the amounts needed for construction payments, but so as not to increase the building balances in cash, separately invested, or in the temporary investment pool, to a total above \$5 million.

Appropriations not paid to the university in any fiscal year shall carry over to the following fiscal year.

Moneys not paid to the university by reason of the foregoing requirements shall be invested by the state in those securities authorized by Min-

| | 1976 | 1977 |
|--|-----------|-----------|
| | \$ | \$ |
| <p>nesota Statutes, Section 11.10 until paid to the university. Income from investments shall be credited to the general fund in the state treasury.</p> <p>In preparing legislative budget request for the 1977-1979 bien-nium, all projected income from student tuition shall be based on a charge per credit hour schedule.</p> | | |
| Sec. 8. MAYO MEDICAL SCHOOL | 1,200,000 | 1,224,000 |
| <p>The state of Minnesota shall pay a capitation of \$8,000 for each student who is a resident of Minnesota for a maximum of 40 such students in each class. The administration of Mayo shall direct a review of the admissions policies of the Mayo medical school. A preliminary report outlining the scope and method of the review to be employed shall be submitted to the legislature not later than August 15, 1975 and a final report shall be forwarded by January 1, 1976.</p> | | |
| Sec. 9. MINNESOTA BOARD OF NURSING | | |
| Nursing Scholarships | 125,000 | 125,000 |
| Sec. 10. MINNESOTA HIGHER EDUCATION COORDINATING COMMISSION | | |
| Subdivision 1. Salaries and Expenses | 792,068 | 685,060 |
| <p>This appropriation includes funds for the administration of the state scholarship, state grant-in-aid, student loan, budget review, program review, and private college contracts.</p> | | |
| Subd. 2. State Scholarship Program | 5,000,000 | 5,750,000 |

| | 1976 | 1977 |
|---|-----------|-----------|
| | \$ | \$ |
| Subd. 3. State Grant-In-Aid Program | 8,500,000 | 9,400,000 |
| Subd. 4. Work Study Program | 500,000 | 1,250,000 |

Notwithstanding the provisions of Minnesota Statutes 136A.-231, the higher education coordinating commission is hereby authorized and directed to develop a work-study program for which postsecondary education students will be eligible without regard to whether or not such students are recipients of state scholarships or grants-in-aid. The commission shall prescribe criteria, policies and procedures for participation of institutions and students in the program. All postsecondary institutions which are eligible under the state grant-in-aid program shall be eligible institutions under the work-study program. The commission shall determine an appropriate method for allocating funds among institutions and awarding funds to students who demonstrate need according to guidelines adopted by the commission.

The commission shall adopt such additional policies and guidelines as may be necessary for effective administration of the program.

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| Subd. 5. Minitex Library Program | 350,000 | 350,000 |
|--|---------|---------|

The commission, in cooperation with the state community college system, the state college system, the university of Minnesota, and the Minnesota private colleges, shall be responsible for coordinating and management of the minitex library program.

| | | |
|--|-----------|-----------|
| Subd. 6. Private College Contracts | 3,200,000 | 4,000,000 |
|--|-----------|-----------|

| | 1976 | 1977 |
|--|---------|------|
| | \$ | \$ |
| Subd. 7. Regional Coordination and Service | 247,813 | |

The above appropriation shall be expended in accordance with official conference committee worksheets.

The higher education coordinating commission is directed to develop and administer three experimental regional postsecondary education projects aimed at improving the efficiency and effectiveness of postsecondary education in meeting regional needs through increased interinstitutional cooperation and coordination of programs and planning within a region. In developing the three experimental projects, the commission shall attempt to (1) improve the accessibility of all levels of postsecondary education to residents of the regions, (2) eliminate any unwarranted duplication of effort in the regions, (3) facilitate effective use of postsecondary education facilities and services for meeting regional needs, (4) provide for more effective liaison between regional planning and coordination of postsecondary education with regional planning and coordination of other public services, and (5) test means for accomplishing greater interinstitutional cooperative efforts for meeting local and regional needs of Minnesota residents. The commission shall report on the results of the experimental regional projects in its next biennial report to the governor and the legislature. All postsecondary institutions and systems are requested to cooperate with and to assist the commis-

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sion in developing these projects.

The commission is authorized and directed to supervise a student loan program in accordance with Minnesota Statutes, Section 136A.14 to 136A.17.

The higher education coordinating commission is hereby directed to take the necessary steps to encourage and expand the sharing of facilities and course offerings, through cross-registration or other appropriate means, between all public and private institutions of higher learning in Minnesota. A report showing the achievements and progress as well as recommendations for improvements and progress in this area shall be submitted to the 1977 legislature no later than January 1, 1977.

For the purpose of improved communications between all segments of public and private postsecondary education, the advisory council of the higher education coordinating commission shall be requested to sit with the higher education coordinating commission in the deliberations and discussions of the commission. Members of the advisory council shall, however, not vote on any matter before the commission. Any unexpended balance remaining the first year in subdivisions 1, 2, 3, 4, 5, 6, and 7 shall not cancel but shall be available for the second year of the biennium.

Subd. 8. Medical Student Loan Reserve

17,550

27,300

| | 1976 | 1977 |
|---|--------|--------|
| | \$ | \$ |
| <p>The appropriations in the sum of \$1,000,000 contained in Laws 1973, Chapter 768, Section 14, Subdivision 8 may be used by the commission for costs incurred in administering the provisions of this act. The balance of the appropriation not required for administrative costs shall constitute a reserve fund which may be invested by the commission. Any interest which accrues on such investment shall inure to the commission and shall be available for additions to the reserve fund. The reserve fund shall not cancel and shall be available to the commission for as long as the programs provided by the provisions of this act are in effect. The commission may use the reserve fund established by the appropriation for fulfilling the income contingent provisions of this act as well as for the general purposes of the reserve fund in accordance with the provisions of this act.</p> | | |
| <p>The appropriation in the sum of \$100,000 contained in Laws 1973, Chapter 727, Section 4, shall not cancel but shall be available to the commission for so long as bonds for medical student loans are outstanding.</p> | | |
| Subd. 9. Education of Dependents | 10,000 | 10,000 |
| Subd. 10. Foreign Student Loan | 80,000 | 80,000 |
| <p>Subd. 11. Notwithstanding any other provision of law to the contrary, the commission may adopt rules to allow state grant-in-aid awards to be made to students who did not</p> | | |

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receive an award for the first year of postsecondary education, in order to meet needs of students who experience unusual financial difficulties after the first year. Initial awards to students after the first year may be renewable according to rules adopted by the commission. The commission shall prescribe by rule the conditions, criteria, terms, and amounts of awards to be made to students who did not receive an award in the first year.

Sec. 11. STATE COMMUNITY COLLEGE BOARD

Subdivision 1.

23,233,838

23,388,689

The above appropriation is for maintenance and equipment of the state community college board and the state community colleges. The state community colleges are encouraged to use off-campus courses to extend the benefits of this appropriation to as many Minnesota residents as possible.

The amounts appropriated in subdivision 1 include a sum in each year for recruitment of faculty. Candidates for twelve month administrative positions and for academic positions who have been invited by the state community college board for interview may be reimbursed for travel and subsistence expenses in the same manner and in the same amounts as state officers and employees.

The cost of living provisions of the professional staff agreement as negotiated between the state board for

| | 1976 | 1977 |
|--|------|------|
| | \$ | \$ |
| community colleges and the Minnesota community college faculty association shall not be implemented during the 1975-77 biennium and the agreement is approved as modified. | | |

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|---|---------|
| Subd. 2. Occupational Program Development | 450,000 |
|---|---------|

Prior to use of the above funds the chancellor of the community college system shall submit the proposed program, and expenditures for review by the chairmen of the house appropriations and senate finance committees.

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

All receipts of every kind, nature and description, including student tuition and fees, all federal receipts, aids, contributions and reimbursements in all the state community colleges are hereby re-appropriated to the state community college board, but are subject to budgetary control to be exercised by the commissioner of administration.

The state community college board is authorized to establish activity funds, except for dormitory purposes, and imprest cash funds, to waive tuition charges and to act as agent and accept the benefits of Public Law 88-452, known as the Economic Opportunity Act of 1964, as amended, Public Law 85-864, known as the National Defense Education Act of 1958, as amended, to the same extent and subject to

| | 1976 | 1977 |
|---|---------|--------|
| | \$ | \$ |
| <p>the same conditions as such authority is vested in the state college board. Minnesota Statutes, Sections 136.56, 136.045, 136.142, 136.143, 136.144, 136.171, 136.22, 169.966, 352.01, Subdivision 2a (6), also apply to the state community college board and the state community colleges in the same manner as to the state college board and the state colleges.</p> <p>All receipts attributable to the college activity funds and deposited in the state treasury are hereby reappropriated to the state community college board and are not subject to budgetary control as exercised by the commissioner of administration.</p> <p>Notwithstanding any other law to the contrary, reimbursements are appropriated for use during the fiscal year in which they are received.</p> | | |
| Subd. 3. Student Loan Program-State Matching | 75,000 | 85,000 |
| <p>The above appropriation shall be used as state's matching share for any federal student aid or loan programs.</p> <p>Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.</p> | | |
| Subd. 4. State Community College Board Contingent. | 300,000 | |
| <p>Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.</p> <p>This appropriation shall be expended with the approval of</p> | | |

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

the governor after consultation with the legislative advisory committee, as provided by Minnesota Statutes, Section 3.30.

Notwithstanding any other law to the contrary, Minnesota Statutes, Section 268.08, Subdivision 5(b), shall apply to classified employees of the state board for community colleges.

| | |
|--|---------|
| Subd. 5. Repairs and Betterments | 754,778 |
|--|---------|

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

| | |
|---------------------------------|--------|
| Subd. 6. Special Assessments. . | 41,500 |
|---------------------------------|--------|

Sec. 12. Notwithstanding the provisions of any law to the contrary, the administrative expenses incurred by any employing governmental unit in connection with the purchase of individual annuity contracts for employees pursuant to Minnesota Statutes, Sections 121.48; 123.35, Subdivision 12; 136.55; 136.70; 471.615; or any other like provision of law shall be paid from deductions from the salaries of the employees on whose behalf such contracts are purchased. For such purpose, each employing governmental unit shall deduct from the salary of each such employee an amount equal to two percent of the amounts deducted for the purpose of purchasing such individual annuity contracts. All receipts shall be deposited in the general fund.

Sec. 13. WORKMENS COMPENSATION

To be transferred by the commissioner of finance to the de-

| | 1976 | 1977 |
|--|------------|------|
| | \$ | \$ |
| partment of labor and industry compensation revolving fund, in payment of obligations in- curred by the following agencies in the amounts as in- dicated: | | |
| State College Board..... | 108,502.26 | |
| Sec. 14. UNEMPLOYMENT COMPENSATION | 215,751.21 | |

In reimbursement of unemploy-
ment compensation benefits
paid for former employees of
the state college board.

Sec. 15. UNOBLIGATED BALANCES ON HAND, CANCELLED INTO GENERAL FUND. Except the revolving fund for the on-the-job training program, the unobligated balances on hand as of June 30, 1975, June 30, 1976, June 30, 1977, in the several appropriations and accounts for which an appropriation is made herein, unless otherwise excepted in this act, are hereby cancelled into the general fund for the fiscal years ending June 30, 1975, June 30, 1976, and June 30, 1977 and the unobligated balances on hand as of June 30, 1975, June 30, 1976, and June 30, 1977 appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1975, June 30, 1976, and June 30, 1977.

Sec. 16. INCOME, FEES, RECEIPTS, DEPOSITED IN GENERAL FUND. Except as herein otherwise specifically provided, except the income to the university of Minnesota, and except all federal aid, contributions, or reimbursements received for any account of any division, institution or department for which an appropriation is made in this act, all income, including fees or receipts of any nature whatsoever, shall be deposited in and for the benefit of the general fund.

Sec. 17. APPROVED COMPLEMENT. Whenever an appropriation to any department or agency for salaries discloses an approved complement, that department or agency is limited in the employment of the number of full time equivalent persons including part time and seasonal employees indicated by such approved complement.

Except as otherwise provided in this act, additional employees over the number of the approved complement may be employed on the basis of public necessity or emergency with the written approval of the governor, but the governor shall not approve such additional personnel until he has consulted with the legislative advisory committee created by Laws 1943, Chapter 594, and such committee has made its recommendation upon the matter. Such

recommendation shall be advisory only. Failure or refusal of the committee to make a recommendation promptly shall be deemed a negative recommendation. The provisions hereof shall extend to any other agency to which the present authority of the legislative advisory committee may be transferred, but shall be deemed to be repealed in case such authority shall be abolished.

Sec. 18. Any moneys made available to any state department or agency by this act by appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, 1971, Sections 355.50 and 352.04, Subdivision 5.

Sec. 19. In order to enable the state to match the cost of any program under Title I of the Higher Education Act of 1965, any receipts accruing to any state department or agency by reason of service performed for the university of Minnesota in connection with such program shall be deposited in the state treasury. Such receipts are hereby reappropriated to the department or agency making the deposit, to be used as part of the state's 25 percent share of the cost of such programs. The balance of the state's share of the cost of such programs is payable by the participating departments or agencies from any moneys appropriated for salaries, supplies and expenses.

Sec. 20. Notwithstanding the provisions of any law to the contrary, the administrative expenses of the supplemental retirement plan established pursuant to Minnesota Statutes 1971, Sections 136.80 to 136.87 shall be paid from the portion of the cash realized on the redemption of shares pursuant to Minnesota Statutes 1971, Section 136.82, Subdivision 1, Clause (5) which becomes the property of the supplemental retirement account of the teachers retirement fund. The balance of said cash after payment of said expenses shall be prorated as thereafter provided in Minnesota Statutes 1971, Section 136.82, Subdivision 1, Clause (5). The amount of \$12,500 is hereby annually appropriated to the teachers retirement association from the cash balance described herein for said purposes.

Sec. 21. If additional funds become available to the state board for community colleges, state college board or the board of regents for the purpose of adjusting faculty salaries to implement cost of living provisions of any professional staff agreement for the 1975-77 biennium, an amount equal to the additional funds shall be cancelled to the general revenue fund.

Sec. 22. The speaker of the house shall name five members of the house and the senate committee on committees shall name five members of the senate to review tuition policy at postsecondary vocational schools. The joint committee shall report to the 1976 legislature its findings and recommendations.

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

House Conferees: (Signed) Howard E. Smith, Ray W. Faricy, Rodney N. Searle, Stanley A. Enebo, Peter X. Fugina.

Senate Conferees: (Signed) Jack Davies, Norbert Arnold, Robert J. Tennesen, Robert O. Ashbach, Mel Hansen.

Mr. Davies moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1758 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. 1758: A bill for an act relating to the organization and operation of state government; imposing regulations for community college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, community colleges, higher education coordinating commission, and moneys for medical education.

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 64 and nays 1, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Dunn | Kirchner | Ogdahl | Schmitz |
| Arnold | Fitzsimons | Kleinbaum | Olhoft | Schrom |
| Bang | Frederick | Knutson | Olson, A. G. | Sillers |
| Berg | Gearty | Kowalczyk | Olson, H. D. | Solon |
| Bernhagen | Hansen, Baldy | Larson | Olson, J. L. | Spear |
| Blatz | Hansen, Mel | Laufenburger | O'Neill | Stassen |
| Borden | Hanson, R. | Lewis | Patton | Stokowski |
| Brataas | Hughes | McCutcheon | Perpich, A. J. | Stumpf |
| Chenoweth | Humphrey | Merriam | Perpich, G. | Tennesen |
| Chmielewski | Jensen | Milton | Pillsbury | Ueland |
| Conzemius | Josefson | Moe | Purfeerst | Wegener |
| Davies | Keefe, J. | Nelson | Renneke | Willet |
| Doty | Keefe, S. | North | SchAAF | |

Mr. Brown voted in the negative.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Olson, A. G. moved that H. F. No. 1674 and the Conference Committee report thereon be taken from the table. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1674

A bill for an act relating to taxation; providing state relief to homeowners and renters for extraordinary property tax burdens; prohibiting certain escrow arrangements for tax payments; requiring interest payment on money received for payment of real estate taxes and insurance coverage; increasing market value of homesteads eligible for lower rate of assessment; providing for a

four year rotation for reassessment of real property with increases in assessed valuation to be made in equal increments over the four year period; increasing and changing the calculation of local government aid to be paid for extended period; distributing certain gross earnings taxes to local governments; redefining special levies; altering means of calculation of property tax levy limitations for governmental subdivisions; providing for increases in levy limit bases of governmental subdivisions; exempting certain governmental subdivisions from levy limits; providing for reimbursement by the state to taxing districts for tax reduction granted to certain property; increasing the taconite production tax; creating a northeast Minnesota economic development and environment council; creating a northeast Minnesota economic protection fund; imposing a surtax on taconite producers which fail to meet standards for disposal of waste; creating a budget protection fund to hold excess money from the general fund and providing for transfers of money from that fund; exempting federal income tax rebates from state income taxation; modifying duties of the tax study commission; requiring payment of interest by corporations on unpaid estimated taxes; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 270.16; 273.01; 273.011, Subdivision 6; 273.012, by adding a subdivision; 273.03, Subdivision 1; 273.061, by adding a subdivision; 273.08; 273.11, Subdivisions 1, 2 and 5, and by adding a subdivision; 273.121; 273.13, Subdivisions 6 and 7; 273.135, Subdivision 2; 273.17, Subdivision 1; 275.50, Subdivision 5; 275.51, Subdivisions 1 and 4, and by adding subdivisions; 275.52, by adding a subdivision; 275.53, Subdivision 3; 275.59; 276.01; 276.04; 294.26; 298.03; 298.24, Subdivision 1; 298.27; 298.28, Subdivisions 1 and 1a, and by adding a subdivision; 298.282, Subdivisions 1 and 2; 477A.01, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, and 16; Chapters 273, by adding sections; and 477A, by adding a section; and Laws 1973, Chapter 601, Section 1, Subdivisions 2 and 8; repealing Minnesota Statutes 1974, Sections 273.11, Subdivision 3; 273.13, Subdivisions 14a, 15a, and 18; 275.51, Subdivisions 3 and 3a; 298.24, Subdivision 2; 298.241; 298.242; 298.281; 298.32; and 477A.01, Subdivision 13.

May 17, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 1674 report that we have agreed upon the items in dispute and recommend as follows:

Strike everything after the enacting clause and insert:

"Article I

Section 1. [290A.01] *Sections 1 to 21 may be cited as the "State of Minnesota Income-Adjusted Homestead Credit Act."*

Sec. 2. [290A.02] [PURPOSE.] *The purpose of sections 1 to*

21 is to provide property tax relief to certain persons who own or rent their homesteads.

Sec. 3. [290A.03] [DEFINITIONS.] Subdivision 1. [GENERALLY.] *The following words, terms, and phrases when used in sections 1 to 21 shall have the meaning ascribed to them in this section, except where the context indicates a different meaning.*

Subd. 2. [COMMISSIONER.] *"Commissioner" means the commissioner of revenue of the state of Minnesota.*

Subd. 3. [INCOME.] *"Income" means the sum of federal adjusted gross income as defined in the Internal Revenue Code of 1954 as amended through December 31, 1974, additions to federal adjusted gross income as provided in Minnesota Statutes, Section 290.01, Subdivision 20, Clause (a)(1), (a)(2), (a)(3), (a)(4), (a)(8), and (a)(10), and all nontaxable income, including but not limited to the amount of recognized net long term capital gains excluded from adjusted gross income, cash public assistance and relief, the gross amount of any pension or annuity (including railroad retirement benefits, all payments received under the federal social security act, and veterans disability pensions), nontaxable interest received from the state or federal government or any instrumentality thereof, workmen's compensation, unemployment benefits, nontaxable strike benefits, and the gross amount of "loss of time" insurance. In the case of an individual who files an income tax return on a fiscal year basis, the term "federal adjusted gross income" shall mean federal adjusted gross income reflected in the fiscal year ending in the calendar year. "Income" does not include gifts from nongovernmental sources, surplus food or other relief in kind supplied by a governmental agency, or relief granted under sections 1 to 21 or section 273.012, subdivision 2.*

Subd. 4. [HOUSEHOLD.] *"Household" means a claimant and an individual related to the claimant as husband or wife who are domiciled in the same homestead.*

Subd. 5. [HOUSEHOLD INCOME.] *"Household income" means all income received by all persons of a household in a calendar year while members of the household.*

Subd. 6. [HOMESTEAD.] *"Homestead" means the dwelling occupied by a claimant as a place of residence and so much of the land surrounding it, not exceeding one acre, as is reasonably necessary for use of the dwelling as a home, except that this restriction shall not be applicable to agricultural land assessed as part of a homestead pursuant to section 273.13, subdivision 6. The homestead may be owned or rented and may be a part of a multi-dwelling or multi-purpose building and the land on which it is built. A mobile home, as defined in section 168.011, subdivision 8, assessed as personal property may be a dwelling for purposes of this subdivision.*

Subd. 7. [DEPENDENT.] *"Dependent" means any person who is under 18 years of age at the end of the calendar year who*

receives more than 50 percent of his support from the claimant, or who is between 18 and 21 years of age and is a full time student who receives more than 50 percent of his support from the claimant.

Subd. 8. [CLAIMANT.] "Claimant" means a person who filed a claim authorized by sections 1 to 21 and who was domiciled in this state during the calendar year for which the claim for relief was filed. In the case of a claim relating to rent constituting property taxes, the claimant shall have resided in a rented or leased unit on which ad valorem taxes are payable for not less than six months of the calendar year covered by the claim. In the case of a part year resident, the income and rental reflected in this computation shall be for the period of Minnesota residency only. Any rental expenses paid which may be reflected in arriving at federal adjusted gross income cannot be utilized for this computation. Maximum credit allowed under this computation would be at a rate of one twelfth of the maximum credit allowed pursuant to section 4 per month of residency computed to the nearest full month. When two individuals of a household are able to meet the qualifications for a claimant, they may determine among them as to who the claimant shall be. If they are unable to agree, the matter shall be referred to the commissioner of revenue and his decision shall be final.

If a homestead is occupied by two or more unrelated renters, the rent shall be deemed to be paid equally by each, and separate claims shall be filed by each. The income of each shall be his household income for purposes of computing the amount of credit to be allowed.

Subd. 9. [DISABLED CLAIMANT.] "Disabled claimant" means any claimant who has a disability.

Subd. 10. [DISABILITY.] "Disability" means:

(a) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, or

(b) Blindness; and the term "blindness" means central acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less.

(c) An individual shall be determined to be under a disability only if his physical or mental impairment or impairments are of such severity that he is not only unable to do his previous work but cannot, considering his age, education, and work experience, engage in any other kind of substantial gainful work which exists in the state economy, regardless of whether the work exists in the immediate area in which he lives, or whether a specific job vacancy exists for him, or whether he would be hired if he applied for work. For purposes of the preceding sentence, "work which exists

in the state economy" means work which exists in significant numbers either in the area where the individual lives or in several areas of the state.

(d) A "physical or mental impairment" is an impairment that results from anatomical, physiological, or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques.

Subd. 11. [RENT CONSTITUTING PROPERTY TAXES.] "Rent constituting property taxes" means 20 percent of the gross rent actually paid in cash, or its equivalent, in 1975 or any subsequent calendar year by a claimant solely for the right of occupancy of his Minnesota homestead in the calendar year, and which rent constitutes the basis, in the succeeding calendar year of a claim for relief under sections 1 to 21 by the claimant.

Subd. 12. [GROSS RENT.] "Gross rent" means rental paid solely for the right of occupancy, at arms-length, of a homestead, exclusive of charges for any utilities, services, furniture, furnishings or personal property appliances furnished by the landlord as a part of the rental agreement, whether expressly set out in the rental agreement or not. If the landlord and tenant have not dealt with each other at arms-length and the commissioner determines that the gross rent charged was excessive, he may adjust the gross rent to a reasonable amount for purposes of sections 1 to 21.

If the landlord does not supply the charges for any utilities, furniture, furnishings or personal property appliances furnished by him, or if the charges appear to be incorrect the commissioner may apply a percentage determined from samples of similar gross rents paid solely for the right of occupancy.

Subd. 13. [PROPERTY TAXES PAYABLE.] "Property taxes payable" means the property tax exclusive of special assessments, penalties, and interest payable on a claimant's homestead before reductions made pursuant to Minnesota Statutes, Section 273.13, Subdivisions 6 and 7, but after deductions made pursuant to Minnesota Statutes, Section 273.135, in 1976 or any calendar year thereafter. For homesteads which are mobile homes as defined in Minnesota Statutes, Section 168.011, Subdivision 8, "property taxes payable" shall also include 20 percent of gross rent paid in the preceding year for the site on which the homestead is located, exclusive of charges for utilities or services. When a homestead is owned by two or more persons as joint tenants or tenants in common and one or more is not a claimant or spouse of a claimant, "property taxes payable" is that part of the property taxes payable on the homestead as reflects the percentage of ownership of the claimant and spouse. Property taxes are considered payable in the year prescribed by law for payment of the taxes.

When a claimant and his spouse own their homestead part of the calendar year and rent it or a different homestead for part of the same year "property taxes payable" means only taxes payable on the homestead which was owned and occupied as such by

claimant and spouse on January 2 of the year in which the tax is payable, multiplied by the percentage of 12 months that the property was owned and occupied by the household as its homestead during the preceding year.

Sec. 4. [290A.04] [CREDIT ALLOWABLE.] Subdivision 1. A credit shall be allowed each claimant in the amount that property taxes payable or rent constituting property taxes exceed the percentage of the household income of the claimant specified in subdivision 2 in the year for which the taxes were levied or in the year in which the rent was paid. The maximum credit for any claimant who was disabled on June 1 or who attained the age of 65 prior to June 1 of the year following the year for which the taxes were levied or in which the rent was paid shall be \$200 above the maximum for which that claimant would otherwise be eligible according to his income.

Subd. 2. The credit shall be paid to claimants whose property taxes payable exceed the following percentages of their income, up to the designated maximum credit amounts:

For claimants earning:

\$ 0 to \$2,499, 1.0 percent, up to \$475;

2,500 to 19,999, 1.5 percent, up to \$475;

20,000 to 22,999, 1.6 percent, up to \$475;

23,000 to 25,999, 1.8 percent, up to \$425;

26,000 to 30,999, 2.0 percent, up to \$375;

31,000 to 35,999, 2.2 percent, up to \$350;

36,000 to 40,999, 2.4 percent, up to \$325;

41,000 to 44,999, 2.6 percent, up to \$325;

45,000 to 52,999, 2.8 percent, up to \$325;

53,000 to 65,999, 3.0 percent, up to \$325;

66,000 to 81,999, 3.2 percent, up to \$325;

82,000 to 99,999, 3.5 percent, up to \$325;

100,000 and over, 4.0 percent, up to \$325;

provided that maximum credits for incomes above \$20,000 decline according to the following schedule:

between \$20,000 and \$26,000 decline \$16.67 per \$1,000; between \$26,000 and \$36,000 decline \$5 per \$1,000.

The credit shall be the amount calculated pursuant to this subdivision, less the homestead credit given pursuant to Minnesota Statutes, Section 273.13, Subdivisions 6 and 7.

Subd. 3. The commissioner of revenue shall construct and make available to taxpayers a comprehensive table showing the property taxes to be paid and credit allowed at various levels of income and

assessment. The table shall follow the schedule of income percentages and maximums specified in subdivision 2, except that the commissioner may graduate the transition between income brackets.

Sec. 5. [290A.05] [COMBINED HOUSEHOLD INCOME.] *If a person occupies a homestead with another person or persons not related to the person as husband and wife, excluding dependent children, roomers or boarders on contract, and has property tax payable with respect to the homestead, the household income of the claimant or claimants for the purpose of computing the credit allowed by section 4 shall include the total income received by the other persons residing in the homestead. If a person occupies a homestead with another person or persons not related as husband and wife or as dependent children, the property tax payable or rent constituting property tax shall be reduced as follows:*

If the other person or persons are residing at the homestead under rental or lease agreement, the amount of property tax payable or rent constituting property tax shall be that portion not covered by the rental agreement.

Sec. 6. [290A.06] [FILING TIME LIMIT, LATE FILING.] *Any claim for property taxes payable shall be filed with the department of revenue on or before August 31 of the year in which the property taxes are due and payable, except that for homesteads which are mobile homes the claim shall be filed on or before October 31 of the year in which the property taxes are due and payable. The commissioner may extend the time for filing these claims for a period not to exceed six months in the case of sickness, absence, or other disability, or when in his judgment other good cause exists.*

A claim filed after the original or extended due date shall be allowed, but the amount of credit shall be reduced by five percent of the amount otherwise allowable, plus an additional five percent for each month of delinquency, not exceeding a total reduction of 25 percent. In any event no claim shall be allowed if the claim is filed two years after the original due date for filing the claim.

Sec. 7. [290A.07] [TIME FOR PAYMENT.] *Subdivision 1. Allowable claims filed pursuant to the provisions of this article shall be paid by the commissioner from the general fund.*

Subd. 2. A claimant who is a renter or who had attained the age of 65 or had been disabled prior to June 1 of the year following the year for which the taxes were levied or in which the rent was paid shall receive full payment no later than 60 days after receipt of the application or may elect to take as a credit against his income tax the full amount.

Subd. 3. Any claimant not included in subdivision 2 shall receive full payment after September 30 and prior to October 15.

Subd. 4. Claims remaining unpaid 60 days after the dates provided in subdivisions 2 and 3, shall have interest added at six percent per annum from the later date until the date the claim is paid.

Sec. 8. [290A.08] [ONE CLAIMANT PER HOUSEHOLD.] *Only one claimant per household per year is entitled to relief under sections 1 to 21.*

Sec. 9. [290.09] [PROOF OF CLAIM.] *Every claimant shall supply to the department of revenue, in support of his claim, proof of eligibility under sections 1 to 21, including but not limited to amount of rent paid or property taxes accrued, name and address of owner or managing agent of property rented, changes in homestead, household membership, household income, size and nature of property claimed as a homestead.*

Disabled persons filing claims shall submit proof of disability in the form and manner as the department may prescribe. The department may require examination and certification by the claimant's physician or by a physician designated by the department. The cost of any examination shall be borne by the claimant, unless the examination proves the disability, in which case the cost of the examination shall be borne by the department.

A determination of disability of a claimant by the social security administration under Title II or Title XVI of the Social Security Act shall constitute presumptive proof of disability.

Sec. 10. [290A.10] [PROOF OF TAXES PAID.] *Every claimant who files a claim for relief for property taxes payable shall include with his claim a property tax statement indicating that there are no delinquent property taxes on the homestead. Indication on the property tax statement from the county treasurer that there are no delinquent taxes on the homestead shall be sufficient proof.*

Sec. 11. [290A.11] [OBJECTIONS TO CLAIMS.] Subdivision 1. [AUDIT OF CLAIM.] *When on the audit of any claim filed under sections 1 to 21 the department determines the amount thereof to have been incorrectly determined, the department shall redetermine the claim and notify the claimant of the redetermination and the reasons therefor. The redetermination shall be final unless appealed to the Minnesota tax court within 30 days of notice thereof.*

Subd. 2. [FRAUDULENT CLAIM.] *In any case in which it is determined that the claim is or was excessive and was filed with fraudulent intent, the claim shall be disallowed in full. If the claim has been paid, the amount disallowed shall be recovered by assessment and collection in the manner provided in chapter 290 for collection of income tax. The assessment shall bear interest from the date the claim is paid by the state until the date of repayment by the claimant, at the rate of six percent per annum. The claimant, and any person who assisted in the preparation of filing of the excessive claim or supplied information upon which the excessive claim was prepared, with fraudulent intent, is guilty of a misdemeanor.*

Subd. 3. [EXCESSIVE OR NEGLIGENT CLAIM.] *If it is determined that a claim is excessive and was negligently prepared, ten percent of the corrected claim shall be disallowed. If the claim*

has been paid, the amount erroneously paid out plus penalty shall be recovered as provided in subdivision 2.

Subd. 4. [INTEREST.] Amounts to be repaid to the state shall bear interest at six percent per annum from the date the state paid the claim until the date of repayment by the claimant.

Sec. 12. [290A.12] [APPEAL.] Any person aggrieved by the denial, in whole or in part, of relief claimed under this article, except when the denial is based upon late filing of a claim for relief, may appeal the denial to the Minnesota tax court by filing a petition with the tax court within 30 days after the denial, as provided in chapter 271.

Sec. 13. [290A.13] [NO RELIEF ALLOWED IN CERTAIN CASES.] No claim for relief under sections 1 to 21 shall be allowed if the commissioner determines that the claimant received title or tenancy to his homestead primarily for the purpose of receiving benefits under sections 1 to 21 and not for bona fide residence purposes.

Sec. 14. [290A.14] [PROPERTY TAX STATEMENT.] The county treasurer shall prepare and send a sufficient number of copies of the property tax statement to the owner, and to his escrow agent if the taxes are paid via an escrow account, to enable him to comply with the filing requirements of this article and to retain one copy for his records. The property tax statement, in a form prescribed by the commissioner, shall indicate the manner in which the claimant may claim relief from the state, the amount of delinquent property taxes on the property in the preceding year, and the amount of the tax for which the applicant may claim relief.

Sec. 15. [290A.15] [CLAIM APPLIED AGAINST OUTSTANDING LIABILITY.] The amount of any claim otherwise payable under sections 1 to 21 may be applied by the commissioner against any delinquent tax liability of the claimant or spouse of the claimant payable to the department of revenue.

Sec. 16. [290A.16] [INCOME TAX DEDUCTION PROHIBITED.] Notwithstanding section 290.09, subdivision 4, the income tax deduction for property taxes paid shall not exceed the amount paid, reduced by the amount of credit allowed with respect to the tax pursuant to sections 1 to 21.

Sec. 17. [290A.17] [PUBLICITY OF CLAIMS.] It shall be unlawful for the commissioner or any other public official or employee to divulge or otherwise make known any particulars disclosed in any claim filed pursuant to sections 1 to 21. The provisions of section 290.61 relating to the confidential nature of income tax returns shall also be applicable to claims thus filed.

Nothing herein shall be construed to prohibit the commissioner from making public the information concerning amounts of property tax accrued and the relief granted to taxpayers without including information which would identify individual taxpayers. The commissioner may examine income tax returns as he deems

necessary and may utilize the information in legal and administrative proceedings to insure proper administration of sections 1 to 21, notwithstanding section 290.61.

Sec. 18. [290A.18] [RIGHT TO FILE CLAIM.] *If a claimant entitled to relief under sections 1 to 21 dies prior to receiving relief, the surviving spouse or dependent child of the claimant shall be entitled to receive it. If there is no surviving spouse or dependent child, the right to the credit shall lapse.*

Sec. 19. [290A.19] [LANDLORD TO FURNISH RENT CERTIFICATE.] *The owner or managing agent of any property for which rent is paid for occupancy as a homestead shall furnish a certificate of rent paid to each renter in the form prescribed by the commissioner. The certificate shall be made available to the renter not later than February 15 of the year following the year in which the rent was paid. Any owner or managing agent who willfully fails to furnish a certificate as provided herein shall be liable to the commissioner for a penalty of \$20 for each act or failure to act. The penalty shall be assessed and collected in the manner provided in chapter 290 for the assessment and collection of income tax.*

Sec. 20. [290A.20] [RULES AND REGULATIONS.] *The commissioner shall promulgate rules and regulations which he deems appropriate for the administration of sections 1 to 21. He shall also make available forms with instructions for claimants as he deems necessary for the proper administration of sections 1 to 21. The claim shall be in the form the commissioner may prescribe.*

Sec. 21. [290A.21] [EXCLUSIVE RELIEF.] *Sections 290.981 to 290.992 and sections 290.0601 to 290.0616 and section 290.0618 shall not be effective with respect to any rent paid after December 31, 1974 or property taxes payable after December 31, 1975.*

Sec. 22. Minnesota Statutes 1974, Section 273.011, Subdivision 5, is amended to read:

Subd. 5. [CURRENT TAX.] *The term "current tax" means the ad valorem tax legally due and payable on "qualified property" in the year following the year of assessment, reduced by the amount of credit granted with respect to the tax pursuant to sections 1 to 21.*

Sec. 23. Minnesota Statutes 1974, Section 273.012, Subdivision 2, is amended to read:

Subd. 2. *Where the "current tax" on "qualified property" is in excess of the "base tax" on such property, there shall be allowed to the "qualified home owner" thereof a credit an equal amount to the excess of current tax over base tax times the percentage specified in subdivision 3 as hereinafter provided under chapter 290. In the event that a "qualified home owner" entitled to the credit provided herein dies prior to the receipt thereof, his surviving spouse shall be entitled to such credit. If there be no spouse surviving him, the right to such credit shall lapse.*

Sec. 24. Minnesota Statutes 1974, Section 273.012, is amended by adding a subdivision to read:

Subd. 3. The percentage of the excess of current tax over the base tax allowed as a credit shall be 100 percent for incomes up to and including \$10,000 and shall decline 5 percentage points for each additional \$500 of income or portion thereof over \$10,000. "Income" means income as defined in section 3, subdivision 3.

Sec. 25. Minnesota Statutes 1974, Section 273.13, Subdivision 14a, is amended to read:

Subd. 14a. [BUILDINGS AND APPURTENANCES ON LAND NOT OWNED BY OCCUPANT.] The property tax to be paid in respect of the value of all buildings and appurtenances thereto owned and used by the occupant as a permanent residence, which are located upon land subject to property taxes and the title to which is vested in a person or entity other than the occupant, for all purposes except the payment of principal and interest on bonded indebtedness, shall be reduced by ~~35~~ 45 percent of the amount of the tax in respect of said value as otherwise determined by law, but not by more than \$250 ~~\$325~~ .

Sec. 26. Minnesota Statutes 1974, Section 273.011, Subdivision 6, is amended to read:

Subd. 6. [AD VALOREM TAX.] The term "ad valorem tax" means the tax on "qualified property" exclusive of all special taxes payable thereon , *reduced by the amount of credits granted with respect to the tax pursuant to Minnesota Statutes, Sections 273.13, Subdivisions 6 and 7, and 273.135 .*

Sec. 27. Minnesota Statutes 1974, Section 273.13, Subdivision 6, is amended to read:

Subd. 6. [CLASS 3b.] Agricultural land, except as provided by class 1 hereof, and which is used for the purposes of a homestead, shall constitute class 3b and shall be valued and assessed at 20 percent of the market value thereof. The property tax to be paid on class 3b property as otherwise determined by law not exceeding 120 acres *less any reduction received pursuant to section 273.135 , regardless of whether or not the market value is in excess of \$12,000 the homestead base value* , for all purposes except the payment of principal and interest on non-school district bonded indebtedness, shall be reduced by 45 percent of the tax; provided that the amount of said reduction shall not exceed \$325. Valuation subject to relief shall be limited to 120 acres of land, most contiguous surrounding, or bordering the house occupied by the owner as his dwelling place, and, such other structures as may be included thereon utilized by the owner in an agricultural pursuit. If the market value is in excess of the ~~sum of \$12,000~~ *homestead base value* , the amount in excess of that sum shall be valued and assessed as provided for by class 3. The first \$12,000 market value of each tract of real estate which is rural in character and devoted or adaptable to rural but not necessarily agricultural use, used for the purpose of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law.

Agricultural land as used herein, and in section 124.03, shall mean contiguous acreage of ten acres or more, primarily used during the preceding year for agricultural purposes. Agricultural use may include pasture, timber, waste, unusable wild land and land included in federal farm programs.

Real estate of less than ten acres used principally for raising poultry, livestock, fruit, vegetables or other agricultural products, shall be considered as agricultural land, if it is not used primarily for residential purposes.

Sec. 28. Minnesota Statutes 1974, Section 273.13, Subdivision 7, is amended to read:

Subd. 7. [CLASS 3c, 3cc.] All other real estate and class 2a property, except as provided by classes 1 and 3cc, which is used for the purposes of a homestead, shall constitute class 3c, and shall be valued and assessed at 25 percent of the market value thereof. The property tax to be paid on class 3c property as otherwise determined by law, *less any reduction received pursuant to section 273.135*, regardless of whether or not the market value is in excess of *\$12,000 the homestead base value*, for all purposes except the payment of principal or interest on non-school district bonded indebtedness, shall be reduced by 45 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$325. If the market value is in excess of the sum of *\$12,000 the homestead base value*, the amount in excess of that sum shall be valued and assessed at 40 percent of market value. The first \$12,000 market value of each tract of such real estate used for the purposes of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law. All real estate which is used for the purposes of a homestead by any blind person, as defined by section 256.12, if such blind person is the owner thereof or if such blind person and his or her spouse are the sole owners thereof; or by any person (hereinafter referred to as veteran) who served in the active military or naval service of the United States and who is entitled to compensation under the laws and regulations of the United States for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude motion without the aid of braces, crutches, canes, or a wheel chair, and who with assistance by the administration of veterans affairs has acquired a special housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability; or by any person who is permanently and totally disabled and who is receiving aid from any state as a result of that disability, or who is receiving supplemental security income for the disabled, or who is receiving workmen's compensation based on a finding of total and permanent disability, or who is receiving social security disability, which aid is at least 90 percent of the total income of such disabled person from all sources, shall constitute class 3cc and shall be valued and assessed at five percent of the market value thereof. Permanently and totally disabled for the purpose of this subdivision means a condition which

is permanent in nature and totally incapacitates the person from working at an occupation which brings him an income. The property tax to be paid on class 3cc property as otherwise determined by law, *less any reduction received pursuant to section 273.135*, regardless of whether or not the market value is in excess of \$12,000 *the homestead base value*, for all purposes except the payment of principal or interest on non-school district bonded indebtedness, shall be reduced by 45 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$325. If the market value is in excess of the sum of \$24,000, the amount in excess of that sum shall be valued and assessed at 33 1/3 percent in the case of agricultural land used for a homestead and 40 percent in the case of all other real estate used for a homestead.

Sec. 29. Minnesota Statutes 1974, Section 276.04, is amended to read:

276.04 [NOTICE OF RATES; PROPERTY TAX STATEMENTS.] On receiving the tax lists from the county auditor, the county treasurer shall, if directed by the county board, give three weeks' published notice in a newspaper specifying the rates of taxation for all general purposes and the amounts raised for each specific purpose. He shall, whether or not directed by the county board, *in counties over 50,000 population according to the 1960 federal census*, cause to be printed on all tax receipts and tax statements, or on an attachment, a tabulated statement of the dollar amount due to each taxing authority and the amount to be paid to the state of Minnesota from the parcel of real property for which a particular tax statement is prepared. The dollar amounts due the state, county, township or municipality and school district shall be separately stated but the amounts due other taxing districts, if any, may be aggregated. The county treasurer shall mail to taxpayers statements of their personal property taxes due, such statements to be mailed not later than February 15 (except in the case of Class 2a property), statements of the real property taxes due shall be mailed not later than May 15; provided, that the validity of the tax shall not be affected by failure of the treasurer to mail such statement. Such real and personal property tax statements shall contain the market value, as defined in section 272.03, subdivision 8, used in determining the tax. Such statements shall also contain the amount of any reduction in real property taxes applicable to homesteads as provided in section 273.13, subdivisions 6 and 7 *and the reductions attributable to the agricultural mill rate differential provided in section 124.03, subdivision 3*. Such statement shall also include the base tax as defined in section 273.011, subdivision 4, for qualified property as defined in section 273.011 for which the credit provided for in section 273.012 is claimed. The statement shall show the amount attributable to section 124.03, subdivision 3 as "state paid agricultural credit" and the amount attributable to section 273.13, subdivisions 6 and 7 as "state paid homestead credit." The commissioner of revenue shall provide each county auditor with the names of those persons in the assessor's district who have filed and qualified for the property tax credit pursuant to sections 273.011 and

273.012 and shall inform the assessor of the base tax of those persons. If so directed by the county board, the treasurer shall visit places in the county as he deems expedient for the purpose of receiving taxes and the county board is authorized to pay the expenses of such visits and of preparing duplicate tax lists.

Sec. 30. Minnesota Statutes 1974, Section 276.01, is amended to read:

276.01 [DELIVERY OF LISTS TO TREASURER.] On or before the first Monday in January in each year, the county auditor shall deliver the lists of the several districts of the county to the county treasurer, taking therefor his receipt, showing the total amount of taxes due upon the lists and showing, for qualified property, as defined in section 273.011, for which the credit provided for in section 273.012 is claimed, the base tax, as defined in section 273.011. Where the names of taxpayers appear in the property tax lists, the county auditor shall show the addresses of such taxpayers. Such lists shall be authority for the treasurer to receive and collect taxes therein levied.

In counties in which the auditor has elected to come under the provisions of section 273.03, subdivision 2, he shall, during the year in which such lists as provided for in section 275.28, subdivision 3, are in the possession of the county treasurer, have access thereto for the purposes of changing true and full valuations and the classifications of real estate contained therein which he would have been required to change or otherwise amend in the assessment books provided for in section 273.03, subdivision 1, except for his election to discontinue the preparation of such assessment books. The county auditor shall be the official custodian of such lists after the year during which they are in the county treasurer's possession.

Sec. 31. Minnesota Statutes 1974, Section 273.012, is amended by adding a subdivision to read:

Subd. 3. The county auditor shall determine the base tax for qualified property for which the credit provided for in this section is claimed in the manner provided by the commissioner of revenue and the county auditor shall notify the county assessor of each qualified property for which the credit provided for in this section is claimed.

Sec. 32. Minnesota Statutes 1974, Section 273.061, is amended by adding a subdivision to read:

Subd. 10. [ADDITIONAL SPECIFIC DUTIES.] The county assessor shall notify the county auditor when qualified property, as defined in section 273.011, for which the credit provided for in section 273.012 is claimed loses its status as qualified property.

ARTICLE II

Section 1. Minnesota Statutes 1974, Section 256.01, Subdivision 2, is amended to read:

Subd. 2. [SPECIFIC POWERS.] Subject to the provisions of

Minnesota Statutes 1967, Section 241.021, Subdivision 2, the commissioner of public welfare shall:

(1) Administer and supervise all forms of public assistance provided for by state law and ~~such~~ other welfare activities or services as may from time to time be vested in the commissioner. Nothing herein shall transfer from the veterans home board any of its present rights, powers, or duties, all of which shall continue to be exercised by said board.

(2) Administer and supervise all child welfare activities; promote the enforcement of laws protecting defective, illegitimate, dependent, neglected and delinquent children; license and supervise child-caring and child-placing agencies and institutions; supervise the care of children in boarding and foster homes or in private institutions; and generally perform all functions relating to the field of child welfare now vested in the state board of control.

(3) Administer and supervise all non-institutional service to handicapped persons, including the blind, the deaf, the tuberculous, the crippled, and otherwise handicapped persons. The authority and power conferred by this subdivision shall include the authority and power to provide and contract for the care and treatment of qualified indigent children, as defined in section 250.02, in facilities other than those located and available at state hospitals when it is not feasible to provide ~~such the~~ service in state hospitals.

(4) Assist and actively cooperate with other departments, agencies and institutions, local, state, and federal, by performing services in conformity with the purposes of Laws 1939, Chapter 431, ~~including the establishment of an efficient working relationship with the director of institutions relating to the care and supervision of individuals both prior to and after departure from institutions under the supervision of said director of institutions.~~

(5) Act as the agent of and cooperate with the federal government in matters of mutual concern relative to and in conformity with the provisions of Laws 1939, Chapter 431, including the administration of any federal funds granted to the state to aid in the performance of any functions of the commissioner as specified in Laws 1939, Chapter 431, and including the promulgation of rules and regulations making uniformly available medical care benefits to all recipients of public assistance, at such times as the federal government increases its participation in assistance expenditures for medical care to recipients of public assistance, the cost thereof to be borne in the same proportion as are grants of aid to said recipients.

(6) Establish and maintain ~~such~~ any administrative units as may reasonably be necessary for the performance of administrative functions common to all divisions of the department.

(7) Administer and supervise ~~such~~ any additional welfare activities and services as may, from time to time, hereafter be vested by law in the state department.

(8) The commissioner is hereby specifically constituted as guardian of both the estate and the person of all the wards of the state of Minnesota and other persons the guardianship of whom has been heretofore vested in the state board of control, whether by operation of law or by an order of court, without any further act or proceeding whatever, except as to persons committed as feeble-minded or epileptic. All of said guardianships, and the funds and property of the same, are hereby transferred to and vested in said commissioner, and said commissioner is hereby constituted a legal entity and is hereby empowered to act as guardian under any laws of this state heretofore conferring such powers upon the state board of control.

(9) All the powers and duties vested in or imposed upon the director of public institutions with reference to the Minnesota state sanatorium are hereby transferred to, vested in, and imposed upon the commissioner of public welfare. The commissioner of public welfare shall appoint the superintendent of the Minnesota state sanatorium, but shall not have the power to fix his salary.

(10) Act as coordinating referral and informational center on requests for service for newly arrived immigrants coming to Minnesota.

(11) The specific enumeration of powers and duties as hereinabove set forth shall in no way be construed to be a limitation upon the general transfer of powers herein contained.

(12) Establish county, regional, or state-wide schedules of maximum fees and charges which may be paid by ~~county welfare boards~~ for medical, dental, surgical, hospital, nursing and nursing home care and medicine and medical supplies under ~~the medical assistance program~~ *all programs of medical care provided by the state*.

(13) Have the authority to conduct and administer experimental projects to test methods and procedures of administering assistance and services to recipients or potential recipients of public welfare. To carry out such experimental projects, it is further provided that the commissioner of public welfare is authorized to waive the enforcement of existing specific statutory program requirements, regulations, and standards in one or more counties. The order establishing the waiver shall provide alternative methods and procedures of administration, shall not be in conflict with the basic purposes, coverage, or benefits provided by law, and in no event shall the duration of a project exceed two years. It is further provided that no order establishing an experimental project as authorized by the provisions of this section shall become effective until the following conditions have been met:

(a) The proposed comprehensive plan including estimated project costs and the proposed order establishing the waiver shall be filed with the Secretary of the Senate and Chief Clerk of the House of Representatives at least 60 days prior to its effective date.

(b) The secretary of health, education, and welfare of the United States has agreed, for the same project, to waive state plan requirements relative to state-wide uniformity.

(c) A comprehensive plan, including estimated project costs, shall be approved by the legislative advisory committee and filed with the commissioner of administration.

(14) In accordance with federal requirements establish procedures to be followed by ~~county~~ local welfare boards in creating citizen advisory committees, including procedures for selection of committee members.

(15) *Promulgate, by rule and regulation, standards of administration to be applied by local welfare boards administering state and county financed programs of medical assistance pursuant to chapter 256B, general relief medical care pursuant to section 256D.02, subdivision 4 and medical, hospital, and surgical care for persons eligible for general assistance pursuant to chapter 256D, or for indigent persons whose costs of hospitalization are paid pursuant to sections 261.21 to 261.231 and section 12 of this article. The rules and regulations shall specify a uniform standard of performance and a tolerated error rate, but shall not specify the minimum number of personnel to be employed by a local agency if the agency operates at the specified standard of performance or at or below the tolerated error rate. The commissioner may deduct from the earned administrative reimbursements of a county a penalty for the county's failure to comply with the standards of administration. The penalty shall be fixed by the commissioner as a percentage of the overexpenditure caused by improper administration, beyond an initial tolerated amount of overexpenditure. In the event that fiscal sanctions are imposed by the federal government because of improper administration of the programs, one half of the amount of the sanctions attributable to local agency performance shall be deducted from administrative reimbursement otherwise due the county.*

(16) *Develop a plan and report to the legislature during its 1976 session on methods by which the payment and administration of all income maintenance programs could be assumed by the state department of public welfare.*

Sec. 2. Minnesota Statutes 1974, Section 256.98, is amended to read:

256.98 [WRONGFULLY OBTAINING ASSISTANCE; THEFT.] Whoever obtains, or attempts to obtain, or aids or abets any person to obtain by means of a wilfully false statement or representation, or by impersonation or other fraudulent device, assistance to which he is not entitled, or assistance greater than that to which he is entitled, or knowingly aids or abets in buying or in any way disposing of the property of a recipient of assistance without the consent of the ~~county~~ local agency with intent to defeat the purposes of Minnesota Statutes 1971, Sections 256.451 to 256.475, 256.13 to 256.43, 256.49 to 256.71, 256.72 to 256.87, or chapter 256B, shall be guilty of theft and punished in accordance

with section 609.52, subdivision 3, clauses (1), (2) and (5). The amount of any assistance paid incorrectly by way of the aforementioned means and established by judicial determination shall be recoverable from the recipient or his estate by the county or the state as a debt due the county or the state or both in proportion to the contribution of each. Any amounts recovered shall be paid to the appropriate units of government in the same manner as provided in section 256.863. To prosecute or to recover assistance wrongfully obtained under this section, the attorney general or the appropriate county attorney, acting independently or at the direction of the attorney general, may institute a criminal or civil action.

Sec. 3. Minnesota Statutes 1974, Section 256B.02, Subdivision 3, is amended to read:

Subd. 3. "County of financial responsibility" means +

(a) For an applicant who resides in this state, the county in which he last resided for one year of unexcluded time. If he does not have one year of unexcluded time, the county in which he resided for the longest period of unexcluded time.

(b) For an applicant who has not resided in this state for a full year, the county in which he has resided the longest period of unexcluded time.

(c) For an applicant who has not resided in this state for any period of unexcluded time, the county in which he the applicant resides at the time of making application.

(d) The above provisions notwithstanding, the county of financial responsibility for medical assistance shall always be the same county as that from which a recipient is receiving a maintenance grant or money payment under the aid to families with dependent children program.

Sec. 4. Minnesota Statutes 1974, Section 256B.041, Subdivision 5, is amended to read:

Subd. 5. If required by federal law or rules promulgated thereunder, or by authorized regulation of the state agency, each county shall pay to the state treasurer the portion of medical assistance paid by the state for which it is responsible. The county's share of cost shall be 50 ten percent of that portion not met by federal funds.

Sec. 5. Minnesota Statutes 1974, Section 256B.07, is amended to read:

256B.07 [EXCEPTIONS IN DETERMINING RESOURCES.]
A county local agency may, within the scope of regulations set by the commissioner of public welfare, waive the requirement of liquidation of excess assets when the liquidation would cause undue hardship. Household goods and furniture in use in the home, wearing apparel, insurance policies with cash surrender

value not in excess of \$1,000 per insured person, personal property used as a regular abode by the applicant or recipient, and a lot in a burial plot shall not be considered as resources available to meet medical needs.

Sec. 6. Minnesota Statutes 1974, Section 256B.12, is amended to read:

256B.12 [LEGAL REPRESENTATION.] The attorney general or the appropriate county attorney appearing at the direction of the attorney general shall be the attorney for the state agency, and the county attorney of each the appropriate county shall be the attorney for the county local agency of such county in all matters pertaining hereto.

Sec. 7. Minnesota Statutes 1974, Section 256B.19, Subdivision 1, is amended to read:

256B.19 [DIVISION OF COST.] Subdivision 1. The cost of medical assistance paid by each county of financial responsibility shall be borne as follows: Payments shall be made by the state to the county for that portion of medical assistance paid by the federal government and the state on or before the 20th day of each month for the succeeding month upon requisition from the county showing the amount required for the succeeding month. *Ninety percent of the expense of assistance not paid by federal funds available for that purpose shall be shared equally paid by the state and county; except that where the recipient is a child who has been surrendered for adoption pursuant to section 250.25, or has been committed to the guardianship of a licensed child placing agency pursuant to section 260.241, and a bona fide dispute regarding the county of residence of the child exists, the commissioner of public welfare, pursuant to rules and regulations adopted by him, may pay the entire expense of assistance not paid by federal funds from state funds. The director of the child placing agency or his appointed agent shall be designated as the applicant for medical assistance benefits on behalf of the child and ten percent shall be paid by the county of financial responsibility.*

Sec. 8. Minnesota Statutes 1974, Section 256D.03, is amended by adding a subdivision to read:

Subd. 3. State aid shall be paid to local agencies or counties for 90 percent of the cost of general relief medical care paid by the local agency or county pursuant to section 256D.02, subdivision 4 on behalf of persons eligible according to standards established by the commissioner of welfare in accordance with the rates established by rule of the commissioner. The local agency or county may select the vendor for the delivery of the medical care. Any local agency or county may, from its own resources, make payments for medical care for persons not otherwise eligible for the care pursuant to standards established by the commissioner.

The commissioner of public welfare shall promulgate rules and regulations to establish administrative and fiscal procedures for

payment of the state share of the medical costs incurred by the counties under section 256D.02, subdivision 4. The rules and regulations may include:

(a) procedures by which state liability for the costs of medical care incurred pursuant to section 256D.02, subdivision 4 may be deducted from county liability to the state under any other public assistance program authorized by law;

(b) procedures for processing claims of counties for reimbursement by the state for expenditures for medical care made by the counties pursuant to section 256D.02, subdivision 4;

(c) procedures by which the local agencies may contract with the commissioner of public welfare for state administration of general relief medical payments; and

(d) standards of eligibility and utilization of services.

Sec. 9. Minnesota Statutes 1974, Section 261.21, is amended to read:

261.21 [HOSPITALIZATION FOR INDIGENT PERSONS.]
Subdivision 1. The county board of any county in this state is hereby authorized to provide for the hospitalization in hospitals within the county or elsewhere of indigent residents of such county who are afflicted with a malady, injury, deformity, or ailment of a nature which can probably be remedied by hospitalization and who are unable financially to secure and pay for such hospitalization or, in the case of an unemancipated minor, whose parent, guardian, trustee, or other person having lawful custody of his person, as the case may be, is unable to secure or provide such hospitalization.

Subd. 2. The county board may select the hospital at which the indigent person shall receive care.

Sec. 10. Minnesota Statutes 1974, Section 261.22, Subdivision 2, is amended to read:

Subd. 2. [DUTIES OF COUNTY BOARD.] If upon filing of such report and a full investigation of the application the county board shall be satisfied that the case is one which could be remedied by hospital treatment and that such afflicted person is financially unable to secure or provide the same for himself and that the persons legally charged with the support and maintenance of such person, if any there be, are financially unable to provide such hospitalization, the county board may grant or approve said application. If the county board is not so satisfied, it may take additional testimony or make such further investigation as it shall deem proper and it shall reject any application if it finds that the facts do not merit the expenditure of public money for the relief of such afflicted person. Upon the approving and granting such application and the relief therein prayed for, the chairman of such county board shall arrange for the hospitalization of such afflicted person, in a hospital selected by the county. If the county board shall find that the applicant or the person legally responsible for his support and maintenance is not

able to pay in full but is able to pay in part for such hospitalization at such hospital, the county board may approve such application of such afflicted person on such terms of division of hospital charges and costs as it may deem equitable and just. The county board shall provide for taking such afflicted person to the hospital. When a physician certifies that an emergency exists in any case and that he believes that the person suffering is unable to pay for hospitalization such person shall be admitted to any such hospital upon the order of the chairman of the county board or upon the order of the county commissioner of the district in which such alleged indigent person resides; and thereafter an investigation shall be made in the manner hereinbefore provided. When a physician certifies in a case of an injury (or an emergency) that immediate surgical or medical treatment is necessary, the patient shall forthwith be admitted to any such hospital upon said certificate for a period not to exceed 72 hours; and thereafter an investigation shall be certified and made in the manner provided in sections 261.21 to 261.23.

Sec. 11. Minnesota Statutes 1974, Section 261.23, is amended to read:

261.23 [COSTS OF HOSPITALIZATION.] The costs of hospitalization of such indigent persons exclusive of medical and surgical care and treatment shall not exceed in amount the full rates fixed and charged by the Minnesota general hospital under the provisions of sections 158.01 to 158.11 for the hospitalization of such indigent patients. *Ninety percent of the cost of the hospitalization of indigent persons under the provisions of sections 261.21 to 261.23 261.231 and section 12 of this article shall be paid by the state and ten percent of the cost of hospitalization shall be paid by the county of the residence of such indigent persons at such times as may be provided for in such contract; and in case of an injury or emergency requiring immediate surgical or medical treatment, for a period not to exceed 72 hours, 90 percent of the cost shall be paid by the state and ten percent of the cost shall be paid by the county from which such patient, if indigent, is certified. If the county of residence of the patient is not the county in which the patient has legal settlement for the purposes of poor relief, then the county of residence may seek reimbursement from the county in which the patient has settlement for the purposes of poor relief for all costs it has necessarily incurred and paid in connection with the hospitalization of said patient.*

Sec. 12. Minnesota Statutes 1974, Chapter 261, is amended by adding a section to read:

[261.232] [DUTIES OF THE COMMISSIONER OF PUBLIC WELFARE.] *The commissioner of public welfare shall promulgate rules and regulations to establish administrative and fiscal procedures for payment of the state share of the costs incurred by the counties under Minnesota Statutes, Sections 261.21 to 261.231. The rules and regulations may include:*

(a) procedures by which state liability for the costs of hospitalization of indigent persons may be deducted from county

liability to the state under any other public assistance program authorized by law;

(b) procedures for processing claims of counties for reimbursement by the state for expenditures made by the counties for the hospitalization of indigent persons; and

(c) standards for eligibility and utilization of medical care.

Sec. 13. [APPROPRIATION.] *There is annually appropriated from the general fund in the state treasury to the commissioner of public welfare, a sum sufficient to discharge the duties imposed by this article.*

Sec. 14. [EFFECTIVE DATE.] *This article shall be effective January 1, 1976.*

ARTICLE III

Section 1. Minnesota Statutes 1974, Section 477A.01, Subdivision 1, is amended to read:

477A.01 [LOCAL GOVERNMENT AID.] Subdivision 1. ~~Except in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, The state shall distribute \$35 \$42 for each person residing in the territory comprising each county for the calendar year 1974 1976 and \$36 for the calendar year 1975 \$45 for calendar year 1977 to the several taxing authorities, except school districts, with authority to impose taxes on property located in the county's territory. For the purposes of subdivisions 1, 3, 4, 4a and 4b, the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington shall be considered a single county.~~

Sec. 2. Minnesota Statutes 1974, Section 477A.01, Subdivision 2, is amended to read:

Subd. 2. ~~The Every county government except that of a county containing a city of the first class shall receive 85 percent of the same percentage of the distributions pursuant to subdivision 1, that a distribution equal to the distribution it was entitled to receive in 1971 of the total distributions to the several taxing authorities in the county's territory 1975 pursuant to Minnesota Statutes 1969, Sections 273.69 and 297A.61 to 297A.60, except that distributions to school districts under those laws shall be disregarded in making the calculation 1974, Section 477A.01 .~~

Sec. 3. Minnesota Statutes 1974, Section 477A.01, Subdivision 3, is amended to read:

Subd. 3. Each taxing authority in each county, other than the county, the school districts and the cities and towns, shall receive in ~~1974 and 1975~~ 1976 and 1977 a distribution equal to the distribution it was entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Section 273.69.

Sec. 4. Minnesota Statutes 1974, Section 477A.01, Subdivision 4, is amended to read:

Subd. 4. The balance of the distributions in ~~1974~~ 1976 pur-

suant to subdivision 1, shall be divided among the several cities and towns in the county's territory in the proportion that the dollar amount of the levy limitation and special levies of each city and town for taxes payable in 1973 bears to the total dollar amount of the levy limitations and special levies of all the cities and towns for taxes payable in 1973.

The balance of the distribution in 1975 pursuant to subdivision 1, shall be divided among the several cities and towns in the county's territory in the proportion that the dollar amount of the levy limitation and special levies of each city and town for taxes payable in 1974 bears to the total dollar amount of the levy limitations and special levies of all cities and towns for taxes payable in 1974.

For the purposes of this subdivision, the levy limitation of a city or town with statutory city powers for taxes payable in 1973 or 1974 shall be the limitation established for such governmental unit pursuant to sections 275.50 to 275.56, as determined by the department of revenue. For the purposes of this subdivision, the special levies of a city or town with statutory city powers for taxes payable in 1973 or 1974 shall be the amounts of the governmental unit's tax levy payable in 1973 or 1974 which the department of revenue determines to be qualified special levies pursuant to section 275.50, subdivision 5, before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (e). Furthermore, cities and towns with statutory city powers under 500 population, according to the latest state or federal census, and towns without statutory city powers, shall receive distributions in 1974 and 1975, pursuant to this subdivision, based on their levies payable in 1973 and 1974, respectively in the proportion that the product of the city or town's 1970 federal census population; times the sum of its average city or town mill rate for the three immediately preceding years divided by three; times its city or town 1974 aggregate sales ratio as determined by the commissioner of revenue bears to the sum of the product of that calculation for all cities and towns in the territory.

The balance of the distributions in 1977 pursuant to subdivision 1 shall be divided among the several cities and towns in the county's territory in the proportion that the product of the city or town's 1970 federal census population; times the sum of its average city or town mill rate for the three immediately preceding years divided by three; times its city or town 1975 aggregate sales ratio as determined by the commissioner of revenue bears to the sum of the product of that calculation for all cities and towns in the territory.

Sec. 5. Minnesota Statutes 1974, Section 477A.01, is amended by adding a subdivision to read:

Subd. 4a. If the amount distributed to a city or town pursuant to subdivision 4 is less than the aids the city or town received in 1975, before corrections for prior year aid payments, pursuant to Minnesota Statutes 1974, Section 477A.01, the amount distributed to it shall be raised to the amount the city or town received in

1975, before corrections for prior year aid payments, and the distributions to the other cities and towns within the county's territory shall be proportionately reduced as necessary to supply the difference.

Sec. 6. Minnesota Statutes 1974, Section 477A.01, is amended by adding a subdivision to read:

Subd. 4b. The commissioner of revenue shall make all necessary calculations and make payments directly to the affected taxing authorities in four equal parts on March 15, July 15, September 15, and November 15 in 1976 and 1977.

Sec. 7. [APPROPRIATION.] *A sum sufficient to discharge the duties imposed by this article is annually appropriated from the general fund to the commissioner of revenue.*

Sec. 8. Minnesota Statutes 1974, Section 477A.01, Subdivisions 5, 6, 7, 8, 9, 10, 11, 13, 14, 16 and 17 are repealed effective January 1, 1976.

ARTICLE IV

Section 1. Minnesota Statutes 1974, Section 275.50, Subdivision 5, is amended to read:

Subd. 5. Notwithstanding any other law to the contrary for taxes levied in 1975 payable in 1976 and thereafter, "special levies" means those portions of ad valorem taxes levied by governmental subdivisions to:

(a) satisfy judgments rendered against the governmental subdivision by a court of competent jurisdiction in any action other than an action on an express contract or default on an express contract, or to pay the costs of settlements out of court against the governmental subdivision in any action other than an action on an express contract when substantiated by a stipulation for the dismissal of the action filed with the court of competent jurisdiction and signed by both the plaintiff and the legal representative of the governmental subdivision, but only to the extent of the increase in levy for such judgments and out of court settlements over levy year 1970, taxes payable in 1971;

(b) pay the costs of complying with any written lawful order issued by the state of Minnesota, or the United States, or any agency or subdivision thereof, which is authorized by law, statute, special act or ordinance and is enforceable in a court of competent jurisdiction, or any stipulation agreement or permit for treatment works or disposal system for pollution abatement in lieu of a lawful order signed by the governmental subdivision and the state of Minnesota, or the United States, or any agency or subdivision thereof which is enforceable in a court of competent jurisdiction. The commissioner of revenue shall in consultation with other state departments and agencies, develop a suggested form for use by the state of Minnesota, its agencies and subdivisions in issuing orders pursuant to this subdivision;

(c) pay the costs of complying with any law enacted by the 1971

1975 legislature or a prior or subsequent year's legislature which specifically and directly requires a new or altered activity after levy year ~~1970~~ 1974 , taxes payable in ~~1971~~ 1975 , but only to the extent of the increased cost for such activity after levy year ~~1970~~ 1974 , taxes payable in ~~1971~~ 1975 ;

(d) pay the costs of an expanded county court system to the extent of the increase in costs over the amount levied in support of a county court or a probate court in levy year ~~1970~~ 1974 , taxes payable in ~~1971~~ 1975 ;

(e) pay amounts required by any public pension plan to the extent that operation of the laws of the state of Minnesota or the United States governing such fund directly causes the level of governmental financial support to exceed the level of such support prior to July 1, 1971, provided that such increases are not the result of amendment by any means to the benefit plan after July 1, 1971 which required the approval of the governing body of the governmental subdivision;

(f) pay amounts required to be levied in support of a volunteer firemen's relief association if resulting from the operation of sections 69.772 and 69.773;

(g) pay the costs to a governmental subdivision for their share of any program otherwise authorized by law, including the administrative costs of social services and of county welfare systems, for which matching funds have been appropriated by the state of Minnesota or the United States, but only to the extent that the costs to the governmental subdivision for the program exceed those expended in calendar year 1970, subject to rules promulgated by the commissioner of revenue pursuant to the administrative procedures act;

(h) pay expenses reasonably and necessarily incurred in preventing, preparing for or repairing the effects of natural disaster. "Natural disaster" as used herein means the occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from natural causes, including and limited to fire, flood, earthquake, wind storm, wave action, oil spill, or other water contamination requiring action to avert danger or damage, volcanic activity, drought or air contamination. The emergency services division of the state department of public safety shall formulate standards by which an occurrence of any of the aforementioned natural phenomena would be deemed a natural disaster by reason of the level of damage, injury or loss of life or property that has occurred or would occur if preventative action was not taken;

(i) pay the costs not reimbursed by the state or federal government, of payments made to or on behalf of recipients of aid under any public assistance program authorized by law;

(j) pay the costs of principal and interest on bonded indebtedness, or, effective for taxes levied in 1973 and years thereafter, to reimburse for the amount of liquor store revenues used to pay the principal and interest due in the year preceding

the year for which the levy limit is calculated on municipal liquor store bonds;

(k) pay the costs of principal and interest on certificates of indebtedness, except tax anticipation or aid anticipation certificates of indebtedness, issued for any corporate purpose except current expenses or funding an insufficiency in receipts from taxes or other sources or funding extraordinary expenditures resulting from a public emergency;

(l) fund the payments made to the Minnesota state armory building commission pursuant to section 193.145, subdivision 2, to retire the principal and interest on armory construction bonds;

(m) provide for the bonded indebtedness portion of payments made to another political subdivision of the state of Minnesota;

(n) pay the amounts required to compensate for a decrease in revenues from public service enterprises, municipal liquor stores, licenses, permits, fines and forfeits and no other, to the extent that the aggregate of revenues from these sources in the calendar year preceding the year of levy are less than the aggregate of revenues from these sources in calendar year 1971. "Revenues" from a public service enterprise or a municipal liquor store shall mean the net income or loss of such public service enterprise or municipal liquor store, determined by subtracting total expenses from total revenues, and before any contribution to or from the governmental subdivision. "Fines" for a municipal court means the net amount remaining after subtracting total municipal court expenses from total collections of municipal court fines. A governmental subdivision shall qualify for this special levy only if the decrease in aggregate revenues as computed herein and divided by the population of the governmental subdivision in the preceding levy year is equal to or greater than two percent of the per capita levy limitation for the preceding levy year;

(o) pay the amounts required to compensate for a decrease in mobile homes property tax receipts to the extent that the governmental subdivision's portion of the total levy in the current levy year, pursuant to section 273.13, subdivision 3, as amended, is less than the distribution of the mobile homes tax to the governmental subdivision pursuant to section 273.13, subdivision 3, in calendar year 1971;

(q) pay the amounts required, in accordance with section 275.075, to correct for a county auditor's error of omission in levy year 1971 or a subsequent levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(r) pay amounts required to correct for an error of omission in the levy certified to the appropriate county auditor or auditors by the governing body of a city or town with statutory city powers in levy year 1971 or a subsequent levy year, but only to

the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(s) pay the increased cost of municipal services as the result of an annexation or consolidation ordered by the Minnesota municipal commission in levy year 1971 or a subsequent levy year, but only to the extent and for the levy years as provided by the commission in its order pursuant to section 414.01, subdivision 15. *Special levies authorized by the commission shall not exceed 50 percent of the levy limit base of the governmental subdivision and may not be in effect for more than three years after the commission's order ;*

(t) pay the increased costs of municipal services provided to new private industrial and nonresidential commercial development, to the extent that the extension of such services are not paid for through bonded indebtedness or special assessments, and not to exceed the amount determined as follows. The governmental subdivision may calculate the aggregate of:

(1) The increased expenditures necessary in preparation for the delivering of municipal services to new private industrial and nonresidential commercial development, but limited to one year's expenditures one time for each such development;

(2) The amount determined by dividing the overall levy limitation established pursuant to sections 275.50 to 275.56, and exclusive of special levies and special assessments, by the total taxable value of the governmental subdivision, and then multiplying this quotient times the total increase in assessed value of private industrial and nonresidential commercial development within the governmental subdivision. For the purpose of this clause, the increase in the assessed value of private industrial and nonresidential commercial development is calculated as the increase in assessed value over the assessed value of the real estate parcels subject to such private development as most recently determined before the building permit was issued. In the fourth levy year subsequent to the levy year in which the building permit was issued, the increase in assessed value of the real estate parcels subject to such private development shall no longer be included in determining the special levy.

The aggregate of the foregoing amounts, less any costs of extending municipal services to new private industrial and nonresidential commercial development which are paid by bonded indebtedness or special assessments, equals the maximum amount that may be levied as a "special levy" for the increased costs of municipal services provided to new private industrial and nonresidential commercial development ;

(u) *recover a loss or refunds in tax receipts incurred in non-special levy funds resulting from abatements or court action in the previous year pursuant to section 275.48.*

Sec. 2. Minnesota Statutes 1974, Section 275.51, Subdivision 1, is amended to read:

275.51 [LEVY LIMITS.] Subdivision 1. Notwithstanding any provisions of law or municipal charter to the contrary which authorized ad valorem levies in excess of the limitations established by sections 275.50 to 275.56, but subject to section 275.56, the provisions of this section shall apply to the levies by governmental subdivisions in the years 1971, 1972 1975, 1976 and subsequent years for all purposes other than those for which special levies and special assessments are made.

Sec. 3. Minnesota Statutes 1974, Section 275.51, is amended by adding a subdivision to read:

Subd. 3b. The property tax levy limitation for governmental subdivisions in 1975 payable in 1976 shall be calculated as follows:

(a) The sum of (1) the property tax permitted to be levied in 1974 payable in 1975 computed pursuant to Minnesota Statutes 1974, Section 275.51, Subdivisions 3 or 3a plus (2) the amount of any state aids the governmental subdivision was entitled to receive in calendar year 1975 pursuant to sections 477A.01, 298.26, 298.282, 298.28, subdivisions 1 and 1a, 298.281, subdivision 1, 298.32 and 294.26, plus (3) the amount levied in 1974 payable in 1975 pursuant to Minnesota Statutes 1974, Section 275.50, Subdivision 5, Clauses (c) and (d) plus (4) the amount of any increase authorized pursuant to section 6 plus (5) the amount of any increase allowed pursuant to Laws 1974, Chapter 490.

(b) The sum derived in clause (a) shall be divided by the population of the governmental subdivision as determined pursuant to section 275.53 for calendar year 1974.

(c) The resultant quotient shall be increased pursuant to section 275.52, subdivision 2 to derive the levy limit base per capita for taxes levied in 1975 payable in 1976.

(d) The levy limit base per capita for 1975 payable 1976 shall be multiplied by the population of the governmental subdivision as determined pursuant to section 275.53 for calendar year 1975. This is the levy limit base for 1975 payable in 1976.

In cities and townships the levy limit base shall be reduced by 82.5 percent of the amount of state formula aids to be paid in 1976 pursuant to Minnesota Statutes, Section 477A.01, and the taconite aids to be paid in 1976 pursuant to Minnesota Statutes, Sections 294.26, 298.26, 298.28, Subdivision 1, 298.282, and 298.32 and article XI of this act. In the case of counties the levy limit base shall be reduced by the total amount of state formula aids to be paid in 1976 pursuant to Minnesota Statutes, Section 477A.01 and the taconite aids to be paid in 1976 pursuant to Minnesota Statutes, Sections 294.26, 298.26, 298.28, Subdivisions 1 and 1a, 298.281, Subdivision 1, and 298.32 and article XI of this act. The resulting figure is the amount of property taxes which a governmental subdivision may levy in 1975 payable in 1976 for all purposes other than those for which special levies and special assessments are made.

Sec. 4. Minnesota Statutes 1974, Section 275.51, is amended by adding a subdivision to read:

Subd. 3c. The property tax levy limitation for governmental subdivisions in 1976 payable in 1977 shall be calculated as follows:

(a) In cities and townships, the sum of the levy limit base computed pursuant to subdivision 3b plus 17.5 percent of the local government aids received in calendar year 1976 pursuant to Minnesota Statutes, Section 477A.01 plus any increases authorized by section 6 shall be determined. This sum shall be divided by the population of the city or township as determined in accordance with section 275.53 for calendar year 1975. The resultant quotient shall be increased pursuant to section 275.52, subdivision 2 to derive the levy limit base per capita for the city or town for taxes levied in 1976 payable in 1977.

(b) In the case of counties, the levy limit base computed pursuant to subdivision 3b plus any increase pursuant to section 6 plus any increase allowed pursuant to Laws 1974, Chapter 490 shall be divided by the population of the county for calendar year 1976 as determined pursuant to section 275.53. The resultant quotient shall be increased pursuant to section 275.52, subdivision 2 to derive the levy limit base per capita for the county for taxes levied in 1976 payable in 1977.

(c) In all governmental subdivisions the levy limit base per capita for 1976 payable 1977 shall be multiplied by the population of the governmental subdivision as determined pursuant to section 275.53 for calendar year 1976. This is the levy limit base for 1976 taxes payable in 1977.

The levy limit base shall be reduced by the full amount of state formula aids to be paid in 1977 pursuant to Minnesota Statutes, Section 477A.01, and taconite aids to be paid in 1977 pursuant to Minnesota Statutes, Sections 294.26, 298.26, 298.28, Subdivisions 1 and 1a, 298.281, Subdivision 1, 298.282, and 298.32 and article XI of this act. The resulting figure is the amount of property taxes which a governmental subdivision may levy in 1976 payable in 1977 for all purposes other than those for which special levies and special assessments are made.

Sec. 5. Minnesota Statutes 1974, Section 275.51, Subdivision 4, is amended to read:

Subd. 4. If in 1971 the levy made by any governmental subdivision exceeds the limitation provided in this section, except when such excess levy is due to the rounding of the mill rates of the governmental subdivision in accordance with section 275.28, subsequent distributions of formula aids pursuant to sections 298.282 and 477A.01, as amended, shall be reduced 10 cents for each full dollar that the levy exceeds the limitation imposed by this section. If in any year subsequent to 1971 1973 the levy made by a governmental subdivision exceeds the limitation provided in sections 275.50 to 275.56, except when such excess levy is due to the rounding of the mill rates of the governmental subdivision in accordance with section 275.28, subsequent distributions required to be made by the commissioner of finance from any formula aids pursuant to sections 298.282 and 477A.01, as amended Minnesota Statutes, Section 477A.01, shall be reduced 33 cents for each full

dollar the levy exceeds the limitation; provided that a governmental subdivision may determine to levy in excess of the limitation provided in sections 275.50 to 275.56 by not to exceed five percent by passing a resolution setting forth the amount by which the levy limit is proposed to be exceeded. Thereafter the resolution shall be published for two successive weeks in the official newspaper of the governmental subdivision or if there be no official newspaper, in a newspaper of general circulation therein, together with a notice fixing a date for a public hearing on the proposed increase which hearing shall be held not less than two weeks nor more than four weeks after the first publication of the resolution. Following the public hearing, the governing body may determine to take no further action, or in the alternative, adopt a resolution authorizing the levy as originally proposed, or adopt a resolution approving a levy in such lesser amount as it so determines. The resolution authorizing a levy in excess of the limitation imposed by sections 275.50 to 275.56 shall be published in the official newspaper of the governmental subdivision or if there be no official newspaper, in a newspaper of general circulation therein. If within 30 days thereafter, a petition signed by voters equal in number to five percent of the votes cast in the governmental subdivision in the last general election or 2,000 voters, whichever is less, requesting a referendum on the proposed resolution is filed with the clerk or recorder of the governmental subdivision if the governmental subdivision is a city or town, or with the county auditor if the governmental subdivision is a county, the resolution shall not be effective until it has been submitted to the voters at a general or special election and a majority of votes cast on the question of approving the resolution are in the affirmative. The commissioner of revenue is directed to prepare a suggested form of question to be presented at any such referendum. A levy approved at any such referendum held at a special or general election held prior to October 1 in any levy year increases the allowable levy in that same levy year and provides a permanent adjustment to the levy limit base per capita of the governmental subdivision for future levy years, and there shall be no reduction in distributions of formula aids to the governmental subdivision as a result of such levy. If no referendum is requested, the excess levy authorized by the resolution, if the resolution is adopted prior to October 1 in any year, may be levied in that same levy year and subsequent distributions required to be made by the commissioner of finance from any formula aids pursuant to *Extra Session Laws 1971, Chapter 31 Minnesota Statutes, Section 477A.01*, shall be reduced 15 cents for each full dollar the levy exceeds the limitation. A levy made in 1971 prior to the effective date of *Extra Session Laws 1971, Chapter 31* shall be reviewed and may be modified by the appropriate authority of the governmental subdivision for the purpose of reducing such levy to conform to the limitations imposed by this section. Any reduction in such levy made prior to December 15, 1971, shall be given the same effect as though such reduction had been made prior to the expiration of the time allowed by law for making the levy. The provisions of this subdivision shall apply to the levy of a metropolitan county before the reduction required pursuant to section 163.051, subdivision 5.

Sec. 6. Minnesota Statutes 1974, Section 275.52, is amended by adding a subdivision to read:

Subd. 4. For taxes levied in 1975 payable in 1976 and subsequent years the levy limit base of a governmental subdivision may be increased upon approval by the levy limit review board established in section 275.551, for the following reasons:

(a) Any governmental subdivision which spent money from its surplus funds for nonspecial levy purposes in calendar year 1971 may have its levy limit base increased by an amount not to exceed the amount of revenue it used from surplus funds for nonspecial levy purposes in calendar year 1971.

(b) Any governmental subdivision which has been required to provide new services because of changes in state law, whether or not the changed law directly mandates new services, may have its levy limit base increased by an amount not to exceed the amount required to finance the services, provided that the services may not be financed by special levies or special assessments.

(c) Any governmental subdivision which has been required to provide new or expanded services because of annexations, consolidations, mergers or new incorporations since 1971 may have its levy limit base increased by an amount not to exceed the amount required to finance the general operating costs involved in such services.

Any governmental subdivision which desires to have its levy limit base adjusted under the provisions of this subdivision shall apply to the commissioner of revenue, who shall submit all applications to the levy limit review board established in section 275.551. Applications shall be in the form and accompanied by the data required by the levy limit review board. Adjustments authorized by the levy limit review board shall become a permanent part of the levy limit base for the governmental subdivision. The levy limit review board may authorize only one levy limit base adjustment for any governmental subdivision under this subdivision.

Sec. 7. Minnesota Statutes 1974, Section 275.53, Subdivision 3, is amended to read:

Subd. 3. (a) In lieu of passing a resolution pursuant to subdivision 2, the governing body of a governmental subdivision may pass by June 1 of any year a resolution containing an estimate of the current population of the subdivision. The resolution shall describe with specificity the criteria upon which the estimate is based, and shall state that the estimate is made for purposes of increasing that subdivision's tax levy pursuant to sections 275.50 to 275.56. The resolution shall be in the form and accompanied by the data required by the state planning agency.

(b) The resolution shall then be submitted to the state planning agency. The agency shall determine, and so inform the subdivision in writing within 30 days of receipt of the resolution, whether the criteria and process described therein do or do not provide a reasonable basis for the population estimate. No determination by the agency made pursuant to this subdivision shall constitute, nor

~~shall it be represented as constituting a determination of actual population~~ The estimate prepared by the subdivision shall be reviewed by the state planning agency with reference to county population estimates prepared by the state demographer. The state demographer's county population estimates will be used as a county control.

(c) If the agency determines that the criteria and process used by the subdivision do not provide a reasonable basis for the population estimate, the resolution shall be of no effect. If the agency determines that the criteria do provide a reasonable basis for the population estimate, the resolution shall be published at least once in a legal newspaper of general circulation in said subdivision. Said estimate may be used for computing the amount of ad valorem taxes the subdivision may levy, unless within 30 days following the publication of the resolution, 10 percent or more of the registered voters of the subdivision, or if the subdivision does not require voter registration, then 10 percent or more of its voters, who voted at the subdivision's last election, sign a petition demanding a special census, and submit the petition to the governing body of the subdivision.

(d) Attached to the petition shall be an affidavit executed by the circulator or circulators thereof, stating that he or they personally circulated the petition, the number of signatures thereon, that all signatures were affixed in his or their presence and that he or they believe them to be genuine signatures of the persons whose names they purport to be. Each signature need not be notarized.

(e) Upon the receipt of a petition conforming to this subdivision, the governing body shall pass a resolution requesting the secretary of state to take a special census of the governmental subdivision. The census shall be taken and financed pursuant to the provisions of subdivision 2. Any population estimate made by the governing body of any governmental subdivision shall be superseded by any subsequent state or federal census taken pursuant to sections 275.50 to 275.56 or any other law, or by a population estimate made by the metropolitan council or the state demographer. The governing body of a governmental subdivision may not avail itself of the provisions of this subdivision during any year for which any state or federal census has been taken or for which the metropolitan council has made a population estimate of the subdivision.

Sec. 8. Minnesota Statutes 1974, Section 275.59, is amended to read:

275.59 [GOVERNMENTAL SUBDIVISIONS UNDER 2,500 POPULATION; EXEMPTION FROM LEVY LIMITS.] Commencing with levy year ~~1973~~ 1975 and thereafter, taxes payable in ~~1974~~ 1976 and thereafter, the provisions of sections 275.50 to 275.56 shall not apply to any city, statutory city or town with statutory city powers whose population according to the latest state or federal census is under ~~500~~ 2,500.

Sec. 9. Minnesota Statutes 1974, Section 273.138, Subdivision 6, is amended to read:

Subd. 6. If a county government, city or township is subject to the provisions of sections 275.50 to 275.56, the amount of aid calculated for such taxing district pursuant to subdivision 2 for 1974 or a subsequent year 1976 shall be deducted from the taxing district's current levy year's levy year 1975, taxes payable 1976 levy limit base determined pursuant to section 275.51, subdivision 3 in determining section 3 and the amount of aid calculated for such taxing district pursuant to subdivision 2 for 1977 shall be deducted from the taxing district's levy year 1976, taxes payable 1977 levy limit base determined pursuant to section 4 for the purpose of calculating the taxing district's levy limitation for taxes payable in 1974 or such subsequent year 1976 or 1977 as the case may be. The amount of aid calculated for a school district pursuant to subdivision 3, clauses (2), (3), (4), (5) and (6) for 1975 or a subsequent year shall be deducted from the school district's maintenance levy limitation established pursuant to section 275.125, subdivision 2a, in determining the amount of taxes the school district may levy for general and special purposes for taxes payable in 1975 or a subsequent year.

Sec. 10. [REPEALER.] *Minnesota Statutes 1974, Section 275.51, Subdivisions 3 and 3a, are repealed.*

ARTICLE V

Section 1. *Minnesota Statutes 1974, Section 290.09, Subdivision 29, is amended to read:*

Subd. 29. [DEDUCTIONS ATTRIBUTABLE TO FARMING.] (a) [DEFINITION.] For purposes of ~~Laws 1973, Chapter 737 this subdivision~~, income and gains and expenses and losses shall be considered as "arising from a farm" if such items are received or incurred in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and fur-bearing animals and wildlife, and all operations incident thereto, including but not limited to the common use of "hedging".

(b) [DEDUCTIONS LIMITED.] Except as provided in ~~Laws 1973, Chapter 737 this subdivision~~, expenses and losses, except for interest and taxes, arising from a farm shall not be allowed as deductions in excess of income and gains arising from a farm.

(c) [DEDUCTIONS ALLOWED; CARRYOVER DEDUCTIONS.] *For taxable years beginning on or after January 1, 1974, expenses and losses arising from a farm or farms shall be allowed as deductions up to the amount of the income and gains arising from a farm or farms in any taxable year, plus the amount of non-farm gross income, or taxable net income in the case of a corporation, not to exceed the amount of \$10,000 reduced by the amount by which such non-farm income exceeds the amount of \$10,000. Any remaining balance of such deductions shall be carried back three years and carried forward five years, in chronological order first \$15,000 of non-farm gross income, or non-farm taxable net income in the case of a corporation, provided however that in any*

case where non-farm income exceeds \$15,000, the maximum allowable amount of \$15,000 shall be reduced by twice the amount by which the non-farm income exceeds the amount of \$15,000. Any remaining balance of the deductions shall be carried back three years and carried forward five years, in chronological order .

Current expenses and losses shall be utilized as deductions in any taxable year, to the extent herein allowable, prior to the application of any carryback or carryover deductions. In any event, the combined amounts of such current expenses and losses and carryback or carryover deductions shall be allowed as deductions up to the amount of the income and gains arising from a farm or farms in any taxable year, plus the amount of non-farm gross income, or taxable net income in the case of a corporation, not to exceed the amount of \$10,000 reduced by the amount by which such non-farm income exceeds the amount of \$10,000 first \$15,000 of non-farm gross income, or non-farm taxable net income in the case of a corporation, provided however that in any case where non-farm income exceeds \$15,000, the maximum allowable amount of \$15,000 shall be reduced by twice the amount by which the non-farm income exceeds the amount of \$15,000 .

(d) For purposes of Laws 1973, Chapter 737 this subdivision, individual shareholders of an electing small business corporation shall be considered separate entities.

(e) [SPECIAL PERIOD OF LIMITATION WITH RESPECT TO FARM LOSS LIMITATION CARRYBACKS.] *For the purposes of sections 290.46 and 290.50, if the claim for refund relates to an overpayment attributable to a farm loss limitation carryback under this subdivision, in lieu of the period of limitation prescribed in sections 290.46 and 290.50, the period of limitation shall be that period which ends with the expiration of the 15th day of the 46th month (or the 45th month, in the case of a corporation) following the end of the taxable year of the farm loss which results in the carryback. No deduction or refund shall be allowed on 1974 returns for farm losses which have been previously carried back to earlier years and for which a tax refund or reduction has been allowed.*

(f) [INTEREST ON CLAIMS.] *In any case in which a taxpayer is entitled to a refund in a carryback year due to the carryback of a farm loss, interest shall be computed only from the end of the taxable year in which the loss occurs.*

Sec. 2. [EFFECTIVE DATE.] *The provisions of this article shall be applicable to taxable years beginning on or after January 1, 1974.*

ARTICLE VI

Section 1. [EXEMPTION FOR FEDERAL INCOME TAX REBATE.] *All amounts received by individual taxpayers pursuant to Title I of Public Law 94-12 of the Tax Reduction Act of 1975, shall be exempt from taxation as income as provided by Minnesota Statutes, Chapter 290.*

ARTICLE VII

Section 1. Laws 1973, Chapter 601, Section 1, Subdivision 2, is amended to read:

Subd. 2. [INCOME TAX AND SALES TAXES.] The commission shall examine ~~the individual and corporate income tax and sales taxes as they relate to real estate taxes~~ with the purpose of determining more equitable individual and corporate tax burdens.

Sec. 2. Laws 1973, Chapter 601, Section 1, Subdivision 8, is amended to read:

Subd. 8. [APPROPRIATION.] There is hereby appropriated for the biennium ending June 30, ~~1975~~ 1977, from the general fund the sum of ~~150,000~~ \$200,000 to pay the expenses incurred by the commission. The amount appropriated by this subdivision is in addition to such sums of money which may be heretofore appropriated to the "Tax Study Commission."

ARTICLE VIII

Section 1. Minnesota Statutes 1974, Section 270.16, is amended to read:

270.16 [PROPERTY OMITTED OR UNDERVALUED; REASSESSMENT.] *Subdivision 1.* When it shall be made to appear to the commissioner of revenue, by complaint or by the finding of a court or of the legislature, or either body of the legislature, or any committee of the legislature, or any city council or county board, that any considerable amount of property has been improperly omitted from the tax list or assessment roll of any district or county for any year, or, if assessed, that the same has been undervalued or overvalued, as compared with like property in the same county or in the state so that the assessment for such year in such district or county is grossly unfair and inequitable, whether or not the same has been equalized by the county board of equalization or the commissioner of revenue, the commissioner of revenue shall examine into the facts in the matter and, if satisfied therefrom that it would be for the best interests of the state that a reassessment of such property be made, he shall appoint a special assessor and such deputy assessors as may be necessary and cause a reassessment to be made of all or any of the real and personal property, or either, in any such district or county as he may deem best, to the end that all property in such district or county shall be assessed equitably as compared with like property in such district or county.

Subd. 2. When an assessor has failed to appraise or has improperly appraised at least one quarter of the parcels of property in a district or county for two consecutive years, the commissioner of revenue shall appoint a special assessor and deputy assessor as necessary and cause a reappraisal to be made of the property due for reassessment pursuant to that section.

Sec. 2. Minnesota Statutes 1974, Section 273.01, is amended to read:

273.01 [LISTING AND ASSESSMENT, TIME.] All real prop-

erty subject to taxation shall be listed and assessed every odd-numbered at least one fourth of the parcels listed shall be appraised each year with reference to its value on January 2 preceding the assessment; and so that each parcel shall be reappraised at maximum intervals of four years. All real property becoming taxable in any intervening year shall be listed and assessed with reference to its value on January 2 of that year. Except for the corrections permitted herein, all real property assessments shall be completed two weeks prior to the date scheduled for the local board of review or equalization and no valuations entered thereafter shall be of any force and effect. In the event a valuation and classification is not placed on any real property by the dates scheduled for the local board of review or equalization the valuation and classification determined in the preceding assessment shall be continued in effect and the provisions of section 273.13 shall, in such case, not be applicable, except with respect to real estate which has been constructed since the previous assessment. The county assessor or any assessor in any city of the first class may either before or after the dates specified herein correct any errors in valuation of any parcels of property, that may have been incurred in the assessment; provided, that in the case of such correction it increases the valuation of any parcel of property, the assessor shall notify the owner of record or the person to whom the tax statement is mailed. Not more than two percent of the total number of parcels in his jurisdiction may be corrected after the dates specified herein and in the event of any corrections in excess of the authorized number of such corrections, all corrections shall be void. Real property containing iron ore, the fee to which is owned by the state of Minnesota, shall, if leased by the state after January 2 in any year, be subject to assessment for that year on the value of any iron ore removed under said lease prior to January 2 of the following year. Personal property subject to taxation shall be listed and assessed annually with reference to its value on January 2; and, if acquired on that day, shall be listed by or for the person acquiring it.

Sec. 3. Minnesota Statutes 1974, Section 273.03, Subdivision 1, is amended to read:

273.03 [REAL ESTATE; ASSESSMENT; METHOD.] Subdivision 1. The county auditor shall annually provide the necessary assessment books and blanks at the expense of the county, for and to correspond with each assessment district. He shall make out, in the real property assessment book, complete lists of all lands or lots subject to taxation, showing the names of the owners, if to him known; and, if unknown, so stated opposite each tract or lot, the number of acres, and the lots or parts of lots or blocks, included in each description of property. The list of real property becoming subject to assessment and taxation every odd-numbered year may be appended to the personal property assessment book. The assessment books and blanks for real and personal property shall be in readiness for delivery to the assessors on or before the first Monday in December of each year.

The assessors and at least one member of each local board of

review shall meet at the office of the county auditor on a day to be fixed by the commissioner of revenue for the purpose of receiving instructions as to their duties under the laws of the state. Each assessor and board of review member attending such meetings shall receive as compensation for such service the sum of \$10 per day for each day necessarily consumed in attending such meeting, and mileage at the rate of 7½ cents per mile for each mile necessarily traveled in going from his home to and returning from the county seat, to be computed by the usually traveled route, and paid out of the county treasury upon the warrant of the county auditor.

Sec. 4. Minnesota Statutes 1974, Section 273.11, Subdivision 1, is amended to read:

273.11 [VALUATION OF PROPERTY.] Subdivision 1. Except as provided in subdivision *subdivision 2* ; or section 273.17, *subdivision 1*, all property shall be valued at its market value. In estimating and determining such value, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price for which such property would sell at auction or at a forced sale, or in the aggregate with all the property in the town or district; but he shall value each article or description of property by itself, and at such sum or price as he believes the same to be fairly worth in money. In assessing any tract or lot of real property, the value of the land, exclusive of structures and improvements, shall be determined, and also the value of all structures and improvements thereon, and the aggregate value of the property, including all structures and improvements, excluding the value of crops growing upon cultivated land. In valuing real property upon which there is a mine or quarry, it shall be valued at such price as such property, including the mine or quarry, would sell for a fair, voluntary sale, for cash. In valuing real property which is vacant, the fact that such property is platted shall not be taken into account. An individual lot of such platted property shall not be assessed in excess of the assessment of the land as if it were unplatted until the lot is improved with a permanent improvement all or a portion of which is located upon the lot, or for a period of three years after final approval of said plat whichever is shorter. When a lot is sold or construction begun, the assessed value of that lot or any single contiguous lot fronting on the same street shall be eligible for reassessment. All property, or the use thereof, which is taxable under sections 272.01, subdivision 2, or 273.19, shall be valued at the market value of such property and not at the value of a leasehold estate in such property, or at some lesser value than its market value.

Sec. 5. Minnesota Statutes 1974, Section 273.11, Subdivision 2, is amended to read:

Subd. 2. In the case of property described in section 273.13, subdivisions 6, 7, 7B, 10, 12, 17, 17b, and 19, plus all agricultural property and all real estate devoted to temporary and seasonal

residential occupancy for recreational purposes; The assessor after determining the value of any such property shall compare the value with that determined in the preceding assessment. If the increase exceeds five percent of the preceding valuation, The amount of the increase entered in the current assessment shall not exceed five ten percent of the value in the preceding assessment or one fourth of the total amount of the increase in valuation whichever is greater ; the excess (not exceeding five percent of the latest assessors market valuation) may shall be entered in the following years assessment a subsequent year or years. However, no increase shall be greater than ten percent of the preceding valuation or one fourth of the total amount of increase in valuation, whichever is greater , notwithstanding the provisions of section 273.17.

Sec. 6. Minnesota Statutes 1974, Section 273.11, Subdivision 5, is amended to read:

Subd. 5. Notwithstanding any other provision of law to the contrary, the limitation contained in subdivisions 1 to 3 5 shall also apply to the authority of the local board of review as provided in section 274.01, the county board of equalization as provided in section 274.13, the state board of equalization and the commissioner of taxation as provided in sections 270.11, 270.12 and 270.16, and any increase effected by these boards ; the cumulative effect of which may increase property above the five percent permissible increase shall be invalid over the valuation currently being used in computing taxes shall be added to the previous assessed valuation in annual increments as provided in subdivision 2 .

Sec. 7. Minnesota Statutes 1974, Section 273.121, is amended to read:

273.121 [VALUATION OF REAL PROPERTY, NOTICE.] Any county assessor or city assessor having the powers of a county assessor, valuing taxable real property shall in each assessment year notify the person those persons whose property is to be assessed that year if the person's address is known to the assessor, otherwise the occupant of the property. The notice shall be in writing and shall be sent by ordinary mail at least ten days before the meeting of the local board of review or equalization. It shall contain the amount of the valuation in terms of market value, the assessor's office address, and the dates, places, and times set for the meetings of the local board of review or equalization and the county board of equalization. If such valuation is limited by section 273.11, the notice shall also contain the valuation as limited therein and an explanation, in terms prescribed by the commissioner, of the annual increase in the assessed valuation which may take place pursuant to valuation according to that section. If the assessment roll is not complete, the notice shall be sent by ordinary mail at least ten days prior to the date on which the board of review has adjourned. The assessor shall attach to the assessment roll a statement that the notices required by this section have been mailed. Any such assessor who is not provided sufficient funds from his governing body to provide such notices, may make application to the commissioner of revenue to finance

such notices. The commissioner of revenue shall conduct an investigation and if he is satisfied that the assessor does not have the necessary funds, issue his certification to the commissioner of finance of the amount necessary to provide such notices. The commissioner of finance shall issue a warrant for such amount and shall deduct such amount from any state payment to such county or municipality. The necessary funds to make such payments are hereby appropriated. Failure to receive the notice shall in no way affect the validity of the assessment, the resulting tax, the procedures of any board of review or equalization, or the enforcement of delinquent taxes by statutory means.

Sec. 8. Minnesota Statutes 1974, Section 273.17, Subdivision 1, is amended to read:

273.17 [ASSESSMENT OF REAL PROPERTY.] Subdivision 1. In every ~~even-numbered~~ year, on January 2, the assessor shall also assess all real property that may have become subject to taxation since the last previous assessment, including all real property platted since the last real estate assessment ~~in the odd-numbered year~~, and all buildings or other structures of any kind, whether completed or in process of construction, of over \$100 \$1,000 in value, the value of which has not been previously added to or included in the valuation of the land on which they have been erected. *The newly assessed property shall be valued initially at the average level of assessment which exists at that time in its assessment district. The assessment shall be increased to market value in annual increments as provided in section 273.11, subdivision 2 until such time as the property is reassessed.* He shall make return thereof to the county auditor, with his return of personal property, showing the tract or lot on which each structure has been erected and the market value added thereto by such erection. Every assessor shall list, without revaluing, in each ~~even-numbered~~ year, on a form to be prescribed by the commissioner of revenue, all parcels of land that shall have become homesteads or shall have ceased to be homesteads for taxation purposes since the last real estate assessment.

The county auditor shall note such change in the assessed valuation upon the tax lists, caused by a change in classification, and shall calculate the taxes for such ~~even-numbered~~ year on such changed valuation. In case of the destruction by fire, flood, or otherwise of any building or structure, over \$100 in value, which has been erected previous to the last valuation of the land on which it stood, or the value of which has been added to any former valuation, the assessor shall determine, as nearly as practicable, how much less such land would sell for at private sale in consequence of such destruction, and make return thereof to the auditor.

Sec. 9. Minnesota Statutes 1974, Section 273.08, is amended to read:

273.08 [ASSESSOR'S DUTIES.] The assessor shall perform his duties in the manner following. *In 1976 and thereafter, he shall actually view, when practicable, and determine the true and full*

market value of each tract or lot of real property listed for taxation, and shall enter the value thereof, including the value of all improvements and structures thereon, opposite each description at maximum intervals of four years and shall enter the value thereof according to the provisions of this article.

Sec. 10. [REPEALER.] *Minnesota Statutes 1974, Section 273.11, Subdivision 3, is repealed.*

Sec. 11. [EFFECTIVE DATE.] *This article shall be in effect for taxes levied in 1975 to be paid in 1976 and thereafter. Increases in value due to reassessment in the 1975 assessment shall be limited as provided in sections 5 and 6.*

ARTICLE IX

Section 1. *Minnesota Statutes 1974, Section 290.012, Subdivision 4, is amended to read:*

Subd. 4. "Income" means the sum of (a) gross income as defined in section 290.01, subdivision 20, (b) net income from sources outside the state, (c) alimony, (d) support money, and (e) relief, ~~not~~ including relief granted under unemployment compensation, (f) the gross amount of any pension or annuity, including railroad retirement benefits, all payments received under the federal social security act, and veterans disability pensions, (g) non-taxable interest received from the state or federal governments or any of their instrumentalities, (h) the gross amount of "loss of time" insurance and (i) cash public assistance and relief, not including relief granted under sections 290.0601 to 290.0618. It does not include gifts from nongovernmental sources, or surplus food or other relief in kind supplied by a governmental agent.

Sec. 2. *Minnesota Statutes 1974, Section 290.06, Subdivision 3d, is amended to read:*

Subd. 3d. [CREDITS AGAINST TAX.] *The taxes due as computed in accordance with section 290.06, subdivisions 2c and 3c shall be credited with the following amounts:*

(1) A credit equal to his tax liability in the case of:

(a) An unmarried claimant with an income of ~~\$3,200~~ \$4,400 or less;

(b) A claimant with one dependent, with an income of ~~\$3,800~~ \$5,200 or less;

(c) A claimant with two dependents, with an income of ~~\$4,600~~ \$6,000 or less;

(d) A claimant with three dependents, with an income of ~~\$5,400~~ \$6,700 or less;

(e) A claimant with four dependents, with an income of ~~\$6,000~~ \$7,300 or less; and

(f) A claimant with five or more dependents, with an income of ~~\$6,400~~ \$7,800 or less.

(2) In the case of a claimant with an income in excess of that set forth in the appropriate category of clause (1), he may pay a tax equal to 15 percent of that portion of his income that is in excess of the amount set forth in the appropriate category of clause (1), or his tax obligation as it would have been in the absence of section 290.012 and this subdivision, whichever is less.

(3) The total income of the claimant and his spouse, if any, shall be the figure employed for the purposes of this subdivision. No ~~dependent individual dependent upon and receiving his chief support from any other individual~~ may be a claimant under section 290.012 and this subdivision. The commissioner of revenue shall prescribe the additional forms or alterations in existing forms as necessary to comply with the provisions of section 290.012 and this subdivision. All claimants shall submit their returns on these forms.

Sec. 3. [EFFECTIVE DATE.] *This article is effective for taxable years commencing after December 31, 1974.*

ARTICLE X

Section 1. Minnesota Statutes 1974, Chapter 273, is amended by adding a section to read:

[273.122] [FLEXIBLE HOMESTEAD BASE VALUE.] *Subdivision 1. [HOMESTEAD BASE VALUE.] For 1975 and prior years, the homestead base value shall mean \$12,000 of market value of any property which qualifies as homestead property for assessment purposes. The homestead base value shall be increased in any subsequent assessment year as provided in subdivision 2.*

Subd. 2. [HOMESTEAD BASE VALUE INDEX.] In assessment years subsequent to 1975, the homestead base value shall be adjusted pursuant to the homestead base value index. The homestead base value index shall be computed by the equalization aid review committee for each year immediately preceding an assessment year. This index is computed in the following manner. The annual statewide average market value of homestead property as indicated by bona fide real estate sales during the year shall be divided by the statewide average market value of all homestead property sold in 1974. This quotient is multiplied by 100. For each increase of a full three and one half points in the index the homestead base value shall be increased \$500 in the following assessment year. On or before December 1 of any year preceding an assessment year the commissioner of revenue shall certify the homestead base value for that year.

ARTICLE XI

Section 1. Minnesota Statutes 1974, Chapter 298, is amended by adding a section to read:

[298.243] [SUPPLEMENTARY ADDITIONAL TAX ON TACONITE AND IRON SULPHIDES.] *In addition to the tax imposed under Minnesota Statutes, Sections 298.24, Subdivision 1, and 298.241,*

there is hereby imposed upon taconite and iron sulphides and upon the mining and quarrying thereof, and upon the production of iron ore concentrate therefrom, and upon the concentrate so produced, a tax of 39 cents per gross ton of merchantable iron ore concentrate as produced therefrom. The tax imposed herein shall be collected and paid pursuant to the provisions of Minnesota Statutes, Section 298.27.

Sec. 2. Minnesota Statutes 1974, Chapter 298, is amended by adding a section to read:

[298.244] [DIVISION OF PROCEEDS OF SUPPLEMENTARY TAX ON TACONITE AND IRON SULPHIDES.] *Subdivision 1. The proceeds of the tax collected under section 1 shall be distributed by the commissioner of revenue, to various taxing districts and to the general fund in the following manner:*

(1) *Ten cents per gross ton of merchantable iron ore concentrate, hereinafter referred to as "taxable ton", on which the tax is imposed in section 1, shall be distributed to the county in which the taconite is mined or quarried or in which the concentrate is produced, less any amount which is to be distributed pursuant to clause (1a). The commissioner shall follow the apportionment formula prescribed in Minnesota Statutes, Section 298.28, Subdivision 1. The commissioner of revenue shall make all the necessary calculations and certify these calculations to the county auditor of each qualifying county. Payments provided herein shall be deducted in determining the county government's levy limitations under Minnesota Statutes, Sections 275.50 to 275.56.*

(1a) *If an electric power plant owned by and providing the primary source of power for a taxpayer mining and concentrating taconite is located in a county other than the county in which the mining and the concentrating processes are conducted, one cent per gross ton of the tax distributed to the counties pursuant to clause (1) and imposed on and collected from such taxpayer shall be distributed by the commissioner of revenue to the county in which the power plant is located.*

(2) *Twenty cents per taxable ton, less any amount distributed under clause (2a), shall be distributed to a group of school districts comprised of those school districts wherein the taconite was mined or quarried or the concentrate produced or in which there is a qualifying municipality as defined by Minnesota Statutes, Section 273.134 or in which is located property which is entitled to the reduction of tax pursuant to section 273.135. The 20 cents, less any amount distributed under clause (2a), shall be distributed in direct proportion to school district tax levies as follows: each district shall receive that portion of the total distribution which its permitted levy for the prior year, computed pursuant to Minnesota Statutes, Section 275.125, comprises of the sum of permitted levies for the prior year for all qualifying districts, computed pursuant to Minnesota Statutes, Section 275.125. That portion of the amount so distributed to a school district which is not deducted from state aids in Minnesota Statutes, Section 124.212, Subdivision 8a, shall be included in computing the permissible levies under Minnesota Statutes, Section 275.125.*

(2a) In 1976 and each year thereafter, there shall be distributed to any school district the amount which the school district was entitled to receive under Minnesota Statutes, Section 298.32, in 1975 provided that the school district included the amount in computing its permissible levy under Minnesota Statutes, Section 275.125 in 1975, payable in 1976.

(3) One cent per taxable ton shall be deposited in the state treasury to the credit of the iron range resources and rehabilitation commission account in the special revenue fund and is hereby appropriated for the purposes of Minnesota Statutes, Section 298.22. This money is to be used to provide environmental development grants to local governments located within any county in region 3 as defined in governor's executive order number 60 issued on June 12, 1970, which does not contain a municipality qualifying pursuant to Minnesota Statutes, Section 273.134.

(4) Eight cents per taxable ton shall be paid to the property tax relief account in the apportionment fund in the state treasury and shall be distributed as provided in Minnesota Statutes, Sections 273.134 to 273.136.

Subd. 2. (a) For the purposes of this subdivision, the following terms shall have the meanings given them.

(1) "Agency" means the state board of health.

(2) "Municipality" means any city or any other governmental subdivision having the power or duty to provide drinking water and using Lake Superior as the source of the drinking water.

(3) "Eligible cost" includes all costs incurred by a municipality including acquisition of necessary real and personal property, engineering, system cleaning, construction, alteration, improvements, inspection, supervision of construction and all other costs related to the construction and establishment of a permanent water filtration or purification system. Such costs shall be eligible even if incurred prior to the effective date of this subdivision.

(4) "Municipal water purification system" includes all properties, real or personal, determined by a municipality and the state to be necessary for the elimination of polluting or potentially injurious substances from water used for municipal water supply purposes.

(b) There is hereby appropriated from the general fund to the state board of health the sum of \$2,500,000 for a grant program for the construction of water filtration and purification systems for those communities using Lake Superior as a drinking water source. The board of health shall establish a grant program to implement the provisions of this subdivision. This program shall include the disbursement of funds hereinafter described for the construction of the facilities, the creation of guidelines designed to assure that the funds will be disbursed in accord with the purposes of this subdivision, the continued surveillance of the effectiveness of constructed facilities in cooperation with other related state agencies, and other duties of administration necessary to accomplish the purpose of this subdivision. Grants shall be made in ac-

cordance with the guidelines created under authority of this subdivision and shall not exceed 33 percent of the eligible project cost.

(c) A Lake Superior water filtration and purification fund is created as a separate bookkeeping account in the general books of account of the state, to record receipts of the proceeds of monies appropriated to the fund and disbursements of money appropriated from the fund to municipalities for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the construction of water filtration and purification systems, in accordance with the purpose of this subdivision. It is determined that state financial assistance for the construction of water filtration and purification facilities needed to fulfill the purposes of this subdivision is a public purpose and a proper function of state government.

(d) No recipient of financial assistance may receive more than 80 percent of the total amount of funds appropriated in this subdivision. Any recipient of financial assistance shall pursue its remedies under the permits granted to the discharges or subrogate to the state those remedies for purposes of obtaining reimbursement of the state funds expended for the purposes of this subdivision. The board of health shall at the time of any disbursement of funds under this subdivision enter into necessary agreements for reimbursement. Any amounts recovered pursuant to this subdivision shall be credited to and disbursed as provided in subdivision 1, clause (1) of this section.

(e) Prior to July 1, 1977, \$2,500,000 of the proceeds of the tax collected under section 1 shall be paid to the general fund of the state treasury from those funds distributed to the counties, except from the portion distributed to Itasca county, pursuant to subdivision 1, clause (1) of this section.

(f) This subdivision is effective on the day following its final enactment. The funds appropriated pursuant to this subdivision are available as of July 1, 1975.

Sec. 3. Minnesota Statutes 1974, Section 273.135, Subdivision 1, is amended to read:

273.135 [HOMESTEAD PROPERTY TAX RELIEF.] Subdivision 1. The property tax to be paid in respect to property taxable within a tax relief area on class 3b property not exceeding 80 acres, on class 3c property, and on class 3cc property, as otherwise determined by law and regardless of the market value of the property, for all purposes ~~except the payment of principal or interest on bonded indebtedness~~, shall be reduced in the amount prescribed by subdivision 2, subject to the limitations contained therein.

Sec. 4. Minnesota Statutes 1974, Section 273.135, Subdivision 2, is amended to read:

Subd. 2. The amount of the reduction authorized by subdivision 1 shall be

(a) in the case of property located within the boundaries of a municipality which meets the qualifications prescribed in section

273.134, ~~27~~ 60 percent of the amount of such tax provided that the amount of said reduction shall not exceed ~~\$190~~ \$350 .

(b) in the case of property located within the boundaries of a school district which qualifies as a tax relief area but which is outside the boundaries of a municipality which meets the qualifications prescribed in section 273.134, ~~21~~ 52 percent of the amount of such tax, provided that the amount of said reduction shall not exceed ~~\$150~~ \$300 .

(c) in the case of property located within a school district which does not meet the qualifications of Minnesota Statutes, Section 273.134 as a tax relief area, but which is located in a county with a population of less than 100,000 in which taconite is mined or quarried and wherein a school district is located which does meet the qualifications of a tax relief area, and provided that at least 90 percent of the area of the school district which does not meet the qualifications of Minnesota Statutes, Section 273.134 lies within such county, 52 percent of the amount of the tax on qualified property located in the school district that does not meet the qualifications of Minnesota Statutes, Section 273.134, provided that the amount of said reduction shall not exceed \$300. The reduction provided by this clause shall only be applicable to property located within the boundaries of the county described therein.

Sec. 5. Minnesota Statutes 1974, Section 298.27, as amended by Laws 1975, Chapter 46, Section 7, is amended to read:

298.27 [COLLECTION AND PAYMENT OF TAX.] The taxes provided by sections 298.24 and 298.241 and *section 1 of this article* shall be collected and paid in the same manner as provided by law for the payment of the occupation tax, except that the report required by section 298.05 shall be filed on or before February 15 together with a remittance equal to 90 percent of the estimated tax required to be paid hereunder on or before April 15. On or before February 25, the commissioner of revenue shall make distribution of such estimated payment in the manner provided by section 298.28 and *section 2 of this article* . The commissioner of revenue shall determine the amount of tax due on or before March 15. The tax found to be due shall be paid on or before April 15 following the production year. Reports shall be made and hearings held upon the determination of the tax in accordance with procedures established by the commissioner of revenue. The commissioner of revenue shall have authority to make reasonable regulations as to the form and manner of filing reports necessary for the determination of the tax hereunder, and by such regulations may require the production of such information as may be reasonably necessary or convenient for the determination and apportionment of the tax. All the provisions of the occupation tax law with reference to the assessment, determination, and collection of the occupation tax, including all provisions for appeals from or review of the orders of the commissioner of revenue relative thereto, are hereby made applicable to the taxes imposed by sections 298.24 and 298.241 and *section 1 of this article* , except in so far as inconsistent herewith. If any person subject to sections 298.24 and 298.241 and *section 1 of this article* shall fail to make the report provided for in this section at the time

and in the manner herein provided, the commissioner of revenue shall in such case, upon such information as he may possess or obtain, ascertain the kind and amount of ore mined or produced and thereon find and determine the amount of tax due from such person. There shall be added to the amount of tax due a penalty for failure to report on or before February 15, which penalty shall equal ten percent of the tax imposed and be treated as a part thereof.

If any person required to make an estimated tax payment at the time and in the manner herein provided, and fails to do so, there shall be imposed a penalty equal to ten percent of the amount so due, which penalty shall be treated as part of the tax due.

In the case of any underpayment of the estimated tax payment required herein, there may be added and be treated as part of the tax due a penalty equal to ten percent of the amount so underpaid.

If any portion of the tax provided for in sections 298.24 and 298.241 and section 1 of this article is not paid before the fifteenth day of April of the year in which due and payable, a penalty of ten percent of such unpaid portion shall immediately accrue, and thereafter one percent per month shall be added to such tax and penalty while such tax remains unpaid.

Sec. 6. [APPROPRIATION.] *There is appropriated from the general fund in the state treasury an amount sufficient to make the payments authorized by section 2, subdivision 1.*

Sec. 7. [REPEALER.] *Minnesota Statutes 1974, Sections 298.242 and 298.32 are repealed.*

Sec. 8. *The provisions of section 1 of this article shall be effective for all iron ore concentrate produced in any year beginning after December 31, 1974. Except as otherwise provided in this article the provisions of sections 2, 3, 4, 5, and 7 shall be effective for all years after December 31, 1975.*

ARTICLE XII

Section 1. Minnesota Statutes 1974, Section 124.03, is amended to read:

124.03 [AGRICULTURAL LAND TAX DIFFERENTIAL RATIO.] Subdivision 1. The rate of taxation for school maintenance purposes in districts maintaining a graded elementary or secondary school and for the unorganized territory of counties is limited as follows:

(a) In counties containing 20 or more common districts the rate on agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, shall not exceed by more than ten percent the average rate for school maintenance purposes on agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, in districts not maintaining graded elementary or secondary schools in the same county.

(b) In counties containing less than 20 common districts the rate on agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, shall not exceed one-half the rate for school maintenance purposes on non-agricultural lands in the same district or unorganized territory.

(c) In independent districts organized under the reorganization or consolidation statutes or containing at least 18 sections of land the rate on *property receiving the homestead credit provided in section 273.13, subdivision 6, shall not exceed 40 percent of the rate for school maintenance on other taxable property in the same district and the rate on other agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, and upon personal property having a taxable situs on farms shall not exceed one-half the rate for school maintenance on other taxable property in the same district.*

(d) In independent districts organized under the consolidation or reorganization statutes or which contain at least 18 sections of land, and which district contains a statutory city located entirely within the boundaries of the district, and if the assessed valuation of the statutory city does not exceed ten percent of the total assessed valuation of the property within the district, the rate on agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, in the district shall not exceed the average rate for school maintenance on agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, in common districts of the county in which the district is located by more than 100 percent.

Subd. 2. The limitation imposed on the tax ratio by this section does not apply to the additional tax levy for maintenance made in excess of either of the following amounts:

(a) In any district formed under the reorganization or consolidation statutes or having an area of a least 18 sections or having acquired the rights and privileges of a consolidated district: The total amount of revenue available to the district, including state aid, that will be raised by a $5.553 \frac{1}{3}$ 20 mill levy on all taxable property other than agricultural land, and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, together with the proceeds from the maximum levy on agricultural land and personal property having a taxable situs on farms and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes; and

(b) In any district not included in (a): The total amount of revenue available to the district, including state aid, that will be raised by a $4.44 \frac{1}{3}$ 20 mill levy on all taxable property other than agricultural land, and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not

devoted to commercial purposes, together with the proceeds from the maximum levy on agricultural land and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes.

Subd. 3. (a) The county auditor shall compute the tax levy that would be produced by applying a rate of $8.3 \frac{1}{3}$ mills to the valuation determined on the January 2, 1971 assessment and $2.76 \frac{2}{3}$ mills on the January 2, 1972 assessment and subsequent assessments on all the 12 mills on the property receiving the homestead credit provided by section 273.13, subdivision 6, and 10 mills on all other agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, within the several school districts for which the tax levy is required to be certified to him. The amounts so computed by the county auditor shall be submitted to the commissioner of revenue by November 15 of each year for verification.

(b) If the commissioner of revenue agrees with the computation, he shall deliver to the commissioner of finance his certificate to that effect. In the event that the commissioner deems the computation to be erroneous, he may make the necessary corrections and deliver to the commissioner of finance his certificate reflecting the amounts he deems to be correct. The county auditor or any school district aggrieved thereby may appeal the commissioner's revised certification to the Minnesota tax court in accordance with chapter 271.

(c) On or before May 31, 1972, the commissioner of finance shall issue his warrant upon the state treasurer in favor of the school district in an amount equal to one half the amount certified by the commissioner shown to be due to the district. On or before October 31, 1972, the commissioner of finance shall issue his warrant upon the state treasurer in favor of the school district distributing the remainder of the amount certified by the commissioner shown to be due to the school district for the year 1972. The commissioner of finance in the same manner shall make distribution for the year 1973 in the same manner with respect to amounts shown to be due in accordance with the commissioner's certification. For the year 1974 and subsequent years, the commissioner of finance shall issue his warrant in an amount equal to one-half the amount certified on or before July 15, but no earlier than July 1. The remainder shall be distributed as provided herein.

(d) In the event that a final judicial determination is not in agreement with the amount certified by the commissioner, the commissioner of finance shall either increase or decrease the amount of the following payment required to be made to the school district in accordance with such judicial determination.

(e) There is hereby appropriated to the school districts entitled to such payments from the general fund, an amount sufficient to make the payments.

(f) The county auditor shall reduce the dollars levied for school

maintenance by each district by the amount determined in (a) and (b). The amounts paid to the county treasurer pursuant to (c) shall be transmitted by the county treasurer to the school district at the same time the real estate settlement is made.

ARTICLE XIII

Section 1. Minnesota Statutes 1974, Section 281.17, is amended to read:

281.17 [PERIOD FOR REDEMPTION.] The stated period of redemption of all lands bid in for the state at tax judgment sales heretofore held for taxes for the years 1926, 1927, 1928, and 1929, where such lands have not heretofore been sold or assigned to actual purchasers, is hereby extended to and including July 1, 1936; provided, that if any parcel of such land is actually occupied on such date by any person who has any crop then growing thereon, or theretofore grown thereon during such year, such occupant may remain in possession of such parcel for the purpose of removing such crop, until and including December 1, 1936.

Except as provided in this section, the stated period of redemption of all lands sold to actual purchasers or bid in for the state at tax judgment sales heretofore held shall be as provided by existing laws.

The stated period of redemption of all lands sold to actual purchasers or bid in for the state at any tax judgment sale hereafter held shall be five years from the date of sale. The stated period of redemption for all lands sold to an actual purchaser or bid in for the state at a tax judgment sale held after December 31, 1975, shall be three years from the date of sale if the land is within an incorporated area unless it is: (a) homesteaded land as defined in section 273.13, subdivision 7, (b) agricultural land as defined in section 273.13, subdivision 6, or (c) seasonal recreational land as defined in section 273.13, subdivision 4, in which event the stated period of redemption is five years from the date of sale.

ARTICLE XIV

Section 1. *There is hereby appropriated from the general fund in the state treasury to the commissioner of revenue for the administration of this act the sum of \$400,000 for the fiscal year 1975-1976. Notwithstanding the provisions of Minnesota Statutes, Section 16A.28, or any other law relating to the cancellation of appropriations, any amounts unexpended at the end of that fiscal year shall not cancel but may be expended by the commissioner of revenue in the following fiscal year. There is hereby appropriated from the general fund in the state treasury to the commissioner of revenue for the administration of this act in the fiscal year 1976-1977 an additional amount of \$600,000.*

Further, strike the title and insert

"A bill for an act relating to taxation; providing state relief to homeowners and renters for extraordinary property tax burdens;

increasing the proportion of the costs of medical assistance hospitalization for the indigent, and general relief medical programs paid by the state; increasing and changing the means of calculation and distribution of local government aid to be paid for an extended period; changing the means of calculation and adjustment of levy limits; adjusting the farm loss deduction; exempting the federal income tax rebate from state taxation; extending the operation of the tax study commission; changing the method of reassessment and limitation on increase of valuation of real property; increasing the credit against tax granted to low income individuals; providing for a flexible homestead base value; imposing an additional tax on taconite and iron sulphide and providing for the distribution of the proceeds; establishing a grant program for the construction of water filtration system; increasing the agricultural mill rate differential; changing the period of redemption for tax forfeited lands; providing penalties; appropriating funds; amending Minnesota Statutes 1974, Sections 124.03; 256.01, Subdivision 2; 256.98; 256B.02, Subdivision 3; 256B.041, Subdivision 5; 256B.07; 256B.12; 256B.19, Subdivision 1; 256D.03, by adding a subdivision; 261.21; 261.22, Subdivision 2; 261.23; 270.16; 273.01; 273.011, Subdivisions 5 and 6; 273.012, Subdivision 2 and by adding a subdivision; 273.03, Subdivision 1; 273.061; 273.08; 273.11, Subdivisions 1, 2, and 5; 273.121; 273.13, Subdivisions 6, 7, and 14a; 273.135, Subdivisions 1 and 2; 273.138, Subdivision 6; 273.17, Subdivision 1; 275.50, Subdivision 5; 275.51, Subdivisions 1 and 4, and by adding subdivisions; 275.52, by adding a subdivision; 275.53, Subdivision 3; 275.59; 281.17; 290.012, Subdivision 4; 290.06, Subdivision 3d; 290.09, Subdivision 29; 298.27, as amended; and 477A.01, Subdivisions 1, 2, 3, and 4, and by adding subdivisions; and Chapters 261; 273; and 298, by adding sections; and Laws 1973, Chapter 601, Section 1, Subdivisions 2 and 8; repealing Minnesota Statutes 1974, Sections 273.11, Subdivision 3; 275.51, Subdivisions 3 and 3a; 298.242; 298.32; 477A.01, Subdivisions 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, and 17."

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

House Conferees: (Signed) William Kelly, Martin Sabo, Irvin Anderson, Douglas Johnson, Robert Vanasek.

Senate Conferees: (Signed) A. J. Perpich, Alec G. Olson, George Conzemius, Nicholas Coleman.

Mr. Olson, A. G. moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1674 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. 1674: A bill for an act relating to taxation; providing state relief to homeowners and renters for extraordinary property tax burdens; increasing the proportion of the costs of medical assistance hospitalization for the indigent, and general relief medical programs paid by the state; increasing and changing the means of calculation and distribution of local government aid to be paid for an extended period; changing the means of calculation and adjustment of levy limits; adjusting the farm loss deduction;

exempting the federal income tax rebate from state taxation; extending the operation of the tax study commission; changing the method of reassessment and limitation on increase of valuation of real property; increasing the credit against tax granted to low income individuals; providing for a flexible homestead base value; imposing an additional tax on taconite and iron sulphide and providing for the distribution of the proceeds; establishing a grant program for the construction of water filtration system; increasing the agricultural mill rate differential; changing the period of redemption for tax forfeited lands; providing penalties; appropriating funds; amending Minnesota Statutes 1974, Sections 124.03; 256.01, Subdivision 2; 256.98; 256B.02, Subdivision 3; 256B.041, Subdivision 5; 256B.07; 256B.12; 256B.19, Subdivision 1; 256D.03, by adding a subdivision; 261.21; 261.22, Subdivision 2; 261.23; 270.16; 273.01; 273.011, Subdivisions 5 and 6; 273.012, Subdivision 2 and by adding a subdivision; 273.03, Subdivision 1; 273.061; 273.08; 273.11, Subdivisions 1, 2, and 5; 273.121; 273.13, Subdivisions 6, 7, and 14a; 273.135, Subdivisions 1 and 2; 273.138, Subdivision 6; 273.17, Subdivision 1; 275.50, Subdivision 5; 275.51, Subdivisions 1 and 4, and by adding subdivisions; 275.52, by adding a subdivision; 275.53, Subdivision 3; 275.59; 281.17; 290.012, Subdivision 4; 290.06, Subdivision 3d; 290.09, Subdivision 29; 298.27, as amended; and 477A.01, Subdivisions 1, 2, 3, and 4, and by adding subdivisions; and Chapters 261; 273; and 298, by adding sections; and Laws 1973, Chapter 601, Section 1, Subdivisions 2 and 8; repealing Minnesota Statutes 1974, Sections 273.11, Subdivision 3; 275.51, Subdivisions 3 and 3a; 298.242; 298.32; 477A.01, Subdivisions 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, and 17.

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 39 and nays 28, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Doty | Laufenburger | Olhoff | Solon |
| Arnold | Gearty | Lewis | Olson, A. G. | Spear |
| Borden | Hansen, Baldy | McCutcheon | Perpich, A. J. | Stokowski |
| Chenoweth | Hansen, Mel | Merriam | Perpich, G. | Stumpf |
| Chmielewski | Hughes | Milton | Purfeerst | Tennessen |
| Coleman | Humphrey | Moe | Schaaf | Wegener |
| Conzemius | Keefe, S. | North | Schmitz | Willet |
| Davies | Kleinbaum | Ogdahl | Schrom | |

Those who voted in the negative were:

| | | | | |
|-----------|------------|-----------|--------------|---------|
| Ashbach | Brown | Josefson | Nelson | Renneke |
| Bang | Dunn | Keefe, J. | Olson, H. D. | Sillers |
| Berg | Fitzsimons | Kirchner | Olson, J. L. | Stassen |
| Bernhagen | Frederick | Knutson | O'Neill | Ueland |
| Blatz | Hanson, R. | Kowalczyk | Patton | |
| Brataas | Jensen | Larson | Pillsbury | |

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

Without objection, the Senate reverted to the Order of Business of Messages From the House.

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. 1722, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1722: A bill for an act relating to transportation; increasing the excise tax on gasoline and gasoline substitutes; decreasing tax levies authorized for the metropolitan transit commission; providing for a redefinition of the transit taxing district and authorizing contract service beyond the boundaries thereof; providing for public transportation improvements throughout the state and providing for public transit demonstration projects; creating the Minnesota state transportation fund, and authorizing the issuance of state bonds to provide money for appropriation to state agencies and subdivisions to finance public lands, buildings and capital improvements needed for a balanced state transportation system; amending a route on the interstate system; adding additional routes to the trunk highway system; providing for the construction of certain acoustical barriers along certain interstate highways; appropriating money; amending Minnesota Statutes 1974, Sections 161.12; and 296.02, Subdivision 1; and Chapter 296, by adding a section; and Laws 1975, Chapter 13, Section 71, Subdivisions 1, 2 and 4.

House File No. 1722 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1722

A bill for an act relating to transportation; increasing the excise tax on gasoline and gasoline substitutes; decreasing tax levies authorized for the metropolitan transit commission; providing for a redefinition of the transit taxing district and authorizing contract service beyond the boundaries thereof; providing for public transportation improvements throughout the state and providing for public transit demonstration projects; creating the Minnesota state transportation fund, and authorizing the issuance of state bonds to provide money for appropriation to state agencies and subdivisions to finance public lands, buildings and capital improvements needed for a balanced state transportation system; amending a route on the interstate system; adding additional routes to the trunk highway system; providing for the construction of certain acoustical barriers along certain interstate highways; appropriating money; amending Minnesota Statutes 1974, Sections 161.12; and 296.02, Subdivision 1; and Chapter 296, by adding a section; and Laws 1975, Chapter 13, Section 71, Subdivisions 1, 2 and 4.

May 19, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 1722 report that we have agreed upon the items in dispute and recommend as follows:

Strike everything after the enacting clause and insert

"Section 1. Minnesota Statutes 1974, Section 296.02, Subdivision 1, is amended to read:

296.02 [GASOLINE, EXCISE TAX.] Subdivision 1. [TAX IMPOSED FOR MOTOR VEHICLE USE.] There is hereby imposed an excise tax of ~~seven~~ *nine* cents per gallon on all gasoline used in producing and generating power for propelling motor vehicles used on the public highways of this state. This tax shall be payable at the times, in the manner, and by persons specified in this chapter.

Sec. 2. *The increased tax imposed by section 1 applies to all gasoline, and special fuels as defined in section 296.01, subdivision 6, in distributor storage on June 1, 1975.*

Sec. 3. Minnesota Statutes 1974, Chapter 296, is amended by adding a section to read:

[296.03] [EXEMPTION FOR PRODUCTS OF WASTE MATERIALS.] *No excise tax shall be imposed pursuant to sections 296.02 or 296.025 on any substitute product for petroleum which has been manufactured from waste materials, including agricultural waste and byproducts, household waste, solid waste, and wood byproducts.*

Sec. 4. Laws 1975, Chapter 13, Section 71, Subdivision 1, is amended to read:

Sec. 71. [473.446] [TRANSIT TAX LEVIES.] Subdivision 1. [AMOUNT.] For the purposes of sections 52 to 75 and the metropolitan transit system, the metropolitan transit commission may levy upon all taxable property within the metropolitan transit taxing district, defined herein, a transit tax, which shall not in any year exceed the sum of the following:

(a) An amount equal to ~~2.87~~ *1.72* mills times the assessed value of all such property some or all of the proceeds of which may be used to provide for the full and timely payment of its certificates of indebtedness and other obligations of the commission to which collections of the wheelage tax and replacement property tax under section 69 have been pledged, plus any amount needed for compliance with any final judgment of a court of competent jurisdiction requiring payment of any amount of the wheelage tax levied by the commission for 1971 and prior years; ~~except that the amount of taxes which may be levied in any year for the operating~~

costs of the commission shall, except where this reduction would render the commission ineligible for the federal aid involved, be further reduced by the amount of any funds received by the commission during the previous year from federal grants to cover operating costs; plus

(b) Such an additional amount equal to .04 mills times the assessed valuation of all such property all of which shall be used for the operating cost of service programs for the handicapped; plus

(c) Such additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of its certificates of indebtedness and other obligations to which property taxes under this section have been pledged, provided that the amount of principal and interest to come due on such obligations shall not exceed \$3,000,000 in any year; plus an additional amount not to exceed \$2,000,000 in any one year to be used exclusively to provide for the full and timely payment of certificates of indebtedness and other obligations issued for the purposes of the bus service expansion report as adopted by the metropolitan transit commission on February 20, 1974, to which property taxes under this section have been pledged;

(d) (c) Nothing in this section shall be construed as providing funding for the preliminary engineering, consultant studies, or construction for the automated of a regional fixed guideway system proposed in the 1972 transit development program of the commission.

Sec. 5. Laws 1975, Chapter 13, Section 71, Subdivision 2, is amended to read:

Subd. 2. [TRANSIT TAXING DISTRICT.] The metropolitan transit taxing district is hereby designated as that portion of the metropolitan transit area lying within the corporate limits of Minneapolis and St. Paul and extending out to the corporate limits of all incorporated cities contiguous either to Minneapolis or St. Paul or to each other, ending with a continuous boundary with unincorporated areas, which transit taxing district shall include any unincorporated area fully surrounded by the incorporated areas within the district as the boundaries existed on October 31, 1973. The taxing district shall also include any municipality or township directly served by the transit system; provided, that said district shall not include any county not directly served by the transit system. For the purposes of this subdivision a county is not "directly served" if no bus or other public transit conveyance enters such county on a regularly scheduled basis, at least twice daily, for the purpose of transporting passengers. the following named cities, towns, or unorganized territory within the counties indicated:

(a) [ANOKA COUNTY.] Anoka, Blaine, Centerville, Columbia Heights, Coon Rapids, Fridley, Circle Pines, Hilltop, Lexington, Lino Lakes, Spring Lake Park;

(b) [CARVER COUNTY.] Chanhassen, the city of Chaska, Victoria;

(c) [DAKOTA COUNTY.] *Apple Valley, Burnsville, Eagan, Inver Grove Heights, Lillydale, Mendota, Mendota Heights, Rosemount, South St. Paul, Sunfish Lake, West St. Paul;*

(d) [RAMSEY COUNTY.] *All of the territory within Ramsey county;*

(e) [HENNEPIN COUNTY.] *Bloomington, Brooklyn Center, Brooklyn Park, Champlain, Chanhassen, Crystal, Deephaven, Eden Prairie, Edina, Excelsior, Golden Valley, Greenwood, Hopkins, Long Lake, Maple Grove, Medicine Lake, Minneapolis, Minnetonka, Minnetonka Beach, Mound, New Hope, Orono, Osseo, Plymouth, Richfield, Robbinsdale, St. Anthony, St. Louis Park, Shorewood, Spring Park, Tonka Bay, Wayzata, Woodland, the unorganized territory of Hennepin county;*

(f) [SCOTT COUNTY.] *Prior Lake, Savage, Shakopee;*

(g) [WASHINGTON COUNTY.] *Baytown, the city of Stillwater, White Bear Lake, Bayport, Birchwood, Cottage Grove, Dellwood, Lake Elmo, Landfall, Mahtomedi, Newport, Oakdale, Oak Park Heights, Pine Springs, St. Paul Park, Willernie, Woodbury.*

The commission in its sole discretion may provide transit service by contract beyond the boundaries of the metropolitan transit taxing district upon petition therefor by an interested city, township or political subdivision within the metropolitan transit area. The commission may establish such terms and conditions as it deems necessary and advisable for providing the transit service, including such combination of fares and direct payments by the petitioner as will compensate the commission for the full capital and operating cost of the service and the related administrative activities of the commission. The amount of the levy made by any municipality to pay for the service shall be disregarded when calculation of levies subject to limitations is made. The commission shall not be obligated to extend service beyond the boundaries of the taxing district under any law or contract unless or until payment therefor is received.

Sec. 6. The provisions of section 5 or any other law changing the boundaries of the metropolitan transit taxing district shall not be deemed to impair the rights of holders of outstanding indebtedness of the commission to require the levy of property taxes, if necessary to provide for any deficiency in accordance with the conditions of such indebtedness, on all property within the limits of the metropolitan transit taxing district as such limits were in effect at the date of issuance of such indebtedness.

Sec. 7. Laws 1975, Chapter 13, Section 71, is amended by adding a subdivision to read:

Subd. 1a. For the purposes of Laws 1975, Chapter 13, Sections 52 to 75, and the metropolitan transit system, the metropolitan transit commission shall levy upon all taxable property within the metropolitan transit area but outside of the metropolitan transit taxing district, defined herein, a transit tax, which shall be equal

to ten percent of the sum of the levies provided in Laws 1975, Chapter 13, Section 71, Subdivision 1.

Sec. 8. Laws 1975, Chapter 13, Section 71, Subdivision 4, is amended to read:

Subd. 4. [USE OF PROCEEDS.] (1) A portion of the proceeds of the tax described in this section shall be used to provide transit services, at no cost, between the hours of 9:00 a.m. and 3:30 p.m., and from 6:30 p.m. until the last bus on Monday through Friday of each week, and all day Saturday and Sunday to all those persons 65 years of age or over holding a medicare card or a special golden age identification card issued by the commission ; and to all ~~those persons under the age of 18 .~~

(2) Establish an express bus system to those areas within the transit taxing district at the earliest practicable time over existing highways and streets in conjunction with the federal highway administration, the urban mass transportation administration, the Minnesota highway department, the metropolitan council, and other highway agencies.

(3) *A portion of the proceeds of the tax described in this section shall be used to provide transit services, for a maximum fare of ten cents, between the hours of 9:00 a.m. and 3:30 p.m., and from 6:30 p.m. until the last bus on Monday through Friday of each week, and all day Saturday and Sunday to all those persons under the age of 18 holding an identification card issued by the commission. The commission may establish reasonable conditions upon the use of the reduced fare authorized by this section.*

Sec. 9. Laws 1974, Chapter 534, Section 4, Subdivision 4, is amended to read:

Subd. 4. [ORGANIZATION.] The state planning agency shall administer this supplemental public transit aid program in ~~areas other than the metropolitan transit area~~ and shall have all the powers necessary and convenient to implement the program, including the following:

(a) Adopt rules and regulations necessary to carry out the purpose of this section.

(b) Receive applications for aid under this section and prescribe the form and nature and extent of the information which shall be contained in the application.

(c) Make and execute contracts with any eligible recipients to insure the continuance and improvement of public transit service at reasonable fares. Payments under such contracts to eligible recipients shall not exceed two-thirds *nor be less than one half* of the total operating deficit of the public transit system involved. In allocating these funds, the state planning agency may consider population, transit ridership, relative need for public transit, new developments and other factors. *Grants to the Twin Cities metropolitan transit commission under this section prior to December 31, 1975, shall not exceed \$2,691,000.*

(d) Determine the operating deficit of any public transit sys-

tem in accordance with the general accepted accounting principles and practices. *An eligible recipient shall treat any financial assistance received from any agency of the federal government for the operation of a public transit system as revenue for the purposes of determining its total operating deficit.* In determining such total operating deficits, the agency shall consider all increases and expenses and reductions in revenue in the public transit system after the effective date of this section and may disallow portions or all or any such increase or reductions. Where legislatively established public transit authorities or commissions do not exist, and if more than one county or municipality contributes assistance to the operation of a public transit system, the aid distributable under this section shall be allocated among contributors in proportion to their contribution.

(e) Apply for, receive and accept federal funds made available for the purpose of this section, if requested, on behalf of eligible recipients.

Sec. 10. Laws 1974, Chapter 534, Section 5, Subdivision 3, is amended to read:

Subd. 3. [ELIGIBILITY.] Eligible recipients of the financial assistance through the public transit demonstration program include counties, municipalities, legislatively established public transit authorities or commissions, or combinations of such units ~~in areas other than the metropolitan transit area defined in Minnesota Statutes, Chapter 473A~~. Applications for financial assistance shall be made through the regional development commissions ~~or the metropolitan council~~.

Sec. 11. Subdivision 1. *There is hereby appropriated from the general fund the sum of \$26,000,000 to the state planning agency for the purposes of carrying out the provisions of Laws 1974, Chapter 534, Section 4, and section 9 of this act, with not less than \$2,000,000 and not more than \$2,200,000 to be allocated outside of the metropolitan area.*

Subd. 2. *There is hereby appropriated from the general fund to the state planning agency the sum of \$2,000,000 for the purposes of carrying out the provisions of Laws 1974, Chapter 534, Section 5, and section 10 of this act.*

Sec. 12. [ADMINISTRATION.] *There is hereby appropriated to the state planning agency the sum of \$85,000 from the general fund for the purposes of administering the supplemental public transit aid program and the public transit demonstration program as provided in Laws 1974, Chapter 534, Sections 1 to 7, and sections 9 to 13 this act. None of the moneys hereby appropriated shall cancel but shall be available until expended.*

Sec. 13. *During the second year of the biennium, funds, other than funds designated for use by the metropolitan transit commission, remaining unobligated under the supplemental public transit aid program and the public transit demonstration program, sections 9 and 10 of this act, may be allocated for either of the purposes described in sections 9 and 10.*

Sec. 14. [APPROPRIATION TO COMMISSIONER OF HIGHWAYS.] *There is appropriated to the commissioner of highways from the general fund the sum of \$14,000,000 for the fiscal year ending June 30, 1975, to enable the department of highways to complete its 1975 fiscal year construction program.*

Sec. 15. *Following the effective date of this act the department of highways shall not cause any construction on, nor shall any lands be acquired for, any of the trunk highways designated as I-335, that portion of I-35E in Ramsey county described in section 19, clause (3), nor for proposed I-394 between I-494 and the Hawthorne interchange, nor for an extension or connector of the Dartmouth interchange of the interstate route designated as I-94; nor shall the department construct or improve Legislative Route No. 116, marked trunk highway route No. 55, within the city of Minneapolis, to freeway or expressway standards; provided, that nothing in this section shall be construed to prohibit the department from taking the following actions:*

(1) Construction of a parkway facility of not more than four lanes of traffic in the corridor previously designated for I-335 in the city of Minneapolis.

(2) Construction of not more than six lanes of travel on Legislative Routes No. 10 and No. 107 marked TH12 between I-494 and the Hawthorne interchange in the city of Minneapolis, provided that no additional lands shall be acquired for any such purpose except which is necessary for construction of six lanes of travel on said highway.

(3) Construction of, on the route designated in section 19, clause (3), a four lane parkway facility with limited access, provided that such parkway shall not be physically connected with Legislative Route No. 392.

(4) Generally utilizing and widening present lanes of travel, increasing the number of lanes of travel up to but not exceeding six lanes, and upgrading Legislative Route No. 116 within the city of Minneapolis generally along its present traveled corridor.

Any highway facility authorized by this section shall be compatible with the immediate residential areas through which it passes. Upon the completion of any highway facility authorized herein, any right of way previously acquired within the utilized corridor and not needed for the construction and maintenance of such facility, shall be transferred to the city within which such excess right of way is located, for public purposes, or sold for utilization in a manner compatible with the immediate residential area through which it passes, such excess right of way being determined by order of the commissioner. The transfer shall be evidenced by a quit claim deed, in such form as the attorney general approves, executed by the governor in the name of the state of Minnesota to such city.

The commissioner of highways shall consider a parkway or other alternatives for that portion of the trunk highway designated as I-35 or Route No. 390 in the city of Duluth.

Sec. 16. *The metropolitan council with the transportation advisory board and the city councils of the affected cities shall review the uncompleted sections of the interstate system in the seven county metropolitan area. Such review shall include an analysis of the financial and social impact as to alternative interstate route designations or transit substitutes while maintaining the integrity of the interstate system.*

The metropolitan council shall report the findings of such study to the state legislature not later than February 1, 1976.

Sec. 17. [APPROPRIATION.] *There is hereby appropriated to the metropolitan council from the general fund the sum of \$25,000 for the purpose of section 16.*

Sec. 18. Minnesota Statutes 1974, Section 161.12, is amended to read:

161.12 [ADDITIONAL ROUTES ADDED TO TRUNK HIGHWAY SYSTEM.] To take advantage of federal aid made available by the United States to the state of Minnesota for highway purposes, the following trunk highway routes are added to the trunk highway system which routes form a part of the national system of interstate and defense highways and may be referred to as the interstate system:

Route No. 390. Beginning at a point on the boundary between the states of Minnesota and Iowa, southerly of Albert Lea; thence extending in a general northerly direction ~~through to a point on Route No. 111 in the city of St. Paul;~~ and then beginning again at a point on Route No. 392 in the city of St. Paul; thence extending in a general northeasterly direction to a point in Duluth on the boundary between the states of Minnesota and Wisconsin.

Route No. 391. Beginning at a point on the boundary between the states of Minnesota and South Dakota, westerly of Luverne; thence extending in a general easterly direction to a point on the boundary between the states of Minnesota and Wisconsin, near La Crescent.

Route No. 392. Beginning at a point on the boundary between the states of Minnesota and North Dakota in or near Moorhead; thence extending in a general southeasterly direction through the city of Minneapolis; thence in a general easterly direction through the city of St. Paul to a point on the boundary between the states of Minnesota and Wisconsin in or near Lakeland.

Route No. 393. Beginning at a point on Route No. 392, easterly of the city of St. Paul; thence in a general southerly and westerly direction through the city of South St. Paul; thence in a general westerly direction to a point in Eden Prairie Township, Hennepin County; thence in a general northerly direction to a point in the city of Maple Grove, Hennepin County; thence in a general easterly direction to a point on Route 390; thence in a general easterly, southeasterly and southerly direction to the point of beginning on Route No. 392, easterly of St. Paul.

Route No. 394. Beginning at a point on Route No. 390, south-

erly of the Minnesota River; thence extending in a general northerly and northeasterly direction through the city of Minneapolis; thence continuing in a northeasterly direction to a point on Route No. 390, near Forest Lake and there terminating.

Route No. 395. Beginning at a point on Route No. 390 at or near the intersection of Superior Street and Nineteenth Avenue West in the city of Duluth, thence extending in a northeasterly direction to a point on Route No. 103 at or near the intersection of Superior Street and Tenth Avenue East in the city of Duluth.

Sec. 19. [TRUNK HIGHWAYS; ADDITIONAL ROUTES.]
There may be added by order of the commissioner of highways to the trunk highway system new routes described as follows:

(1) [161.115] Route No. 333. Beginning at a point on Route No. 390 at its intersection with Shepard Road in the city of St. Paul; thence extending in a northeasterly direction generally following along the course of Shepard Road to a point on Route No. 112; thence extending in a northeasterly direction to a point on Route No. 392 easterly of the downtown area of St. Paul; providing a connector route between Route No. 390 and Routes No. 112 and 392;

(2) [161.115] Route No. 334. Beginning at a point on Route No. 112, northerly of the Lafayette Street bridge in the city of St. Paul; thence extending in a northwesterly direction to a point on Route No. 390 southerly of Maryland Avenue in the city of St. Paul; providing a connector route between Route No. 112 and Route No. 390; and

(3) [161.115] Route No. 335. Beginning at a point on Route No. 390 at its junction with Route No. 111, thence extending in a general northerly direction, within the corridor of the right of way already acquired on the effective date of this act for Route No. 390, to a point on Short Line Road; thence extending in a northeasterly direction within said corridor of right of way to the intersection of Pleasant Avenue and Kellogg Boulevard in the city of St. Paul.

The revisor of statutes is directed to assign a number to each of the routes added in this section and compile the same in the next and subsequent editions of Minnesota Statutes.

Sec. 20. Subdivision 1. *The commissioner of highways shall cause to be constructed adequate and effective acoustical barriers or implement other sound abatement programs in or along the perimeter of any interstate highway within incorporated areas located within the metropolitan area whenever the noise level attributable to vehicular traffic at the abutting residential property line is in excess of the federal noise standards. The commissioner shall utilize available federal matching funds in constructing the acoustical barriers.*

Subd. 2. *Beginning with the fiscal year ending June 30, 1976, the commissioner shall annually expend an amount equal to one percent of an amount equal to sixty-two percent of the revenues*

derived from the tax imposed on gasoline used in producing and generating power for propelling motor vehicles used on the public highways of this state when federal funds are available, for the purpose of carrying out the provisions of subdivision 1 of this section. In the event that funds derived from such one percent exceed the amount necessary to carry out the provisions of subdivision 1, the excess fund shall be utilized by the commissioner to construct adequate and effective acoustical barriers along other trunk highways in the metropolitan area where he deems them necessary to counteract vehicle noise.

Sec. 21. The legislature of the state of Minnesota expresses concern over the future transportation needs of the citizens of our state and the many businesses and industries which need to transport their products to the marketplace.

The possibility of achieving better and more efficient utilization of both federal and state monies should be thoroughly examined prior to the 1977 legislature's approval of the highway department's budget. Therefore, a study commission is hereby created to evaluate the policies, programs, projects, costs and financing of the Minnesota department of highways.

The commission shall work in conjunction with the legislative audit commission and present its report and specific legislative recommendations to the House appropriations committee and the Senate finance committee prior to consideration of the department's 1977 budget.

The commission shall consist of the chairman of the House appropriations committee, the chairman of the Senate finance committee, five members of the House appointed by the speaker of the House, and five members of the Senate appointed by the committee on committees.

The appointed members shall serve for a term commencing upon appointment and expiring with the commission at the opening of the 1977 legislature.

Sec. 22. Minnesota Statutes 1974, Section 161.081, is amended to read:

161.081 [HIGHWAY USER TAX, DISTRIBUTION OF PORTION OF PROCEEDS.] Pursuant to article XVI XIV, section 5, of the constitution, five percent of the net highway user tax distribution fund is set aside, and apportioned as follows:

(1) 70 60 percent to the trunk highway fund;

(2) 24 31 percent to a separate account in the county state-aid highway fund to be known as the county turnback account, which account in the state treasury is hereby created;

(3) 9 percent to a separate account in the municipal state-aid street fund to be known as the municipal turnback account, which account in the state treasury is hereby created.

Sec. 23. Minnesota Statutes 1974, Section 161.082, is amended by adding a subdivision to read:

Subd. 2a. An amount equal to 32 percent of the county turn-back account shall be expended, within counties having two or more towns, on town road bridge structures that are 20 feet or more in length. The expenditures on such bridge structures shall be on a matching basis, and not more than 50 percent of the cost of any such bridge structure shall be paid from the county turn-back account. The rules and regulations of the commissioner of highways relating to the expenditure of funds for the purposes of this subdivision shall include review of township bridge projects by the regional development commissions or the metropolitan council to determine the relative need of the township for financial assistance.

Sec. 24. [PROVISIONS OF SECTIONS 22 AND 23 NOT SEVERABLE.] *The provisions of sections 22 and 23 are not severable, and if any provision of sections 22 or 23 is found to be unconstitutional, the provisions of sections 22 and 23 are not valid, and the law as it existed prior to the effective date of these sections shall remain in effect.*

Sec. 25. *The following amendment to the Minnesota Constitution, Article XIV, is proposed to the people of the state. If the amendment is adopted the article shall read:*

ARTICLE XIV

PUBLIC HIGHWAY SYSTEM

Section 1. The state may construct, improve and maintain public highways, may assist political subdivisions in this work and by law may authorize any political subdivision to aid in highway work within its boundaries.

Sec. 2. There is hereby created a trunk highway system which shall be constructed, improved and maintained as public highways by the state. The highways shall extend as nearly as possible along the routes number 1 to 70 described in the constitutional amendment adopted November 2, 1920, and the routes described in any act of the legislature which has made or hereafter makes a route a part of the trunk highway system.

The legislature may add by law new routes to the trunk highway system. The trunk highway system may not exceed 12,200 miles in extent, except the legislature may add trunk highways in excess of the mileage limitation as necessary or expedient to take advantage of any federal aid made available by the United States to the state of Minnesota.

Any route added by the legislature to the trunk highway system may be relocated or removed from the system as provided by law. The definite location of trunk highways numbered 1 to 70 may be relocated as provided by law but no relocation shall cause a deviation from the starting points or terminals nor cause any deviation from the various villages and cities through which the routes are to pass under the constitutional amendment adopted November 2, 1920. The location of routes may be determined by boards, officers or tribunals in the manner prescribed by law.

Sec. 3. A county state-aid highway system shall be constructed, improved and maintained by the counties as public highways in the manner provided by law. The system shall include streets in municipalities of less than 5,000 population where necessary to provide an integrated and coordinated highway system and may include similar streets in larger municipalities.

Sec. 4. A municipal state-aid street system shall be constructed, improved and maintained as public highways by municipalities having a population of 5,000 or more in the manner provided by law.

Sec. 5. There is hereby created a highway user tax distribution fund to be used solely for highway purposes as specified in this article. The fund consists of the proceeds of any taxes authorized by sections 9 and 10 of this article, *except as otherwise provided in section 10*. The net proceeds of the taxes shall be apportioned: 62 percent to the trunk highway fund; 29 percent to the county state-aid highway fund; nine percent to the municipal state-aid street fund. Five percent of the net proceeds of the highway user tax distribution fund may be set aside and apportioned by law to one or more of the three foregoing funds. The balance of the highway user tax distribution fund shall be transferred to the trunk highway fund, the county state-aid highway fund, and the municipal state-aid street fund in accordance with the percentages set forth in this section. No change in the apportionment of the five percent may be made within six years of the last previous change.

Sec. 6. There is hereby created a trunk highway fund which shall be used solely for the purposes specified in section 2 of this article and the payment of principal and interest of any bonds issued under the authority of section 11 of this article and any bonds issued for trunk highway purposes prior to July 1, 1957. All payments of principal and interest on bonds issued shall be a first charge on money coming into this fund during the year in which the principal or interest is payable.

Sec. 7. There is hereby created a county state-aid highway fund. The county state-aid highway fund shall be apportioned among the counties as provided by law. The funds apportioned shall be used by the counties as provided by law for aid in the construction, improvement and maintenance of county state-aid highways. The legislature may authorize the counties by law to use a part of the funds apportioned to them to aid in the construction, improvement and maintenance of other county highways, township roads, municipal streets and any other public highways, including but not limited to trunk highways and municipal state-aid streets within the respective counties.

Sec. 8. There is hereby created a municipal state-aid street fund to be apportioned as provided by law among municipalities having a population of 5,000 or more. The fund shall be used by municipalities as provided by law for the construction, improvement and maintenance of municipal state-aid streets. The legislature may authorize municipalities to use a part of the fund in

the construction, improvement and maintenance of other municipal streets, trunk highways, and county state-aid highways within the counties in which the municipality is located.

Sec. 9. The legislature by law may tax motor vehicles using the public streets and highways on a more onerous basis than other personal property. Any such tax on motor vehicles shall be in lieu of all other taxes thereon, except wheelage taxes imposed by political subdivisions solely for highway purposes. The legislature may impose this tax on motor vehicles of companies paying taxes under the gross earnings system of taxation notwithstanding that earnings from the vehicles may be included in the earnings on which gross earnings taxes are computed. The proceeds of the tax shall be paid into the highway user tax distribution fund. The law may exempt from taxation any motor vehicle owned by a nonresident of the state properly licensed in another state and transiently or temporarily using the streets and highways of the state.

Sec. 10. The legislature may levy an excise tax on any means or substance used for propelling vehicles on the public highways of this state or on the business of selling it. The proceeds of the tax, *up to and including the unit tax rate thereon in effect on August 1, 1975 shall be paid into the highway user tax distribution fund. Any unit tax rate levied in excess of the unit tax rate in effect on August 1, 1975, shall be paid into the general fund in the state treasury.*

Sec. 11. The legislature may provide by law for the sale of bonds to carry out the provisions of section 2. ~~Bonds issued and unpaid shall not at any time exceed \$150,000,000 par value. The proceeds shall be paid into the trunk highway fund. Any bonds shall mature serially over a term not exceeding 20 years, shall not be sold for less than par and accrued interest and shall not bear interest at a greater rate than five percent per annum. If the trunk highway fund is not adequate to pay principal and interest of these bonds when due, the legislature may levy on all taxable property of the state in an amount sufficient to meet the deficiency or it may appropriate to the fund money in the state treasury not otherwise appropriated.~~

Sec. 26. *The proposed amendment shall be submitted to the people at the 1976 general election. The question proposed shall read:*

"Shall Article XIV of the Constitution of the State of Minnesota be amended to permit proceeds resulting from any increases in motor fuel taxes to be used for general purposes and to remove certain restrictions on highway bonds?"

Yes.....

No....."

Sec. 27. *Laws 1974, Chapter 534, Section 5, Subdivision 4, is repealed.*

Sec. 28. [EFFECTIVE DATE.] *Sections 1, 2, 3, and 8 of this act*

are effective June 1, 1975. Sections 9 to 14, 16, 17, and 22 to 24 are effective July 1, 1975. Sections 15 and 18 to 21 are effective on the day following final enactment. Sections 4 to 7 are effective for taxes levied in 1975 and subsequent years."

Further, strike the title and insert

"A bill for an act relating to transportation; increasing the tax on gasoline and special fuels; eliminating the excise tax on certain products from waste materials; decreasing the tax levies authorized for the metropolitan transit commission; providing for a redefinition of the transit taxing district; authorizing contract service beyond the boundaries thereof; authorizing a limited tax outside the boundaries thereof; providing for public transit assistance and demonstration projects; establishing conditions upon the construction of certain highways; amending a route on the interstate system; adding additional routes to the trunk highway system; providing for the construction of acoustical barriers on interstate highways; reapportioning five percent of the highway user tax; allocating part of the tax for bridge purposes; proposing an amendment to the Minnesota Constitution, Article XIV to permit proceeds from future increases in motor fuel taxes to be deposited in the state treasury and removing certain restrictions on highway bonds; appropriating money; amending Minnesota Statutes 1974, Sections 161.081; 161.082, by adding a subdivision; 161.12; 296.02, Subdivision 1; Chapter 296, by adding a section; and Laws 1974, Chapter 534, Section 4, Subdivision 4, and Section 5, Subdivision 3; and Laws 1975, Chapter 13, Section 71, Subdivisions 1, 2, 4, and by adding a subdivision; repealing Laws 1974, Chapter 534, Section 5, Subdivision 4."

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

House Conferees: (Signed) Al Patton, Russell Stanton, Tom Berg, John Tomlinson, William Schreiber.

Senate Conferees: (Signed) Clarence Purfeerst, David Schaaf, William Kirchner, Roger Laufenburger, John Chenoweth.

Mr. Purfeerst moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1722 be now adopted, and that the bill be repassed as amended by the Conference Committee.

Mr. Brown moved that the Senate reject the Conference Committee Report on H. F. No. 1722 and the report be re-referred to the Conference Committee as formerly constituted for further consideration.

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

And the roll being called, there were yeas 26 and nays 36, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|-----------|--------------|---------|
| Ashbach | Doty | Knutson | Olson, J. L. | Stassen |
| Bang | Dunn | Kowalczyk | O'Neill | Ueland |
| Berg | Fitzsimons | Nelson | Patton | |
| Bernhagen | Frederick | North | Pillsbury | |
| Brataas | Hansen, Mel | Ogdahl | Renneke | |
| Brown | Keefe, J. | Olhoft | Sillers | |

Those who voted in the negative were:

| | | | | |
|-------------|---------------|----------------|-------------|-----------|
| Anderson | Gearty | Laufenburger | Perpich, G. | Stumpf |
| Arnold | Hansen, Baldy | McCutcheon | Purfeerst | Tennessen |
| Borden | Hughes | Merriam | Schaaf | Wegener |
| Chenoweth | Humphrey | Milton | Schmitz | Willett |
| Chmielewski | Keefe, S. | Moe | Schrom | |
| Coleman | Kirchner | Olson, A. G. | Solon | |
| Conzemius | Kleinbaum | Olson, H. D. | Spear | |
| Davies | Larson | Perpich, A. J. | Stokowski | |

The motion did not prevail.

The question recurred on the motion of Mr. Purfeerst to adopt the recommendations and Conference Committee Report on H. F. No. 1722. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1722: A bill for an act relating to transportation; increasing the tax on gasoline and special fuels; eliminating the excise tax on certain products from waste materials; decreasing the tax levies authorized for the metropolitan transit commission; providing for a redefinition of the transit taxing district; authorizing contract service beyond the boundaries thereof; authorizing a limited tax outside the boundaries thereof; providing for public transit assistance and demonstration projects; establishing conditions upon the construction of certain highways; amending a route on the interstate system; adding additional routes to the trunk highway system; providing for the construction of acoustical barriers on interstate highways; reapportioning five percent of the highway user tax; allocating part of the tax for bridge purposes; proposing an amendment to the Minnesota Constitution, Article XIV to permit proceeds from future increases in motor fuel taxes to be deposited in the state treasury and removing certain restrictions on highway bonds; appropriating money; amending Minnesota Statutes 1974, Sections 161.081; 161.082, by adding a subdivision; 161.12; 296.02, Subdivision 1; Chapter 296, by adding a section; and Laws 1974, Chapter 534, Section 4, Subdivision 4, and Section 5, Subdivision 3; and Laws 1975, Chapter 13, Section 71, Subdivisions 1, 2, 4, and by adding a subdivision; repealing Laws 1974, Chapter 534, Section 5, Subdivision 4.

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 24, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|--------------|----------------|-----------|
| Anderson | Davies | Larson | Olson, J. L. | Solon |
| Arnold | Gearty | Laufenburger | Perpich, A. J. | Spear |
| Berg | Hughes | Lewis | Perpich, G. | Stassen |
| Borden | Humphrey | Merriam | Purfeerst | Stokowski |
| Chenoweth | Jensen | Milton | Renneke | Stumpf |
| Chmielewski | Keefe, S. | Moe | Schaaf | Tennessen |
| Coleman | Kirchner | Olson, A. G. | Schmitz | Ueland |
| Conzemius | Kleinbaum | Olson, H. D. | Schrom | Wegener |

Those who voted in the negative were:

| | | | | |
|-----------|------------|---------------|------------|-----------|
| Ashbach | Brown | Hansen, Baldy | Knutson | Ogdahl |
| Bang | Doty | Hansen, Mel | Kowalczyk | O'Neill |
| Bernhagen | Dunn | Hanson, R. | McCutcheon | Pillsbury |
| Blatz | Fitzsimons | Josefson | Nelson | Sillers |
| Brataas | Frederick | Keefe, J. | North | |

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

RECONSIDERATION

Mr. Berg moved that the vote whereby H. F. No. 1722 was passed by the Senate on May 19, 1975, be now reconsidered.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 22 and nays 38, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|-----------|-----------|-----------|---------|
| Ashbach | Brataas | Kirchner | O'Neill | Stassen |
| Bang | Brown | Knutson | Patton | Willet |
| Berg | Dunn | Kowalczyk | Pillsbury | |
| Bernhagen | Frederick | Nelson | Renneke | |
| Blatz | Keefe, J. | Olhoft | Sillers | |

Those who voted in the negative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Doty | Larson | Olson, A. G. | Solon |
| Arnold | Gearty | Laufenburger | Olson, H. D. | Spear |
| Borden | Hansen, Baldy | Lewis | Perpich, A. J. | Stokowski |
| Chenoweth | Hughes | McCutcheon | Perpich, G. | Stumpf |
| Chmielewski | Humphrey | Merriam | Purfeerst | Tennessen |
| Coleman | Josefson | Milton | Schaaf | Wegener |
| Conzemius | Keefe, S. | Moe | Schmitz | |
| Davies | Kleinbaum | North | Schrom | |

The motion did not prevail.

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. 1798, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1798: A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways and for other purposes; amending Minnesota Statutes 1974, Sections 161.35; 161.39, Subdivision 5a; and repealing Minnesota Statutes 1974, Section 161.355, Subdivision 2.

House File No. 1798 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

CONFERENCE COMMITTEE REPORT ON H. F. 1798

A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways and for other purposes; amending Minnesota Statutes 1974, Sections 161.35; 161.39, Subdivision 5a; and repealing Minnesota Statutes 1974, Section 161.355, Subdivision 2.

May 19, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 1798 report that we have agreed upon the items in dispute and recommend as follows: The Senate recede from its amendments to H. F. No. 1798 and that the bill be amended by striking all matter after the enacting clause and in lieu thereof substituting the following:

"Section 1. The sums hereinafter set forth and designated "APPROPRIATIONS", or so much thereof as may be necessary, are hereby appropriated out of the trunk highway fund in the state treasury or any other fund herein designated, to the department of highways for the purposes specified in the following sections of the act, to be available for the fiscal year indicated for each purpose. The figures "1975", "1976" and "1977" wherever used herein mean the appropriations listed thereunder to be available for the year ending June 30, 1975, June 30, 1976, and June 30, 1977, respectively.

APPROPRIATIONS
Available for the Year
Ending June 30,
1976 1977

\$ \$

Sec. 2. LEGAL DIVISION

| | | |
|-----------------------------------|---------|---------|
| Subdivision 1. Salaries | 500,000 | 500,000 |
| Subd. 2. Supplies and Expense . | 22,000 | 22,000 |

Sec. 3. ADMINISTRATIVE OPERATIONS

| | | |
|---|-----------|-----------|
| Subdivision 1. Salaries | 2,850,000 | 2,775,000 |
| Subd. 2. Supplies and Expense | 1,800,000 | 1,835,000 |

Sec. 4. MAINTENANCE,

| | 1976 | 1977 |
|--|------------|------------|
| | \$ | \$ |
| SALARIES, SUPPLIES AND EXPENSE | 52,500,000 | 51,916,602 |
| Sec. 5. HIGHWAY DEVELOPMENT SUPPORT, SALARIES, SUPPLIES AND EXPENSE | 36,700,000 | 35,700,000 |
| Sec. 6. RESEARCH AND STANDARDS, SALARIES, SUPPLIES AND EXPENSE ... | 1,000,000 | 1,000,000 |
| Sec. 7. STATE AID ADMINISTRATION, SALARIES, SUPPLIES AND EXPENSE | 237,916 | 237,916 |
| Sec. 8. PLANNING AND PROGRAMMING SALARIES, SUPPLIES AND EXPENSE ... | 2,650,000 | 2,650,000 |
| Sec. 9. EQUIPMENT | 4,253,120 | 5,790,811 |
| Sec. 10. BUILDINGS AND IMPROVEMENTS | 1,759,830 | |
| <p>This includes funds for the construction of equipment storage buildings at Nopeming, Hibbing, Bagley, Karlstad, St. Peter, Cannon Falls and Wells; plus land acquisition and various remodeling and improvements.</p> | | |
| Sec. 11. INTERSTATE SAFETY REST AREAS | 299,805 | |

Sec. 12. FEDERAL/STATE SAFETY ACCOUNT. The commissioner of highways may continue the Federal/State Safety Account established by Laws 1973, Chapter 718, Section 14, within the trunk highway fund, and he may transfer unobligated appropriation balances from the appropriations in sections 3 through 8 to said account if needed to advance state funds for approved federal highway safety projects; and may receive funds from state or local government agencies to be used for projects under the Federal Highway Safety Program. All federal reimbursements shall be deposited in the state treasury and are hereby appropriated to the Federal/State Account and will be available until June 30, 1977.

Sec. 13. TRANSFER OF FUNDS. Authority is hereby granted to the commissioner of highways to transfer unobligated appropriation balances between the various accounts and appropriations in sections 3 through 11.

Sec. 14. Notwithstanding any provisions of Minnesota Statutes, Section 161.50, to the contrary, the standing appropriation authority for maintenance of trunk highways, for construction operations, research, standards, state aid and planning and programming are hereby suspended and made inoperative. This section has no application to moneys for the actual construction or reconstruction of highways and for the actual payment to landowners for lands acquired for highway right of way and other costs necessary to construction and acquisition such as payments to leases, interest subsidies and relocation expenses.

Sec. 15. APPROPRIATION CANCELLATIONS. The commissioner of highways may at any time cancel back to the trunk highway fund any unobligated balance of the appropriations made in sections 3 through 11 for the purpose of providing funds for highway land purchase and road and bridge construction.

Sec. 16. CONTINGENCY ACCOUNT. If any of the appropriations made in sections 3 through 8 are insufficient, the commissioner of highways, with the approval of the Governor, may expend any of the moneys in the trunk highway fund standing appropriation for purposes enumerated in these sections after consultation with the legislative advisory committee in the manner provided in Minnesota Statutes in Section 3.30.

Sec. 17. UNOBLIGATED BALANCES ON HAND, CANCELLED INTO TRUNK HIGHWAY FUND. Except as otherwise provided in this act, any unexpended and unencumbered balances of the appropriations made hereby shall cancel into the trunk highway fund as of June 30 of any fiscal year.

Sec. 18. Any moneys made available to any state department or agency by this act by appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Section 355.50 and 352.04, Subdivision 5.

Sec. 19. Minnesota Statutes 1974, Section 161.35, is amended to read:

161.35 [EMPLOYMENT OF CONSULTANTS.] ~~Until July 1, 1975,~~ The commissioner, *with prior approval of the commissioner of personnel*, is authorized to employ and engage the services of registered professional engineers, engineering firms, and registered land surveyors, to act as consultants in connection with and to prepare plans and specifications or to perform aerial photography and survey work preliminary to the preparation of plans and specifications themselves or by their organizations and employees for the construction of trunk highways, and the commissioner is authorized to negotiate for and agree upon the terms and compensation for such employment and services. If the commissioner employs and engages an engineering firm, the person or persons in responsible charge of the work or service to be performed shall be registered professional engineers or land surveyors.

Provided, however, that the commissioner shall make available

to the legislature a list of such consultants, the tasks for which they were hired, and the amount of compensation which they received.

Sec. 20. Minnesota Statutes 1974, Section 161.39, Subdivision 5a, is amended to read:

Subd. 5a. The trunk highway fund shall be reimbursed for monies expended by the highway department in performing services for the public service commission. ~~The reimbursement shall not exceed \$25,500 each year from the general fund, and \$21,100 each year from the Minnesota highway safety account, section 210.401.~~

Sec. 21. PERSONNEL POLICY. The policy objective of this section is to develop improved productivity in the department of highways thereby reducing the number of full-time employees. The appropriations in sections 2 through 8 are based upon a reduction of full-time employees during the period commencing with the department of highway's hiring freeze initiated on April 4, 1975, and ending June 30, 1977. During this period the commissioner of highways shall set staffing levels for each organizational unit of the department as the work program requires, identify surplus positions and schedule personnel reductions, first making use of reduction through transfers to other departments and normal attrition, and then shall use mandatory layoff procedure under the provisions of the department of personnel rules and regulations or the collective bargaining agreements, as applicable, in order to meet this objective. The commissioner shall report quarterly to the Governor and Legislative Advisory Committee on progress towards achieving this policy objective.

Sec. 22. Minnesota Statutes 1974, Section 161.355, Subdivision 2, is repealed."

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

House Conferees: (Signed) Willis R. Eken, Neil S. Haugerud, Phyllis Kahn.

Senate Conferees: (Signed) Clarence M. Purfeerst, Norbert Arnold, William G. Kirchner.

Mr. Purfeerst moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1798 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. 1798: A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways and for other purposes; amending Minnesota Statutes 1974, Sections 161.35; 161.39, Subdivision 5a; and repealing Minnesota Statutes 1974, Section 161.355, Subdivision 2.

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 65 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Brown and Pillsbury voted in the negative.

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 has adopted the recommendation and report of the Conference Committee on House File No. 1759, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1759: A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; providing penalties for misusing appropriated moneys; amending Minnesota Statutes 1974, Sections 12.21, Subdivision 3; 16.012; 16A.125, Subdivisions 5 and 6; 17A.11; 17B.15; 30.20; 116C.05; 116D.04, Subdivision 3; 144.61; 149.04; 176.611, Subdivision 6A; 181A.07; 308.905; 326.44; 326.64; 347.33, Subdivision 3; 484.54; and Laws 1965, Chapter 415, Section 1, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Sections 33.17; 88.063, Subdivision 2; and 246.32.

House File No. 1759 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

SUSPENSION OF RULES

Mr. Coleman moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 1759. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1759

A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; providing penalties for misusing appropriated moneys; amending Minnesota Statutes 1974, Sections 12.21, Subdivision 3; 16.012; 16A.125, Subdivisions 5 and 6; 17A.11; 17B.15; 30.20; 116C.05; 116D.04, Subdivision 3; 144.61; 149.04; 176.611, Subdivision 6A; 181A.07; 308.905; 326.44; 326.64; 347.33, Subdivision 3; 484.54; and Laws 1965, Chapter 415, Section 1, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Sections 33.17; 88.063, Subdivision 2; and 246.32.

May 18, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 1759 report that we have agreed upon the items in dispute and recommend as follows: The Senate recede from its amendments to H. F. No. 1759 and that the bill be amended by striking all matter after the enacting clause and substituting the following:

"Section 1. EXPENSES OF STATE GOVERNMENT APPROPRIATIONS. Except as herein otherwise specifically provided, the sums hereinafter set forth in the columns designated "APPROPRIATIONS", or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury, or any other fund herein designated, for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1975", "1976", and "1977", wherever used in this act, shall mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1975, June 30, 1976, and June 30, 1977, respectively.

APPROPRIATIONS

Available for the Year

Ending June 30,

1976

1977

\$

\$

Sec. 2. THE LEGISLATURE

Subdivision 1. For the House
of Representatives

6,356,000

6,854,000

Subd. 2. For the Senate

3,839,000

4,161,000

| | 1976 | 1977 |
|--|-----------|-----------|
| | \$ | \$ |
| Subd. 3. Legislative Joint Coordinating Committee | | |
| (a) Legislative Reference Library | 385,000 | |
| (b) Revisor of Statutes | 1,861,750 | |
| (c) Office of Legislative Research | 81,500 | |
| Including state matching funds for science and technology grant which shall not be expended until federal matching moneys are committed. | | |
| Subd. 4. Legislative Audit Commission | | |
| (a) Legislative Audit Commission | 50,000 | |
| (b) Legislative Auditor | 932,431 | 1,023,682 |
| Subd. 5. Legislative Retirement Study Commission | 155,000 | |
| Subd. 6. Mississippi River Parkway Commission | 14,000 | |
| For 1975 — \$2,000 | | |
| The amounts appropriated by this subdivision are from the trunk highway fund. | | |
| Sec. 3. SUPREME COURT | | |
| Subdivision 1. Salaries | 1,075,981 | 1,075,981 |
| Subd. 2. Supplies and Expense | 266,613 | 275,699 |
| Subd. 3. Supreme Court Contingent | 7,500 | |
| Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. | | |
| Subd. 4. Continuing Legal Education | 34,368 | 100,122 |
| Sec. 4. DISTRICT COURT .. | 2,533,463 | 2,549,963 |
| For 1975 — \$265,342 | | |

| | 1976 | 1977 |
|--|---------|---------|
| | \$ | \$ |
| To be disbursed by the commissioner of finance. | | |
| Should the appropriation for either year be insufficient, then the appropriation for the other year shall be available therefor. | | |
| Sec. 5. JUDICIAL COUNCIL | 2,500 | 3,500 |
| Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. | | |
| Sec. 6. COMMISSION ON JUDICIAL STANDARDS | 37,602 | 36,102 |
| Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. | | |
| Sec. 7. STATE LAW LIBRARY | | |
| Subdivision 1. Salaries | 106,762 | 106,762 |
| Approved Complement — 8 | | |
| Subd. 2. Supplies and Expense | 29,029 | 30,475 |
| Subd. 3. Books and Binding . . | 150,000 | |
| Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. | | |
| Sec. 8. PUBLIC DEFENDER | 288,603 | 290,897 |
| Approved Complement — 15 | | |
| Provided however that no portion of the funds appropriated shall be used for the defense of misdemeanors unless the city or county public defender, if any, shall refuse or be unable to defend and then only by order of the court. | | |
| Sec. 9. TAX COURT | | |
| Subdivision 1. Salaries | 50,670 | 50,272 |

| | 1976 | 1977 |
|---|-----------|-----------|
| | \$ | \$ |
| Approved Complement — 2 | | |
| Subd. 2. Supplies and Expense | 15,650 | 15,975 |
| Sec. 10. CONTINGENT ACCOUNTS | | |
| Subdivision 1. General | 2,000,000 | 2,000,000 |
| Subd. 2. Game and Fish | 100,000 | |
| This appropriation is from the game and fish fund. | | |
| Subd. 3. Motor Vehicle | 150,000 | |
| This appropriation is from the highway user tax distribution fund for the purpose of supplementing any requirements of the department of public safety, motor vehicle services section, for salaries, supplies, and expense | | |
| Subd. 4. Postage | 500,000 | |
| For postage rate increases during the biennium ending June 30, 1977, where sufficient appropriations are not available. | | |
| Of the above amount \$250,000 appropriated from the highway user tax distribution fund to meet the needs of the motor vehicle section of the department of public safety. | | |
| Subd. 5. Traffic Safety | 50,000 | |
| This appropriation is from the trunk highway fund for the purpose of supplementing any requirements of the department of public safety for traffic safety programs. | | |
| Subd. 6. Criminal Justice | 1,620,000 | |
| This appropriation is available to provide additional matching funds for the various state agencies and local governments for programs qualifying under the safe streets and omnibus | | |

| | 1976 | 1977 |
|--|---------|---------|
| | \$ | \$ |
| crime control act of 1968, as amended. | | |
| At least 30 days before action by the legislative advisory committee, the commission shall submit the individual project requests to the respective committees for review. | | |
| The appropriations in this section shall be expended with the approval of the governor after consultation with the legislative advisory committee. | | |
| Any unexpended balance remaining in the first year from the appropriations made in this section shall not cancel but shall be available for the second year of the biennium. | | |
| Sec. 11. GOVERNOR | | |
| Subdivision 1. Salaries, Supplies, and Expense | 720,000 | 750,000 |
| For 1975 — \$48,000 | | |
| If the commissioner of public safety assigns a highway patrol officer as a personal aide to the governor below the rank of sergeant, such officer shall receive the rank and pay of a sergeant while on such assignment. After serving as a personal aide for a period of three years, the officer shall receive tenure as a sergeant. | | |
| Subd. 2. Personal Expenses Connected With Office | 15,000 | 15,000 |
| Subd. 3. Official Governor's Portrait | | 2,500 |
| Subd. 4. National Governors Conference | 16,150 | 16,150 |
| Subd. 5. Education Council .. | 20,000 | 20,000 |
| For 1975 — \$3,000 | | |
| Subd. 6. Upper Great Lakes | | |

| | 1976 | 1977 |
|--|-----------|-----------|
| \$ | | \$ |
| Regional Commission — State Share | 71,000 | 71,000 |
| This appropriation shall cancel if the federal support for the regional commission is withdrawn. | | |
| Subd. 7. Great Lakes Basin Commission — State Share .. | 22,300 | 22,300 |
| For 1975 — \$4,300 | | |
| Subd. 8. Upper Mississippi Basin Commission—State Share | 50,200 | 45,000 |
| Subd. 9. Missouri River Basin Commission—State Share | 13,300 | 14,600 |
| For 1975—\$2,025 | | |
| Subd. 10. Governor's Bicentennial Commission and Esthetic Environment | 157,900 | 78,950 |
| Subd. 11. Environmental Research and Consultation | 25,000 | 25,000 |
| Sec. 12. LIEUTENANT GOVERNOR | | |
| Subdivision 1. Salaries, Supplies, and Expense | 161,469 | 162,069 |
| Approved Complement—9 | | |
| Subd. 2. Personal Expenses Connected With Office..... | 2,000 | 2,000 |
| Sec. 13. ATTORNEY GENERAL | | |
| Subdivision 1. Salaries..... | 1,188,737 | 1,188,737 |
| Approved Complement—67 | | |
| This appropriation provides two additional attorneys and a legal steno for legal services to boards and other agencies now utilizing non-state legal services. | | |
| Subd. 2. Supplies and Expense. | 265,100 | 255,338 |
| Subd. 3. Special Contingent. . . | 50,000 | |
| This appropriation shall not be | | |

| | 1976 | 1977 |
|---|---------|---------|
| | \$ | \$ |
| available for paying the costs of special, legal, accounting, and investigative personnel retained in cases arising under Minnesota Statutes, Section 501.12, hereafter filed unless the attorney general shall decide in such a case that all the beneficiaries are not adequately represented, or that there is a likelihood that the purpose of the trust may be frustrated without his intervention and that the state has a substantial interest in carrying out the purpose of the trust. | | |
| Subd. 4. Antitrust | 200,000 | |
| This appropriation is for costs and expenses incurred by the attorney general in enforcing and making claims under state and federal antitrust laws. | | |
| The attorney general shall report the purposes for which the moneys appropriated by this subdivision are utilized. Such reports shall be made to the committee on finance of the senate and the committee on appropriations of the house of representatives at the end of each fiscal year. | | |
| Any unexpended balance remaining in the first year from the appropriations made in subdivisions 3 or 4 shall not cancel but shall be available for the second year of the biennium. | | |
| Subd. 5. Minnesota Peace Officers Training Board | | |
| (a) Salaries | 38,469 | 38,469 |
| Approved Complement—3 | | |
| (b) Supplies and Expense . . . | 19,591 | 20,539 |
| (c) Reimbursements to Local Governments | 350,000 | 350,000 |

| | 1976 | 1977 |
|---|---------|---------|
| | \$ | \$ |
| Reimbursements for costs of substitute local protection while officers attend regular training courses. | | |
| Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. | | |
| Sec. 14. STATE AUDITOR | | |
| Subdivision 1. Salaries | 127,210 | 127,210 |
| Approved Complement—8 | | |
| Subd. 2. Supplies and Expense. | 34,647 | 41,212 |
| Sec. 15. SECRETARY OF STATE | | |
| General Operations and Management | 459,124 | 738,955 |

Approved Complement—27

The amounts that may be expended from these funds for each activity are as follows:

| | | |
|----------------------------|---------|---------|
| Administration | 128,225 | 123,850 |
| Elections and Publications | 126,051 | 407,831 |
| Corporations | 165,910 | 166,542 |
| Uniform Commercial Code | 38,938 | 40,732 |

The secretary of state with the approval of the commissioner of administration may transfer unexpended balances among the above activities. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

For 1975 — \$800,000

To reimburse counties under the provisions of Minnesota Statutes 1974, Section 201.34. In the event that this appro-

| | 1976 | 1977 |
|--|------------|------------|
| | \$ | \$ |
| priation is not sufficient to completely reimburse the local units of government, the secretary of state shall not request an additional deficiency appropriation, but the amounts reimbursed to the local units of government shall be prorated on the basis of the number of registered voters in each county. | | |
| The appropriation for 1975 shall not cancel June 30, 1975, but shall be available for the biennium ending June 30, 1977. | | |
| Sec. 16. STATE TREASURER | | |
| Subdivision 1. Salaries | 257,737 | 257,737 |
| Approved Complement — 22 | | |
| Subd. 2. Supplies and Expense | 103,000 | 105,000 |
| Sec. 17. ETHICS COMMISSION | 108,308 | 106,412 |
| Approved Complement — 5 | | |
| Sec. 18. ADMINISTRATION | | |
| Subdivision 1. General Operations and Management | 10,699,381 | 10,930,128 |
| Approved Complement — 504 | | |
| The amounts that may be expended from these funds for each program are as follows: | | |
| Program Management and Budget | | |
| Coordination 591,395 | 616,971 | |
| Management Information Services 555,151 | 541,090 | |
| General Services 8,601,462 | 8,842,223 | |
| General Support 951,373 | 929,844 | |

The commissioner of administration may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the

| | 1976 | 1977 |
|---|-----------|-----------|
| | \$ | \$ |
| senate and the committee on appropriations of the house of representatives. | | |
| Notwithstanding the provisions of any law to the contrary, the commissioner of administration shall lease or sell the state-owned property comprising the St. Croix corrections camp in the manner which will realize the greatest return to the state. Such a sale, however, shall be made only after advertising the sale of the property and inviting sealed bids which shall be opened at the time specified and read aloud. The sale shall be made to the highest bidder. The advertisement of such sale shall be made in local and national publications including but not limited to such publications as the Wall Street Journal and the New York Times. The state reserves the right to reject any and all bids. | | |
| Subd. 2. Capitol Complex Repairs | 200,000 | |
| Subd. 3. Midwest Conference — Council of State Governments | 40,000 | |
| These funds are appropriated to the Inter-State Cooperation Commission for the purpose of hosting the 1976 Midwest Conference of the Council of State Governments. | | |
| Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. | | |
| Sec. 19. FINANCE | | |
| General Operations and Management | 3,474,241 | 3,561,370 |
| Approved Complement — 113 | | |

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

The amounts that may be expended from these funds for each program are as follows:

| | | |
|----------------------|-----------|-----------|
| Financial Operations | | |
| Management | 2,446,462 | 2,513,320 |

| | | |
|-------------------------|---------|---------|
| Financial Control, | | |
| Analysis, Research, and | | |
| Development | 672,391 | 683,662 |

| | | |
|-----------------|---------|---------|
| General Support | 355,388 | 364,388 |
|-----------------|---------|---------|

The commissioner of finance with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

In the case of payrolls which are financed in whole or in part with federal funds, that portion of the cost of payroll preparation which is chargeable to federal funds shall be reimbursed to the department of finance from such federal funds, and such amounts as are necessary are hereby appropriated from such funds for that purpose. The cost of preparing payrolls for state departments, agencies, and institutions whose salaries are provided by open, standing, continuing, or revolving appropriations or so called dedicated receipt accounts shall be reimbursed to the department of finance from such appropriations or dedicated receipt accounts and such amounts as are necessary are hereby appropriated from such appropriations and accounts for that purpose.

Sec. 20. PERSONNEL

| | 1976 | 1977 |
|--|-----------|-----------|
| | \$ | \$ |
| General Operations and Management | 1,709,347 | 1,686,748 |
| Approved Complement—92 | | |
| The amounts that may be expended from these funds for each program are as follows: | | |
| Recruitment and Selection | 350,417 | 344,458 |
| Training | 269,097 | 258,062 |
| Personnel Management Services | 536,192 | 536,192 |
| General Support | 523,605 | 518,000 |
| Local Government Services | 30,036 | 30,036 |

The commissioner of personnel with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

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

The cost of collecting employees' social security contributions and the state's matching share for reimbursement to the U.S. Secretary of the Treasury for state departments, agencies, and institutions whose salaries are provided by open, standing, continuing, or revolving appropriations or so

| | 1976 | 1977 |
|---|-----------|-----------|
| | \$ | \$ |
| called dedicated receipt accounts shall be reimbursed to the state agency revolving fund from such appropriations or dedicated receipt accounts, and such amounts as are necessary are appropriated from such appropriations and accounts for that purpose. | | |
| Sec. 21. PERSONNEL BOARD | 44,450 | 59,200 |
| Sec. 22. STATE PLANNING AGENCY | | |
| Subdivision 1. General Operations and Management | 2,407,009 | 2,399,909 |
| Approved Complement—112 | | |
| The amounts that may be expended from these funds for each program are as follows: | | |
| State Planning and Development | 217,028 | 217,028 |
| Functional Area Planning | 694,884 | 687,784 |
| Regional and Local Assistance | 1,189,010 | 1,189,010 |
| General Support | 306,087 | 306,087 |
| The director of the state planning agency with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives. | | |
| Included in the functional area planning program are sufficient moneys to conduct a study of railroad track abandonment. | | |

| | 1976 | 1977 |
|--|---------|---------|
| | \$ | \$ |
| Subd. 2. Commission on Minnesota's Future | 80,000 | 80,000 |
| Subd. 3. Environmental Quality Council | | |
| (a) Administration | 52,562 | 52,562 |
| (b) Citizens Advisory Council | 15,300 | 15,300 |
| (c) Environmental Impact Statements—General | 127,400 | 127,400 |
| (d) Environmental Impact Statements—Special | 254,615 | 254,615 |
| For expenses incurred in hearings and for allocation to appropriate state agencies for the preparation of environmental impact statements. | | |
| (e) Critical Areas Planning.. | 44,500 | 44,500 |
| (f) Power Plant Studies..... | 217,550 | 217,550 |
| (g) State and Regional Environmental Education Councils | 162,500 | 162,500 |
| No less than 50 percent of the efforts of the state and regional councils shall be directed to cooperation with and service for other groups, agencies, and institutions for the dissemination of environmental information. | | |
| (h) Minneapolis Environmental Conservation Library—Grant-in-aid | 40,000 | 40,000 |
| Sec. 23. CAPITOL AREA ARCHITECTURAL AND PLANNING COMMISSION | 62,556 | 62,207 |
| Sec. 24. MUNICIPAL COMMISSION | 108,208 | 108,527 |
| Approved Complement — 4 | | |
| Sec. 25. COMMISSION ON THE HANDICAPPED | 133,000 | 133,000 |
| Approved Complement — 3 | | |

| | 1976 | 1977 |
|--|----------------|-----------|
| | \$ | \$ |
| Sec. 26. HUMAN RIGHTS | | |
| Subdivision 1. Salaries | 437,379 | 422,379 |
| Approved Complement — 34 | | |
| Subd. 2. Supplies and Expense | 102,743 | 101,922 |
| Sec. 27. INDIAN AFFAIRS COMMISSION | 100,000 | |
| Approved Complement — 4 | | |
| This appropriation includes funds for payment of the expenses of the delegate to the Indian Council meeting. | | |
| Prior to January 1, 1976, the commission shall cease operation of its current offices and establish a single state office in the city of Bemidji from which it will carry out its responsibilities under Minnesota Statutes, Section 3.922, Subdivision 6. | | |
| On or before February 29, 1976, the commission shall prepare and present to the legislature a plan for the future operation of the commission and its staff. The plan shall include the specific goals, and the activities and methods which will be employed by the commission to achieve the stated goals. | | |
| Sec. 28. VETERANS AFFAIRS | | |
| Subdivision 1. Salaries | 438,971 | 438,971 |
| Approved Complement — 41 | | |
| Subd. 2. Supplies and Expense | 104,731 | 109,153 |
| Subd. 3. Veterans Relief Account | 1,010,000 | 1,010,000 |

The Minnesota public relief advisory committee is hereby continued for the purposes of this subdivision.

| | 1976 | 1977 |
|---|-----------|-----------|
| | \$ | \$ |
| None of the funds appropriated in this subdivision shall be transferred for the use of veterans' rest camps. | | |
| Subd. 4. War veterans and war orphans education aid . . . | 52,000 | 52,000 |
| To be expended pursuant to Minnesota Statutes, Section 197.75. | | |
| Subd. 5. Headstones, markers, and sockets for soldiers and sailors graves | 6,000 | 6,000 |
| Any unexpended balances remaining in subdivisions 3 through 5 the first year shall not cancel but shall be available for the second year of the biennium. | | |
| Subd. 6. Veterans Preference | 5,000 | 5,000 |
| Sec. 29. MILITARY AFFAIRS | | |
| Subdivision 1. Salaries | 1,549,312 | 1,543,015 |
| Approved Complement — 170 | | |
| Plus such additional personnel as may be financed entirely from federal funds for the period federal funds are available. | | |
| Subd. 2. Supplies and Expense | 1,022,204 | 1,078,005 |
| Notwithstanding any other provision of this act or any other law, the portion of appropriations made in this section which relate to armory maintenance and repairs shall be available for allotment, encumbrance and expenditure upon passage of this act, for the purpose of financing federal reimbursement contracts. | | |
| Sec. 30. COMMISSION ON CRIME PREVENTION AND CONTROL | 60,000 | 63,254 |
| Approved Complement — 35 | | |

| | 1976 | 1977 |
|-----------------------------------|------------|------------|
| | \$ | \$ |
| Sec. 31. PUBLIC SAFETY | | |
| Subdivision 1. Salaries | 19,382,591 | 19,378,121 |
| Approved Complement | | |
| 1976—1,452 | | |
| 1977—1,461 | | |

Of the amounts provided in subdivision 1, \$14,476,390 for the first year and \$14,424,586 for the second year is appropriated from the trunk highway fund for traffic safety programs. \$1,775,254 for the first year and \$1,769,276 for the second year is appropriated from the highway user tax distribution fund for the administration of motor vehicle laws.

Of the amount provided in subdivision 1, \$3,130,947 for the first year and \$3,184,259 for the second year is appropriated from the general fund.

The above approved complement includes 504 for all unclassified patrol officers and supervisors of the highway patrol. This complement shall not be exceeded during the biennium. Nothing in this provision is intended to limit the authority of the commissioner of public safety to transfer personnel, with the approval of the commissioner of administration, between the various units and divisions within this subdivision, providing that the above complement restriction is not exceeded. If the personnel in the above restricted complement are transferred to another unit or division of the department, the above complement shall be reduced accordingly.

No new highway patrol super-

| | 1976 | 1977 |
|---|------------|------------|
| | \$ | \$ |
| visory positions shall be established, with the exception of special duty assigned ranks for the length of assignment only. | | |
| Subd. 2. Supplies and Expense | 10,153,390 | 10,100,716 |

Of the amounts provided in subdivision 2, \$7,225,312 for the first year and \$6,848,124 for the second year are appropriated from the trunk highway fund for traffic safety programs.

Of the amounts provided in subdivision 2, \$1,862,264 for the first year and \$2,042,709 for the second year are appropriated from the highway user tax distribution fund for administration of motor vehicle laws.

Of the amount provided in subdivision 2, \$1,065,814 for the first year and \$1,209,883 for the second year is appropriated from the general fund.

The commissioner is directed to sell or otherwise dispose of two fixed wing aircraft operated by the department of public safety prior to January 1, 1976. The commissioner shall maintain not more than three helicopters in flight condition. The three units which the department is authorized to maintain shall be located in and for primary use in the seven county metropolitan area. As the number of aircraft units is reduced as herein directed, the number of highway patrol officer pilots shall be reduced accordingly and those officers reassigned to road patrol duty. Once returned to road patrol duty, highway patrol officers shall not continue to receive flight status compensation in

| | 1976 | 1977 |
|--|-----------|-----------|
| | \$ | \$ |
| addition to their regular salaries. All moneys received from the sale of aircraft shall be deposited as non-dedicated receipts to the trunk highway fund. | | |
| Subd. 3. Weigh Scale and Motor Vehicle Inspection — Labor Account | 491,375 | 491,375 |
| For 1975 — \$10,000 | | |
| The personnel involved in the support of the weigh scale and spot motor vehicle inspection programs shall be provided by the department of highways. This appropriation is from the trunk highway fund. | | |
| This appropriation provides sufficient moneys to operate the mobile truck weighing program on a twelve-month basis. The commissioner of finance is directed to transfer on a quarterly basis the appropriation made from the trunk highway fund in subdivisions 1, 2, and 3. | | |
| Subd. 4. Minnesota Crime Information System Planning and Development | 60,000 | |
| Any unexpended balance remaining in the first year shall not cancel, but shall be available for the second year of the biennium. | | |
| Subd. 5. Sheriff's Communication Network | 1,232,314 | 1,286,979 |
| Approved Complement — 14 | | |
| Subd. 6. Police Schools Supplies and Expense | 143,213 | 145,724 |
| Subd. 7. License Plates | | |
| (a) Salaries | 280,850 | 280,237 |
| Approved Complement—13 | | |

| | 1976 | 1977 |
|--|-----------|-----------|
| | \$ | \$ |
| (b) Supplies and Expense | 2,444,665 | 2,496,225 |
| The amounts provided in subdivision 7, clauses (a) and (b) are appropriated from the highway user tax distribution fund. | | |
| Subd. 8. Crime Victims Reparations Board | 200,000 | 200,000 |
| Approved Complement—2 | | |
| Any unexpended balance remaining in the first year shall not cancel, but shall be available for the second year of the biennium. | | |
| Subd. 9. Civil Air Patrol | 30,000 | 30,000 |
| Subd. 10. State Aids for Air Warning | 30,000 | 30,000 |
| The department of public safety is authorized to make grants-in-aid to local political subdivisions, to provide for up to 25 percent of the cost of air warning systems. | | |
| Subd. 12. Private Detective Licensing Board | 3,000 | 3,000 |
| Sec. 32. COMMERCE | | |
| General Operations and Management | 3,428,949 | 3,379,986 |
| Approved Complement—209 | | |
| The amounts that may be expended from these funds for each program are as follows: | | |
| Supervision of State Chartered Financial Institutions | 1,216,457 | 1,212,432 |
| Investment Protection | 541,657 | 539,976 |
| Consumer Services | 289,747 | 288,454 |
| Regulation of Insurance Companies | 837,733 | 831,099 |

| | 1976 | 1977 |
|--|-----------|-----------|
| | \$ | \$ |
| General | | |
| Support 543,355 508,025 | | |
| The commission with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives. | | |
| Sec. 33. EXAMINING BOARD OF ABSTRACTORS.. | | 2,185 |
| Sec. 34. EXAMINING BOARD OF ACCOUNTANCY. | | 73,000 |
| Sec. 35. EXAMINING BOARD OF ARCHITECTS, ENGINEERS, AND SURVEYORS. | | 164,159 |
| Sec. 36. EXAMINING BOARD OF BARBERS..... | | 59,985 |
| Sec. 37. EXAMINING BOARD OF COSMETOLOGY.. | | 255,863 |
| Approved Complement—15 | | |
| Sec. 38. EXAMINING BOARD OF ELECTRICITY... | | 1,235,535 |
| Approved Complement—18 | | |
| Sec. 39. EXAMINING BOARD OF WATCHMAKING. | | 11,381 |
| Sec. 40. STATE BOXING COMMISSION | 26,000 | 27,000 |
| Sec. 41. LABOR AND INDUSTRY | | |
| Subdivision 1. Salaries..... | 2,772,030 | 2,760,570 |
| Approved Complement—230 | | |
| Subd. 2. Supplies and Expense. | 533,000 | 517,500 |
| Sec. 42. MEDIATION SERVICES | | |
| Subdivision 1. Salaries..... | 430,000 | 430,000 |
| Approved Complement—26 | | |

| | 1976 | 1977 |
|---|-----------|-----------|
| | \$ | \$ |
| Subd. 2. Supplies and Expense. | 124,000 | 130,000 |
| Sec. 43. PUBLIC SERVICE | | |
| General Operations and Management | 3,159,944 | 3,104,197 |

Approved Complement—160

The amounts that may be expended from these funds for each program are as follows:

| | | |
|------------------------------|---------|---------|
| Utilities | | |
| Regulation 986,971 | 838,539 | |
| Warehouse and Transportation | | |
| Regulation 520,499 | 533,473 | |
| Weights and Measures | | |
| Regulation 767,311 | 791,528 | |
| General Support | 885,163 | 940,657 |

The public service department may transfer unexpended balances among the above programs, except that no funds shall be transferred from the weights and measures program until the department has consulted with the appropriate division of the house appropriations committee and the senate finance committee and it has made its recommendation thereon. Such recommendation shall be advisory only and failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

If at any time during the biennium ending June 30, 1975, the workload of the utilities regulation program falls below that which is anticipated and the executive director determines that the appropriated resources are in excess of that program's needs, he shall notify the commissioner of administra-

| | 1976 | 1977 |
|---|-----------|-----------|
| | \$ | \$ |
| tion. The commissioner of administration may transfer any resources so deemed to be in excess to the state department of energy if that department can demonstrate sufficient need, and provided that no employee of the state shall lose any accrued rights or benefits. | | |
| 44. ECONOMIC DEVELOPMENT | | |
| Subdivision 1. Salaries, Supplies, and Expense | 1,260,130 | 1,162,795 |
| Approved Complement — 42 | | |
| The appropriation for 1976 includes sufficient moneys for the development and publication of a statewide pictorial guide and a statewide vacation guide. | | |
| No more than one research project may be undertaken. The commissioner shall report to the next legislative session specific requests for research projects for the next biennium. | | |
| Subd. 2. Media Advertising .. | 262,500 | 262,500 |
| None of these funds shall be expended for promotional expense. | | |
| Subd. 3. Matching Grants for Regional or Local Tourist Development | 250,000 | 100,000 |
| The commissioner of economic development may enter into contractual project agreements with organizations or corporations for the purpose of developing the tourism potential of the state. | | |
| If in the judgment of the commissioner, a project will make a meaningful contribution to the tourism development of | | |

| | 1976 | 1977 |
|---|-----------|-----------|
| | \$ | \$ |
| the state, he may enter into local or regional agreements. No agreement shall be for more than 50 percent of the total annual project cost. | | |
| Sec. 45. AERONAUTICS | | |
| Subdivision 1. Salaries | 478,044 | 480,344 |
| Approved Complement — 33 | | |
| Subd. 2. Supplies and Expense | 128,000 | 128,000 |
| Subd. 3. Aeronautics Proceedings | 9,000 | 9,000 |
| This amount is available for the employment of consultants, expert witness fees, preparation of exhibits and other costs pertaining to aeronautics proceedings. | | |
| Subd. 4. Aeronautics Safety and Education | 22,100 | 21,100 |
| Subd. 5. Airport Construction and Improvements | | |
| (a) Key system airports | 2,915,085 | 3,217,401 |
| (b) Intermediate system airports | 800,635 | 858,977 |
| (c) State landing strips | 803,295 | 872,902 |

The appropriations made in this subdivision shall be expended only for grant-in-aid programs for airports which are not state owned.

These appropriations are to be expended in accordance with Minnesota Statutes, Section 360.305, Subdivision 4 (1), (2), (4), and (5).

The commissioner of aeronautics may transfer unexpended balances between the above items with the approval of the governor after consultation with the legislative advisory committee.

| | 1976 | 1977 |
|--|---------|---------|
| | \$ | \$ |
| Subd. 6. Navigational Aids . . . | 638,700 | 607,000 |
| Subd. 7. Striping Airport Runways | 29,500 | 22,500 |

Reimbursements from municipalities for striping runways shall be deposited in the state airport fund.

| | |
|--|--------|
| Subd. 8. Operation and Maintenance of State Owned Airports | 25,300 |
|--|--------|

Not more than the indicated amounts shall be expended for each of the following:

Orr \$17,100

Thief River Falls 8,200

Provided that all income which is received from the operation of these airports shall be utilized for operation. Provided further that the ownership of these airports shall be transferred to their respective communities, counties or regions prior to June 30, 1976.

In the event that the ownership is not transferred prior to June 30, 1976, the commissioner of aeronautics is directed to cease operations and close the airports to public or private use on July 1, 1976.

| | |
|--|--------|
| Subd. 9. Pine Creek — Construction | 22,500 |
|--|--------|

This appropriation shall not cancel but shall remain available until expended or the project completed or abandoned.

Notwithstanding the provisions of Minnesota Statutes, Section 360.021, Subdivision 1, or any other law to the contrary, the commissioner of aeronautics shall acquire no

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

additional state airports, nor shall he establish any additional state-owned airports during the biennium ending June 30, 1977.

No moneys shall be expended by the commissioner of aeronautics under the appropriations made by subdivisions 5, 6, and 7, or any other law, for land acquisition, or for the construction, improvement, maintenance of airports, or for air navigation facilities for an airport, unless the governmental unit involved has or is establishing a zoning authority for that airport, and such authority has made a good faith showing that it is in the process of and will complete with due diligence, an airport zoning ordinance in accordance with Minnesota Statutes 360.061 to 360.074.

The commissioner of aeronautics is directed to make maximum use of zoning and easements to eliminate runway and other potential airport hazards rather than land acquisition in fee.

Any unexpended balance remaining in subdivisions 5 through 7 the first year shall not cancel but shall be available for the second year of the biennium.

The amounts appropriated by this section are from the state airport fund.

Sec. 46. DEPARTMENT OF AGRICULTURE

General Operations and Management

6,167,231

6,242,277

Approved Complement — 540

The amounts that may be ex-

| | 1976 | 1977 |
|---|-----------|-----------|
| | \$ | \$ |
| <p>pended from these funds for each program are as follows:</p> | | |
| Marketing Services and Market Development | 573,821 | 580,198 |
| Food Products and Poultry, Regulation and Supervision | 836,722 | 833,723 |
| Protection and Development of Agricultural Resources | 4,053,914 | 4,106,903 |
| General Support | 702,774 | 721,453 |

The commissioner of agriculture with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

All moneys collected by authority of Minnesota Statutes, Section 21.53, and all balances now on hand received from such source are appropriated for the purpose of carrying out the provisions of Minnesota Statutes, Section 21.47 to 21.58.

The fees charged for grain inspection and weighing shall be in accordance with Minnesota Statutes 1974, Section 17B.15, as amended by this act.

Sec. 47. LIVESTOCK SANITARY BOARD

| | | |
|-----------------------------------|---------|---------|
| Subdivision 1. Salaries | 602,646 | 602,646 |
| Approved Complement — 46 | | |
| Subd. 2. Supplies and Expense | 181,800 | 176,982 |
| Subd. 3. Indemnities | 80,000 | |

| | 1976 | 1977 |
|---|------------|------------|
| | \$ | \$ |
| No payment for less than \$1 for indemnities may be made. | | |
| Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. | | |
| Subd. 4. Field Laboratories . . | 67,000 | 67,000 |
| For the operation of field laboratories for the testing of poultry, including turkeys, for pullorum and other diseases. | | |
| Subd. 5. Contingent Account. | 128,800 | |
| The funds appropriated in subdivision 5 shall be transferred to the various accounts of the livestock sanitary board at the request of the executive secretary of the board. | | |
| Of these funds \$28,800 is designated to be spent in the biennium for operation of a swine brucellosis program only if the state receives federal funds in the amount of at least \$115,000 for the biennium for that program. If federal funds are not obtained, this amount shall cancel to the general fund. | | |
| Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. | | |
| Sec. 48. REVENUE | | |
| Subdivision 1. Salaries | 10,790,490 | 10,784,450 |
| Approved Complement — 872 | | |
| Subd. 2. Supplies and Expense | 4,749,625 | 4,900,447 |
| The above appropriation includes expenses for collection of rural cooperative electric taxes. Taxes retained by de- | | |

| | 1976 | 1977 |
|---|------------|------------|
| | \$ | \$ |
| partment are to be deposited in the general fund. | | |
| The appropriations made by this section include sufficient moneys to carry out the ore estimate and classification functions previously per- formed by the University of Minnesota. | | |
| Subd. 3. Assessors Tuition . . . | 60,000 | 60,000 |
| Sec. 49. INVESTMENT | | |
| BOARD | 665,363 | 689,613 |
| Approved Complement — 27 | | |
| Notwithstanding any other law to the contrary, the board of investment may lease or purchase a duplicating ma- chine. | | |
| Sec. 50. ENERGY | | |
| Subdivision 1. Salaries | 435,335 | 435,156 |
| Approved Complement — 29 | | |
| Subd. 2. Supplies and Expense | 267,529 | 234,675 |
| Sec. 51. NATURAL RESOURCES | | |
| General Operations and Man- agement | 29,625,293 | 28,379,893 |
| Approved Complement — 1,265 | | |
| The amounts that may be ex- pended from these funds for each program are as follows: | | |
| Administrative Management Services | 3,520,980 | 3,320,980 |
| Regional Administra- tion | 1,599,899 | 1,599,899 |
| Field Services Sup- port | 2,980,923 | 2,547,923 |
| Water Resources Man- agement | 1,066,758 | 1,066,758 |
| Minerals Resources Manage- ment | 906,830 | 906,830 |

| | | 1976 | 1977 |
|---|-----------|-----------|------|
| | | \$ | \$ |
| Forest Manage- ment | 3,746,208 | 3,738,808 | |
| Fish Manage- ment | 3,843,807 | 3,393,807 | |
| Wildlife Manage- ment | 3,108,434 | 3,113,434 | |
| Ecological Surveys and Services | 371,681 | 371,681 | |
| Parks and Recreation Man- agement | 4,467,558 | 4,467,558 | |
| Soil and Water Conservation Commission | 471,428 | 471,428 | |
| Enforcement of Natural Re- source Laws, Rules and Regu- lations | 3,540,787 | 3,380,787 | |

The commissioner of natural resources with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Of the amounts herein provided, \$18,445,006 for the first year and \$17,912,150 for the second year are appropriated from the general fund; \$10,580,287 for the first year and \$9,867,743 for the second year are appropriated from the game and fish fund; and \$600,000 each year is appropriated from the wildlife acquisition account.

In addition to the amounts herein appropriated, all moneys credited to the game and fish fund under Minnesota Statutes, Section 296.421, Subdivision 4, are appropriated to the commissioner of

1976

1977

\$

\$

natural resources for the acquisition, improvement, development and maintenance of sites for public access to public waters and for lake improvement.

This appropriation provides additional personnel to staff regional administration offices so that certain functions now performed in St. Paul will be assigned to regional administration offices. Positions in the central office which are vacated or whose duties have been transferred are abolished no later than June 30, 1976. The positions designated for elimination shall total 7 as indicated in the workpapers of the committee on finance of the senate and the committee on appropriations of the house of representatives.

Of the amounts appropriated for water resources management, \$12,000 each year is intended for a continuation of the sand plains area groundwater study as authorized by Laws 1973, Chapter 720, Section 43.

Of the amount appropriated for the enforcement and safety training for the first year, \$160,000 is designated for upgrading of radio communication equipment. The department is directed to seek federal assistance in the completion of this project. Any reimbursements or grants received which are in excess of the financial resources necessary for the completion of this project shall be deposited as non-dedicated receipts as follows: 60 percent to the game and fish fund and 40 percent to the general fund.

| | 1976 | 1977 |
|--|---------|------|
| | \$ | \$ |
| Subd. 2. Forest Inventory Supplemental | 650,000 | |
| For the costs of employing temporary staff and other costs relating to the first stage of a forest growth inventory. | | |
| Any balance remaining the first year shall not cancel but shall be available for the second year of the biennium. | | |
| Subd. 3. Environmental Impact Statement — Reserve Mining Company Disposal Sites | | |
| For 1975 — \$200,000 | | |
| This appropriation shall be for analysis of all proposed on-land sites for tailings disposal. Should this appropriation prove to be insufficient, the commissioner shall inform the commissioner of administration and request that additional moneys be made available from whatever sources are appropriate. | | |
| This appropriation shall not cancel June 30, 1975, but shall be available until June 30, 1977. | | |
| Subd. 4. Canoe and Boating River Sites | 300,000 | |
| Subd. 5. Youth Conservation Corps | 150,000 | |
| To provide residential summer work camps offering jobs in conservation and environmental education instruction to young people through the state. | | |
| Subd. 6. Reservation Conservation Law Enforcement | 150,000 | |
| The commissioner of natural resources is authorized to contract with Indian reservations for the enforcement of state conservation laws by Indian game wardens within reservation boundaries. | | |

| | 1976 | 1977 |
|---|-----------|-----------|
| | \$ | \$ |
| Any balance remaining the first year in subdivisions 4, 5 and 6 shall not cancel but shall be available for the second year of the biennium. | | |
| Sec. 52. WATER RE-SOURCES BOARD | 75,293 | 75,493 |
| Approved Complement — 3 | | |
| All hearings of the water resources board shall be solely in the performance of expressed statutory duties. | | |
| Sec. 53. POLLUTION CONTROL AGENCY | | |
| Subdivision 1. Salaries, Supplies, and Expense | 3,284,676 | 3,184,993 |
| Approved Complement — 176 | | |
| The agency is hereby authorized up to 7 additional positions upon the approval by the commissioner of administration of the agency's work program, priorities, and proposed job assignments. Such financing as may be required shall be from the general contingent account and shall be authorized prior to the employment of any of these additional employees. | | |
| The health department will continue to render such staff services as the agency may require from time to time through health's division of environmental health. The health department is to be reimbursed from this appropriation for the cost thereof. | | |
| Subd. 2. Additional Special Studies | 245,000 | |
| The appropriation in subdivision 2 includes funds for groundwater analysis of the proposed housing development | | |

| | 1976 | 1977 |
|---|---------|-----------|
| | \$ | \$ |
| at the former Republic Creosote Company site in St. Louis Park. | | |
| The agency is authorized and directed to negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or obtaining any grants of assistance in the completion of these studies. | | |
| Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. | | |
| Subd. 3. Automobile Recycling | 800,000 | 800,000 |
| The agency shall report to the 1977 session of the legislature the extent of the problem remaining and the necessity to continue this program at the current level. | | |
| Subd. 4. Packaging Program | 42,000 | 42,000 |
| Subd. 5. Recycle Solid Wastes—Grants-in-Aid | 616,000 | |
| This appropriation shall be expended only for feasibility studies and construction as provided in Minnesota Statutes, Section 116F.03, and not for administrative costs of the agency. | | |
| Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. | | |
| Sec. 54. ZOOLOGICAL BOARD | | |
| For operation and pre-opening costs of the state zoological garden | 700,000 | 1,800,000 |

1976

1977

\$

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Sec. 55. NATURAL RESOURCES ACCELERATION

Subdivision 1. Minnesota Resources Commission together with any sums received as grants-in-aid from federal sources and any sums granted by private sources to carry out the purposes of the commission.

299,750

The commission shall during the 1975-77 biennium review the work programs and progress reports required under subdivision 10 of this section and report its findings and recommendations to the committee on finance of the senate, committee on appropriations of the house of representatives and other appropriate committees. The commission shall report to the 70th session of the legislature its findings and recommendations regarding payments in lieu of taxes on state and federally owned land. The commission shall report its recommendations regarding recodification and classification of the laws pertaining to the Minnesota outdoor recreation resources commission and the Minnesota Resources Commission.

The commission shall continue to monitor the activities regarding establishment and development of Voyageurs National Park, and will cooperate and coordinate with the citizens advisory committee if established and all appropriate state, federal and local agencies and shall advise the legislature on matters affecting state policy related thereto. The commission shall study the question of the state role in the use of aban-

doned railroad lands and report its recommendations to the legislature.

Natural resources acceleration appropriations to state agencies that receive programmatic appropriations shall be added to and disbursed from those respective programmatic appropriations. Those agencies will identify the source and disbursement of all moneys contained within the activities financed all or in part by programmatic appropriations and/or natural resources acceleration appropriations.

Subd. 2. Department of Administration

| | |
|---|-----------|
| a. Acquisition of state recreation lands and trails | 3,725,000 |
|---|-----------|

To be expended in accordance with the purposes and criteria of the outdoor recreation act of 1975 if enacted, and according to the priorities established by project 80. These funds may only be expended for lands within the authorized or designated boundaries of state parks, state recreation areas, state monuments, state waysides, state trails, state wild, scenic and recreational rivers, canoe and boating route riversites and state scientific and natural areas.

| | |
|--|---------|
| b. Acquisition of land—state forests | 350,000 |
|--|---------|

| | |
|---|---------|
| c. Acquisition of land—wildlife habitat | 250,000 |
|---|---------|

| | |
|---|--|
| d. Acquisition of scenic easements—St. Croix riverway | |
|---|--|

Notwithstanding any law to the contrary, the amount appropriated in Laws 1973, Chapter 720, Section 43, Subdivision 2, paragraph c, but not expended due to adminis-

| | 1976 | 1977 |
|---|-----------|------|
| | \$ | \$ |
| trative delays, is hereby re-appropriated for the biennium ending June 30, 1977. | | |
| e. Voyageurs National Park Advisory Committee | 35,000 | |
| f. Acquire land — Helmer Myre State Park | 350,000 | |
| This appropriation shall be available only if expansion of the present statutory boundaries of the current state park is enacted. | | |
| g. Grants-in-aid for local recreation and natural areas | 4,000,000 | |

This appropriation is to pay up to 50 percent of the total cost or 50 percent of the local share if federal matching funds are used, of long term lease, acquisition and development for recreational projects for the purposes described in Laws 1965, Chapter 810, Section 23, as amended by Laws 1969, Chapter 1139, Section 48, Subdivision 7, paragraph g.

\$2,000,000 of this appropriation shall be reserved for projects outside the metropolitan area as defined in Minnesota Statutes, Section 473B.011, Subdivision 2.

Notwithstanding any other law to the contrary these grants are not contingent upon the matching of federal grants.

The state planning agency shall administer the natural resources and land and water conservation fund grants-in-aid to local units of government.

This appropriation shall be expended with the approval of the governor after consultation

| | 1976 | 1977 |
|---|------|------|
| | \$ | \$ |
| with the legislative advisory committee. The Minnesota resources commission shall make recommendations to the legislative advisory committee regarding such expenditures. | | |

| | |
|---|-----------|
| h. Grants-in-aid for regional recreation and natural areas. . | 4,000,000 |
|---|-----------|

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

\$2,000,000 of this appropriation shall be reserved for projects outside the metropolitan area as defined in Minnesota Statutes, Section 473B.011, Subdivision 2.

The amount needed but not to exceed \$2,000,000 of this appropriation shall be transferred to the metropolitan council to pay principal and interest coming due in fiscal year 1976 on bonds issued pursuant to Laws 1974, Chapter 563, Section 7, Subdivision 2; none of this amount may be expended for professional services.

This appropriation is available to pay up to 100 percent of the local share for long term lease, acquisition and major development for recreation projects, natural areas and open space serving a regional need to counties, local units of government, special units of government and public educational institutions authorized to acquire, maintain and operate recreational and natural areas; provided that the state share shall not exceed 75 percent of the total acquisition for any project.

| | 1976 | 1977 |
|---|---------|------|
| | \$ | \$ |
| Priorities for use of funds provided in this subdivision will be given to projects eligible for federal funding and which are consistent with priorities established by regional recreation and open space plans. | | |
| This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory committee. The Minnesota resources commission shall make recommendations to the legislative advisory committee regarding such expenditures. | | |
| i. City of St. Paul | 500,000 | |

For acquisition of the property known as the Crosby farm

The commissioner of administration shall transfer this amount to the city contingent upon proof that at least an equal amount of other than state funds is provided for the same purpose by local government.

j. If legislation is enacted which authorizes the issuance of state bonds to provide money for acquisition of land or interests in land for natural resource programs, the appropriations made in subdivision 2, paragraphs (a), (b), (c) and (f) of this section for state land acquisition, for wild, scenic and recreational rivers, state parks, state trails, state forests, and fish and wildlife habitat purposes, shall be combined into one account and remain available for expenditure, provided that no moneys shall be expended until the Minnesota resources commission establishes an expenditure program. Allocations from the account shall be made by the governor after

| | 1976 | 1977 |
|---|-----------|------|
| | \$ | \$ |
| consultation with the legislative advisory committee. The Minnesota resources commission shall make recommendations regarding such allocations. | | |
| Subd. 3. Department of Education | | |
| a. FFA stocking of upland game birds | 75,000 | |
| b. Matching funds for weather gauge program | 15,000 | |
| This appropriation is available to pay 50 percent of the cost of weather gauges to be supplied to local FFA chapters. The state FFA supervisor shall recommend distribution of these moneys. | | |
| Subd. 4. Department of Health | 11,000 | |
| For evaluation of problems relating to water pollution resulting from abandoned wells in southeast Minnesota. | | |
| Subd. 5. Minnesota Historical Society | | |
| a. Ft. Snelling restoration — final appropriation | 1,250,000 | |
| b. Historic trails study | 20,000 | |
| c. Interpretive Centers Plan.. | 100,000 | |
| For preparation of a plan that includes analysis of the historical resources of the various regions of the state, the feasibility and need for interpretation of those resources and the long-range costs and benefits associated with establishment of interpretive centers; the plan shall also include a priority listing of existing and prospective centers. | | |
| d. Historic Interpretive Centers — Construction Aid | 200,000 | |
| Provided that no construction assistance grants shall be made | | |

| | 1976 | 1977 |
|--|---------|------|
| | \$ | \$ |
| until the Minnesota historical society has completed the interpretive centers plan and the plan has been reviewed by the Minnesota resources commission. | | |
| e. Historic Buildings and Sites Restoration Plan | 50,000 | |
| For development of a restoration plan for historic sites. The plan shall include an explanation of the need for preservation, long-range costs and benefits associated with restoration and a priority listing of prospective sites. | | |
| f. Grants-in-aid for restoration of major historical structures. | 570,000 | |
| Of the amount appropriated, not more than \$450,000 shall be available to Minnesota Landmarks, Inc., and the city of St. Paul for restoration of the old federal courts building, contingent upon proof that at least an equal amount is provided by other than state sources, after July 1, 1975. | | |
| Of the amount appropriated not more than \$100,000 shall be available for the restoration of the old Washington county courthouse contingent upon proof that at least an equal amount is provided by other than state sources, after July 1, 1975. | | |
| Of the amount appropriated, not more than \$20,000 shall be available for the restoration of the old Hinckley depot. | | |
| g. Preservation and restoration officers row, Fort Snelling historic district | 75,000 | |
| This appropriation shall be used only for major mechani- | | |

1976

1977

\$

\$

cal and structural renovation of the houses on Taylor Avenue and the annex in Fort Snelling. Non-profit organizations and agencies may refurbish and utilize the structures by agreement with the Minnesota historical society and at no expense to the state.

Demolition of the structures may only occur with the approval of the governor after consultation with the legislative advisory committee. The Minnesota resources commission shall make recommendations to the legislative advisory committee regarding such action.

h. Study of grist mills 25,000

The study shall include documentary evidence, field surveys and shall explain the need for preservation and the long range costs and benefits associated with restoration.

i. Restore state map collection 30,000

j. The Minnesota historical society is hereby authorized to establish and collect such fees as it may deem reasonable for admission to the state-owned sites which are under its control. All such fees that are collected from the operation of these state-owned sites shall be deposited in the general fund.

For the purposes of this subdivision, the Minnesota historical society is exempted from the competitive bidding procedures of Minnesota Statutes, Section 16.07.

Subd. 6. Department of Natural Resources

| | 1976 | 1977 |
|--|-----------|------|
| | \$ | \$ |
| a. State land recreation development | 3,336,000 | |

To be expended in accordance with the provisions of the Minnesota outdoor recreation act of 1975 if enacted and in accordance with the recommendations of project 80. These funds shall only be expended for development within the authorized or designated boundaries of state parks, state recreation areas, state monuments and state waysides, state trails, state wild, scenic and recreational rivers, state scientific and natural areas. Of the above amount, \$1,800,000 is appropriated from the state parks development account.

The commissioner of natural resources shall describe the proposed expenditures from this appropriation to the committee on finance of the senate, the committee on appropriations of the house of representatives and the Minnesota resources commission.

Of the above amount, \$1,536,000 shall be expended only upon projects which are eligible for federal land and water conservation reimbursements.

| | |
|---|--------|
| b. Level B Study of the Mississippi River | 50,000 |
|---|--------|

This appropriation provides staff and related expenses required to maintain state input to a state-federal study of the upper Mississippi river. The appropriation is available for the department of natural resources, \$32,000; for the pollution control agency, \$8,000; and the water resources coun-

| | 1976 | 1977 |
|---|---------|------|
| | \$ | \$ |
| cil, \$10,000. The state input will be coordinated by the commissioner of natural resources. | | |
| c. Acceleration project—game lake management | 200,000 | |
| For construction of two small dams, repair of outlet dam and channel excavation to manage water levels on Heron Lake in Jackson county. | | |
| d. Management—Upper St. Croix | 93,900 | |
| This appropriation provides staff and related expenses to coordinate the state portion of acquisition and related activities for the upper St. Croix national scenic riverway. | | |
| e. Planning for wild, scenic and recreational rivers | 300,000 | |
| This appropriation provides expenses related to data gathering, planning, public hearings and other activities necessary prior to official designation of rivers or river segments as wild, scenic or recreational. | | |
| f. State soil and water conservation commission, grant-in-aid program for sediment and erosion control, demonstration project | 300,000 | |
| This appropriation is available to provide funds for a demonstration grant-in-aid program to assist local units of government or local soil and water conservation districts in solving sediment and erosion control problems by providing matching funds not to exceed 50 percent of the total cost or 50 percent of the | | |

1976

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local share if federal funds are used. Guidelines for program operation and grant distribution shall be subject to approval by the Minnesota resources commission. Of the amount provided, not less than 85 percent shall be distributed as grants-in-aid.

The state soil and water conservation commission shall administer the grant-in-aid program. Priority for distribution of funds shall be given to projects eligible for federal matching funds. Projects designed to solve stream-bank and roadside erosion shall be given first priority.

g. Dam repair and reconstruction

60,000

For the city of Grand Meadow as state participation in the repair and reconstruction including siltation removal of the dam at Pine Lawn Park, provided that the plan for reconstruction is approved by the commissioner of natural resources.

h. Dam repair and reconstruction

The unexpended balance amounting to \$79,611 of the appropriation made in Laws 1969, Chapter 1139, Section 48, Subdivision 7, paragraph h, to the commissioner of natural resources for the city of Anoka to repair a dam on the Rum river is hereby reappropriated. The commissioner of natural resources is directed to reimburse the city of Anoka to fulfill the intent of the original grant.

i. Nursery Modification

75,000

| | 1976 | 1977 |
|--|---------|------|
| | \$ | \$ |
| To modify General Andrews nursery cold storage operations to facilitate timely transfer of nursery stock to various areas of the state consistent with variations in planting seasons. | | |
| Subd. 7. State Planning Agency | | |
| a. Develop air photo plan . . | 10,000 | |
| The state planning agency shall coordinate the efforts of the various state agencies in developing a plan for acquiring aerial photography. The plan shall adequately address the needs of the user agencies and shall insure that there is a minimum but sufficient amount of photography and related mapping activity conducted by the state. This plan shall be completed and presented to the Minnesota resources commission prior to the expenditure of any money in paragraph b. | | |
| b. Small scale air photo maps | 150,000 | |
| The state planning agency shall coordinate the efforts of the various user agencies such that the maps produced provide a logical, consistent set of information for state agency use. | | |
| c. Develop uniform generalized forest map for the entire state | 8,000 | |
| The state planning agency shall coordinate the efforts of the various state agencies to secure the information necessary and produce a map of forested lands in the state which is uniform and generalized. | | |
| d. Implementation of Minnesota Outdoor Recreation Act of 1975 | 600,000 | |

| | 1976 | 1977 |
|---|---------|------|
| | \$ | \$ |
| For allocation to appropriate state agencies to review the classification of resources and prepare management plans in accordance with the Minnesota outdoor recreation act of 1975. This appropriation is contingent upon enactment of the outdoor recreation act of 1975. | | |
| e. Copper-nickel regional environmental impact statement | 920,000 | |
| Provided that the Minnesota environmental quality council shall establish priorities for the expenditure of these moneys. | | |
| Subd. 8. Regents of the University of Minnesota | 100,000 | |
| For acceleration of detailed county soil surveys. The costs of the program shall be shared between local, state and federal units of government. | | |
| Subd. 9. Professional services | | |
| a. Department of natural resources | | |
| Of the amounts appropriated to the commissioner of natural resources in this section, not more than \$1,026,300 may be expended for professional services. | | |
| b. Department of administration | | |
| Of the amounts appropriated to the commissioner of administration, not more than \$620,750 may be expended for professional services related to land acquisition. | | |
| c. State planning agency | | |
| Of the amounts appropriated in subdivision 2, paragraphs g and h of this section, the commissioner of administration | | |

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shall transfer \$196,000 to the state planning agency for administration of the grants-in-aid programs specified therein.

Subd. 10. It shall be a condition of acceptance of the appropriations made by this section that the agency or entity receiving the appropriation shall submit work programs and semi-annual progress reports in such form as may be determined by the Minnesota resources commission. None of the moneys provided in this section may be expended unless the commission has approved the pertinent work program.

Subd. 11. Natural Resources
Federal Reimbursement Account

Reimbursements and matching moneys received from the federal government for the purposes described in Minnesota Statutes, Chapter 86, regardless of the source of state match, credit or value used to earn the reimbursement or matching funds, shall in the first instance be credited to a federal receipt account by the state agency receiving such reimbursements or matching moneys.

Any state department or agency, including the Minnesota historical society and the university of Minnesota, which receives reimbursements or matching moneys as described above shall transfer those amounts to the natural resources federal reimbursement account. Of the amounts transferred, \$1,000,000 is appropriated for the purposes of that account. The balance of

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\$

funds so transferred shall be deposited in the general fund. The provision for transfer shall not apply to federal aid reimbursements received under Minnesota Statutes, Section 16A.68.

Any Land and Water Conservation Fund moneys received over and above the normal state apportionment from that fund are also appropriated for the purposes of the natural resources federal reimbursement account. This appropriation shall be considered as additional to the specific amount appropriated from the amounts transferred in this subdivision.

Any and all federal reimbursements earned under expenditures made from appropriations for natural resources acceleration for the period from July 1, 1963 through June 30, 1969, shall be deposited to the general fund, provided that the state appropriation was used initially to finance the federal share of project costs.

These appropriations are available for the purposes of state land acquisition and development as described in this section, when such acquisition and development is deemed to be of an emergency or critical nature. In addition these moneys shall be available for studies initiated by the Minnesota resources commission which are found to be proper in order for the commission to carry out its legislative charge.

All requests for allocation from the account for acquisi-

tion or development must be accompanied by a certificate signed jointly by the state planning officer and the bureau of planning of the department of natural resources, showing a review of the application against the state outdoor recreation act of 1975 if enacted, the state recreation plan and project 80. Copies of such certification must be submitted to the appropriate legislative committees and commissions.

The appropriations made under the above paragraphs shall be expended with the approval of the governor after consultation with the legislative advisory committee. The Minnesota resources commission shall make recommendations to the legislative advisory committee regarding such expenditures.

Any unexpended balance remaining in the first year from appropriations made in this section shall not cancel but shall be available for the second year of the biennium.

Sec. 56. WORKMEN'S COMPENSATION

For 1975—\$273,765.72

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

| | |
|-------------------------|-----------|
| Agriculture | 35,977.80 |
| Economic Development | 933.83 |

| | 1976 | 1977 |
|-----------------------------------|------------|------|
| | \$ | \$ |
| Judicial-District Court Judges | 2,312.90 | |
| Military Affairs | 22,743.49 | |
| Natural Resources | 126,098.64 | |
| Legislative Audit Commission | 4,568.68 | |
| Public Safety | 26,805.94 | |
| Public Service | 4,849.25 | |
| Revenue | 33,062.68 | |
| Governor | 3,932.15 | |
| Livestock Sanitary Board | 11,782.45 | |
| Tax Court | 697.91 | |

Sec. 57. UNEMPLOYMENT COMPENSATION

For 1975—\$614,341.91

| | |
|---|------------|
| Agriculture | 17,023.58 |
| Indian Affairs | 1,039.68 |
| Natural Resources | 581,709.81 |
| Minnesota Legisla- tive Building Commission | 1,280.00 |
| Military Affairs | 4,090.05 |
| Minnesota Commis- sion for the Handicapped | 2,210.00 |
| Attorney General | 2,207.46 |
| Labor and Industry | 3,044.24 |
| Governor's | 1,737.09 |

Of the amount appropriated,
\$159,090 is from the game
and fish fund.

Sec. 58. [TRANSFER OF FUNDS.] The commissioner of finance is hereby directed to make the following transfers;

Subdivision 1. There is hereby transferred to the general fund the sum of \$1,337,419.72 to reimburse the general fund for the cost of collecting the tax on gasoline and gasoline substitutes and the cost of bond premiums during the 1973-75 biennium from the highway user tax distribution fund.

Subd. 2. There is hereby transferred from the general fund the sum of \$1,228.50 to correct an overestimate in the cost of collecting the tax on gasoline and gasoline substitutes during the 1971-73 biennium, the sum to be transferred to the highway user tax distribution fund.

Subd. 3. There is hereby transferred from the general fund the sum of \$137.54 to correct an overestimate in the cost of mailing gas tax refunds during the 1971-73 biennium, the sum to be transferred to the highway user tax distribution fund.

Subd. 4. There is hereby transferred to the general fund the following sums to reimburse the general fund for amounts transferred out of the general contingent account for the following purposes:

(a) From the state airports fund for the department of aeronautics, supplies and expense, for the year ending June 30, 1975
.....\$15,000.00

(b) From the trunk highway fund for the Mississippi river parkway commission, for the year ending June 30, 1975\$ 7,337.51

Sec. 59. Any moneys made available to any state department or agency by this act of appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Sections 355.50 and 352.04, Subdivision 5.

Sec. 60. [OPEN APPROPRIATION FOR EMPLOYEE COMPENSATION INCREASES.] Subdivision 1. There is appropriated to the commissioner of administration from the appropriate funds in the state treasury such sums as may be necessary to pay increases in compensation and other economic benefits of classified and unclassified officers and employees of the legislative, executive, and judicial branches of state government, members of the state highway patrol, and employees of the Minnesota historical society and non-academic employees of the university of Minnesota who are paid from state funds, if such increases are authorized by law during the 1975 session of the legislature or if such increases are authorized by appropriate resolution for employees of the legislature.

Subd. 2. The commissioner shall certify the amounts necessary in accordance with subdivision 1 of this section to the commissioner of finance, who shall transfer such amounts to the appropriate accounts. Sums so certified and transferred are hereby appropriated. The appropriations made by this section are for the biennium beginning July 1, 1975.

Subd. 3. Any sums certified and transferred to the university of Minnesota under the provisions of this section or Minnesota Statutes, Sections 43.50, 352.04, Subdivision 5, and 355.50 shall only be used for the purpose certified. Any sum transferred that exceeds the increased cost above the amount appropriated for that purpose shall be returned and deposited in the state treasury.

Subd. 4. Notwithstanding any other law to the contrary, the appropriations made to the commissioner of administration in Laws

1973, Chapter 720, Section 58, shall continue to be available for the purposes specified until June 30, 1977, unless those purposes are amended or modified during the 1975 session of the legislature.

Sec. 61. Any balance remaining on June 30, 1975, of the appropriation made to the public service commission by Laws 1973, Chapter 209, for passenger railroad service is hereby reappropriated for the biennium ending June 30, 1977.

Sec. 62. The balance of the appropriation made by Laws 1973, Chapter 748, Section 9, which has been encumbered for contracts with regions, municipalities, and public institutions for the purposes of Minnesota Statutes, Section 116F.03 shall not cancel on June 30, 1975, but shall remain available until expended.

Sec. 63. Minnesota Statutes 1974, Section 3.102, is amended to read:

3.102 [LEGISLATIVE LIVING EXPENSES.] Each member of the legislature shall be reimbursed for his expenses ~~when he is required to attend meetings of standing committees, commissions, or is engaged in other legislative activity incurred while engaged in official business~~ when the legislature is not in session. The amount of such reimbursement shall not exceed \$33 per day as a per diem expense allowance for all expenses incurred except travel and lodging. ~~He~~ The member shall also be reimbursed for his travel and lodging expenses in the same manner and amount as state employees are reimbursed for such travel.

~~Reimbursements to members of the legislature for out-of-state meetings or other legislative activity shall be in the same amounts as state employees are reimbursed for such out-of-state expenses.~~

Expenses for members of the legislature are payable in the manner and in the amount designated by the senate committee on rules and administration as to members of the senate and by the committee on rules and legislative administration as to members of the house of representatives.

The expense allowances provided for herein to the persons designated are in lieu of any other expenses authorized by law or resolution for the same purposes.

Sec. 64. Minnesota Statutes 1974, Section 4.11, Subdivision 5, is amended to read:

Subd. 5. The governor may direct any state department or other agency of the state government to furnish the state planning agency with such personnel, equipment, and services as are necessary to enable it to carry out its powers and duties, and prescribe the terms thereof ; including reimbursement of costs thereof. Any moneys paid to a state department or other agency of the state government pursuant to this subdivision are hereby annually appropriated to such department or agency for the same purposes for which its funds were expended in furnishing personnel, equipment, and services to the state planning agency . When requested by the state planning agency to perform planning work, state agencies will be expected to use existing staff.

Sec. 65. Minnesota Statutes 1974, Section 5.08, Subdivision 2, is amended to read:

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

- ~~(1)~~ 50 copies to the president of the Senate;
- ~~(2)~~ (1) 25 copies shall be available to each member of the legislature on request;
- ~~(3)~~ (2) 50 copies to the state historical society;
- ~~(4)~~ (3) 25 copies to the state university;
- ~~(5)~~ (4) 60 copies to the state library;
- ~~(6)~~ (5) Two copies each to the library of Congress, the Minnesota veterans home, the state colleges, the state high schools, the public academies, seminaries, and colleges of the state, and the free public libraries of the state;
- ~~(7)~~ (6) One copy each to the state institutions not hereinbefore mentioned, the elective state officials, the appointed heads of departments, the officers and employees of the legislature, the justices of the supreme court, the judges of the district court, the senators and representatives in Congress from this state, and the county auditors;
- ~~(8)~~ (7) One copy to each public school, to be distributed through the county superintendent of schools *each school district* ; and
- ~~(9)~~ (8) The remainder may be disposed of as the secretary of state deems best , *and at a price the secretary of state shall establish. All receipts from the sale of the legislative manual shall be deposited to the general fund .*

Sec. 66. [MISAPPROPRIATION OF FUNDS.] It shall be illegal for any state officer or head of any state department or any employees thereof to use moneys appropriated by this act, or fees collected, for any other purpose than the purpose for which such moneys have been appropriated and any such act by any such person shall be cause for immediate removal from the office or position he holds with the government of the state, provided however, that funds may be transferred to the credit of the state employees retirement fund and used for the purposes thereof as provided by law.

Sec. 67. Minnesota Statutes 1974, Section 12.21, Subdivision 3, is amended to read:

Subd. 3. In performing his duties under this chapter and to effect its policy and purpose, the governor is further authorized and empowered:

- (1) To make, amend, and rescind the necessary orders, rules, and regulations to carry out the provisions of this chapter within the limits of the authority conferred upon him herein, with due consideration of the plans of the federal government and without complying with sections 15.0411 to 15.049, inclusive, but no order, rule or regulation

shall have the force and effect of law except as provided by section 12.32;

(2) To prepare a comprehensive plan and program for the civil defense of this state, such plan and program to be integrated into and coordinated with the civil defense plans of the federal government and of other states to the fullest possible extent, and to coordinate the preparation of plans and programs for civil defense by the political subdivisions of this state, such plans to be integrated into and coordinated with the civil defense plan and program of this state to the fullest possible extent;

(3) In accordance with such plan and program for the civil defense of this state, to procure supplies and equipment, to institute training programs and public information programs, and to take all other preparatory steps, including the partial or full mobilization of civil defense organizations in advance of actual disaster, to insure the furnishing of adequately trained and equipped forces of civil defense personnel in time of need;

(4) To make such studies and surveys of the industries, resources, and facilities in this state as may be necessary to ascertain the capabilities of the state for civil defense, and to plan for the most efficient emergency use thereof;

(5) On behalf of this state, to enter into mutual aid arrangements with other states and to coordinate mutual aid plans between political subdivisions of this state;

(6) To delegate any administrative authority vested in him under this chapter, except the power to make rules and regulations, to provide for the subdelegation of any such authority;

(7) To appoint, in cooperation with local authorities, metropolitan area directors when practicable;

(8) To cooperate with the president and the heads of the armed forces, the civil defense agency of the United States and other appropriate federal officers and agencies, and with the officers and agencies of other states in matters pertaining to the civil defense of the state and nation, including the direction or control of

(a) blackouts and practice blackouts, air raid drills, mobilization of civil defense forces, and other tests and exercises;

(b) warnings and signals for drills or attacks and the mechanical devices to be used in connection therewith;

(c) the effective screening or extinguishing of all lights and lighting devices and appliances;

(d) shutting off water mains, gas mains, electric power connections and the suspension of all other utility services;

(e) the conduct of civilians and the movement and cessation of movement of pedestrians and vehicular traffic during, prior, and subsequent to drills or attack;

(f) public meetings or gatherings; and

(g) the evacuation, reception, and sheltering of the civilian population;

(9) To contribute, ~~with the approval of the executive council,~~ to a political subdivision, within the limits of the appropriation therefor, not more than 25 percent of the cost of acquiring organizational equipment which meets standards established by him;

(10) To formulate and execute, with the approval of the executive council, plans and regulations for the control of traffic in order to provide for the rapid and safe movement over public highways and streets of troops, vehicles of a military nature, materials for national defense and war or for use in any war industry, for the conservation of critical materials or for civil defense purposes, and to coordinate the activities of the departments or agencies of the state and of the political subdivisions thereof concerned directly or indirectly with public highways and streets, in a manner which will best effectuate such plans.

Sec. 68. Minnesota Statutes 1974, Section 16.012, is amended to read:

16.012 [LEASE OF SPACE IN CERTAIN STATE BUILDINGS TO STATE DEPARTMENTS.] The commissioner of administration may lease portions of the state owned building located at 117 West University Avenue, St. Paul, Minnesota, and the state owned building known as the centennial building buildings in the capitol complex, the capitol square building, the health building, and the building at 1246 University Avenue, St. Paul, Minnesota, to state departments and agencies and charge rent therefor on the basis of space occupied. Notwithstanding the provisions of any law to the contrary, all moneys collected as rent pursuant to the terms of this section shall be deposited in the state treasury and credited to the account known as the general fund. *Moneys collected as rent for the purpose of recovering depreciation costs of buildings built with state dedicated funds shall be credited to the dedicated funds which funded the original acquisition or construction. All other moneys received shall be credited to the general fund.*

Sec. 69. Minnesota Statutes 1974, Chapter 16, is amended by adding a section to read:

[16 . . .] [REIMBURSEMENTS TO THE STATE BY EMPLOYEES.] *By October 1, 1975, the commissioner of administration shall develop, implement, and, as needed, amend rules, reimbursement rates and necessary operating policies regarding state-owned vehicles assigned to individual employees for extended use in the performance of their assigned duties. Reimbursement to the state by employees shall be made for the full cost to the state for travel by the employee to and from his place of residence. Such rules, rates and operating policies shall not be subject to the provisions of the administrative procedures act. All moneys received under this provision shall be deposited as nondedicated receipts to the credit of the fund from which the costs of operating the individual vehicles are paid.*

Sec. 70. Minnesota Statutes 1974, Section 17B.15, is amended to read:

17B.15 [FEES FOR INSPECTION AND WEIGHING.] Subdivision

1. The fees for inspection and weighing shall be fixed by the commissioner and be a lien upon the grain. If the grain is in transit, such fees shall be paid by the carrier and treated as advance charges, and, if received for storage, such fees shall be paid by the warehouseman, and added to the storage charges.

All moneys so collected and all fines and penalties for violation of any provision of this chapter shall be paid into the state treasury.

Subd. 2. The commissioner is directed to adjust his schedule of fees before the end of each fiscal year to provide that the initial charge made for services to be rendered during the next fiscal year shall be sufficient to provide an income during the latter fiscal year equal to the amount of the expenditures for that year for salaries, overtime, expenses, which shall include without limitation, an amount for state retirement and social security contributions. If the income from the fees provided for herein during any fiscal year is more than 103 percent of the expenditures for that year, the commissioner in adjusting his schedule of fees for use in the next fiscal year shall fix the fees to produce income in the amount of that expenditure less the amount of the excess over 103 percent of the expenditures first referred to herein. If the income from the fees provided for herein during any fiscal year is less than the expenditures for that year, the commissioner in adjusting his schedule of fees for use in the next fiscal year shall fix the fees to produce income in the amount of such expenditure for the latter year plus the amount of the difference between the expenditure for the year first referred to herein and the total income from the fees during that year, and plus three percent of the total expenditure for both the latter and the first year referred to herein. The schedule of fees shall provide that any elevator, mill, or other business requesting a weighing or inspection service, shall pay a minimum charge per hour for each employee requested or assigned. Any fees earned by the employee shall be credited against the charge made therefor. The minimum charge shall be assessed only after taking into consideration all fees earned and all hours charged. Excess fees earned over hours charged shall be carried forward from month to month during any one fiscal year. When deemed necessary by the commissioner, a charge for actual overtime costs may be made.

Sec. 71. Minnesota Statutes 1974, Section 29.021, is amended to read:

29.021 [POWERS AND DUTIES OF COMMISSIONER OF AGRICULTURE.] The commissioner of agriculture shall have the power to employ such persons as are necessary to carry out the provisions of sections 29.021 to 29.091, and to fix all salaries and provide for expenses generally not inconsistent with law. The commissioner is authorized and directed to formulate and adopt plans whereby owners of poultry flocks and poultry breeding flocks may, upon application, have their flocks culled, inspected, and supervised, to the end that these flocks may be accredited and certified for standard type and egg quality and production; and likewise, poultry hatcheries and dealers may be accredited and certified as hatching and selling products produced only from accredited and certified flocks. The commissioner is authorized to

make, publish, and enforce rules and regulations to these ends, not inconsistent with law, and to define, prescribe, and authorize the use of uniform terminology to apply to varying degrees of accreditation and certification. The commissioner is authorized to adopt the "standard breeding plan" of accreditation and certification sponsored by the United States department of agriculture, or any other plan, and to cooperate with that department in matters of poultry improvement, egg quality and production. The commissioner is authorized to prescribe and collect fees for inspection and supervision, and to prescribe and furnish labels, leg bands, and certificates of accreditation and certification and such other supplies as may be necessary, and to prescribe and collect fees for the same. *Fees shall be fixed by the commissioner at the beginning of each fiscal year and reviewed and adjusted, if necessary, at the end of each six month period in order that the fees prescribed shall, insofar as practicable, cover the cost of all services rendered.* The commissioner is authorized to do such other things as he may deem needful and expedient to improve poultry breeding and practices and egg quality and production and to give effect to sections 29.021 to 29.091, in connection with those parties who wish to comply with the programs promulgated in accordance with this section.

Sec. 72. Minnesota Statutes 1974, Section 30.20, is amended to read:

30.20 [FEES.] Fees for inspection shall be determined by the commissioner. *Fees shall be reviewed and, if necessary, adjusted each six months to the end that such fees shall, insofar as it is practicable, cover the cost of the services rendered.*

Sec. 73. Minnesota Statutes 1974, Section 116C.05, is amended to read:

116C.05 [CITIZENS ADVISORY COMMITTEE.] Subdivision 1. There is established a citizens advisory committee composed of one resident from each congressional district and three members at large as a vehicle for citizen participation in the activities of the council. The governor shall appoint the members of the citizens advisory committee with the advice and consent of the senate, and the committee annually shall elect one of their members to serve as chairman. Members of the committee shall serve four year terms coterminous with the governor. Each member may receive as compensation for his services the sum of \$35 per day or fraction thereof spent in attending meetings of the citizens advisory committees or in performing other duties required by law, and each member of the committee shall be reimbursed for actual and necessary expenses incurred in the performance of his duties in the same manner and amount as state employees.

Subd. 2. The duties and functions of the committee shall be as follows:

(a) To review and appraise the various programs and activities of the state government in light of environmental quality concerns for the purpose of determining the extent to which such programs and activities are contributing to state environmental policies and goals;

(b) (a) To hold meetings throughout the state as it deems necessary for the purpose of gathering information on public and private opinions concerning the adequacy of the state's environmental quality policies and the extent to which these policies are being implemented;

(c) (b) To meet with the environmental quality council at least four times a year at approximately three month intervals, to give advice and counsel to the council ; ~~and on the basis of the information gathered pursuant to (a)~~

(d) To make recommendations to the governor, legislature and the public on or before December 31 of each year regarding any needed state policy or program changes to foster and promote the improvement of environmental quality .

Sec. 74. Minnesota Statutes 1974, Section 116D.04, Subdivision 3, is amended to read:

Subd. 3. Upon the filing with the council of a petition of not less than 500 persons requesting an environmental impact statement on a particular action, the council shall review ~~the petition those petitions deemed by the council to involve potential for significant environmental effects or to concern an action of more than local significance~~ and, where there is material evidence of the need for an environmental review, require the preparation of an environmental impact statement in accordance with provisions of this section.

Sec. 75. Minnesota Statutes 1974, Section 144.61, is amended to read:

144.61 [ANNUAL REGISTRATION.] Every such person so registered with the state board of health shall register with the board on dates specified by the board and pay a registration fee in an amount prescribed by the board pursuant to section 144.122. All fees received under sections 144.59 to 144.65 shall be paid deposited by the state board of health to the state treasurer and the amount so paid to the state treasurer is hereby appropriated out of any money to the credit of the general fund in the state treasury not otherwise appropriated, to the state board of health for the purpose of . The expenses of the state board of health in carrying out the provisions of sections 144.59 to 144.65 shall be paid out of the appropriations made to the state board of health .

Sec. 76. Minnesota Statutes 1974, Section 149.04, is amended to read:

149.04 [RENEWAL OF LICENSE.] Any license may be renewed from time to time and shall be in force after such renewal for a period specified by the state board of health upon the payment of a renewal fee in an amount prescribed by the board pursuant to section 144.122.

All fees received under this chapter shall be paid by the state board of health to the state treasurer and an amount of money equal to the amount so paid over by the board to the state treasurer is hereby appropriated out of any money credit of the general fund

in the state treasury ~~not otherwise appropriated to the board for the purpose of carrying out the provisions of this chapter~~. The salaries of the necessary employees of the board, the per diem of the inspectors and examiners, their expenses, and all incidental expenses of the board in carrying out the provisions of this chapter shall be paid ~~on order of the board from such appropriation from the appropriations made to the state board of health~~, but no expense or claim shall be incurred or paid in excess of the amount received from the fees herein provided.

Sec. 77. Minnesota Statutes 1974, Section 176.611, Subdivision 6a, is amended to read:

Subd. 6a. There is hereby appropriated from the general fund in the state treasury to the state compensation revolving fund the sum of ~~\$435,000~~ ~~\$967,690~~ to be used to pay claims of employees of the state. This appropriation together with the sum of \$74,013.12 heretofore appropriated from the trunk highway fund and ~~\$1,960,986.88~~ ~~\$2,395,986.88~~ heretofore appropriated from the general fund totals ~~\$2,470,000~~ ~~\$3,437,960~~ and constitutes the revolving fund.

Sec. 78. Minnesota Statutes 1974, Section 181A.07, Subdivision 1, is amended to read:

181A.07 [EXEMPTIONS.] Subdivision 1. Minors employed in corn detasseling operations and other agricultural operations, with the permission of their parents or guardian, shall be exempt from the provisions of section 181A.04, subdivision 4. *Such minors 12 years of age or older are exempt from the age provision of section 181A.04, Subdivision 1.*

Sec. 79. Minnesota Statutes 1974, Section 299D.03, is amended by adding a subdivision to read:

Subd. 3a. [AIR PATROL, SALARY INCREASE BASED ON HOURLY OPERATION.] *After the commissioner has determined the amount of maximum monthly increase that a member of the patrol assigned to aircraft operation may receive pursuant to subdivision 3, he shall divide that amount by 174 to determine the hourly rate of increased salary compensation. The amount of increased compensation that any individual pilot officer shall receive shall be determined by multiplying his hourly rate by the number of hours that he was actually engaged in aircraft operation during a pay period.*

Sec. 80. Minnesota Statutes 1974, Chapter 299D, is amended by adding a section to read:

[299D.06] [INSPECTIONS; WEIGHING.] *Personnel to enforce the laws relating to motor vehicle equipment, school bus equipment, drivers license, motor vehicle registration, motor vehicle size and weight, and motor vehicle petroleum tax, to enforce public service commission regulations relating to motor carriers, to enforce pollution control agency regulations relating to motor vehicle noise abatement, and to enforce laws relating to directing the movement of vehicles shall be classified employees of the commissioner of public safety assigned to the division of highway*

patrol. Employees engaged in these duties, while actually on the job during their working hours only, shall have power to arrest and prepare notices to appear in court for violation of these laws and regulations, in the manner provided in section 169.91. They shall not be armed and shall have none of the other powers and privileges reserved to peace officers.

Sec. 81. Minnesota Statutes 1974, Section 308.905, is amended to read:

308.905 [FEES AND EXPENSES.] Any cooperative association which makes application to the commissioner for any of the services permitted under sections 308.902 to 308.905 shall pay all of the costs of such services, including the compensation of the accountants employed, transportation, meals, lodging, and all other expenses in connection with or incidental to the services performed, payment of such costs to be made by such association upon presentation of a bill therefor by the commissioner, who shall deposit the same with the state treasurer to the credit of the cooperative accounting fund; and which shall be subject to the order of the commissioner, on warrant of the commissioner of finance, for the purposes of sections 308.902 to 308.905 general fund.

Sec. 82. Minnesota Statutes 1974, Section 326.44, is amended to read:

326.44 [FEES PAID TO GENERAL FUND.] All fees received under sections 326.37 to 326.45 shall be paid deposited by the state board of health to the state treasurer, and an amount of money equal to the amount so paid over by the board to the treasurer is hereby appropriated, out of any moneys to the credit of the general fund in the state treasury not otherwise appropriated, to the board for the purpose of carrying out the provisions of sections 326.37 to 326.45. The salaries of the necessary employees of the board and the per diem of the inspectors and examiners hereinbefore provided, their expenses and all incidental expenses of the board in carrying out the provisions of sections 326.37 to 326.45, shall be paid, on order of the board, from such appropriation from the appropriations made to the state board of health, but no expense or claim shall be incurred or paid in excess of the amount received from the fees herein provided.

Sec. 83. Minnesota Statutes 1974, Section 326.64, is amended to read:

326.64 [FEES DEPOSITED.] All fees received under sections 326.57 to 326.66 shall be paid deposited by the state board of health to the state treasurer and the amount thereof is appropriated annually out of any money to the credit of the general fund in the state treasury to the board for the purpose of carrying out the provisions of sections 326.57 to 326.66. The salaries of the necessary employees of the board and the per diem of the inspectors and examiners hereinbefore provided, their expenses and the incidental expenses of the board in carrying out the provisions of sections 326.57 to 326.66 shall be paid; on order of the board, from such appropriation from the appropriations made to the state board of health but no expense or claim shall be incurred or paid in excess of the amount received from the fees herein provided.

Sec. 84. Minnesota Statutes 1974, Section 347.33, Subdivision 3, is amended to read:

Subd. 3. [FEES; ISSUANCE OF LICENSE.] The annual license fee is \$10 for each kennel licensed. All license fees collected by the board shall be deposited in the state treasury and credited to the kennel license account, which is hereby established in the state treasury. All money in the state treasury credited to the kennel license account is annually appropriated to the livestock sanitary board to administer and enforce the provisions of sections 347.31 to 347.40 *general fund*.

When application is made to the livestock sanitary board, complete in the manner set forth by regulation to be issued by the livestock sanitary board, and upon payment of the license fee, the license shall be issued by said board if, after inspection of the premises, the board determines that the dog kennel complies with sections 347.31 to 347.40 and the rules and regulations promulgated pursuant to it.

Sec. 85. Minnesota Statutes 1974, Section 484.54, is amended to read:

484.54 [EXPENSES OF JUDGES.] The judges of the district court shall be paid, in addition to the amounts now provided by law, all sums they shall hereafter pay out as necessary traveling and hotel expenses while absent from their places of residence in the discharge of their official duties, and all sums they shall necessarily hereafter pay out for telephone tolls, postage, expressage, and stationery, including printed letterheads and envelopes for official business except that a judge shall not be paid such traveling expenses for travel from his place of residence to and from his permanent chambers. Each judge may file monthly and shall file within 90 days after the expenses are incurred, unless the time is extended by the commissioner of finance, with the commissioner of finance an itemized statement, verified by him, of all such expenses actually paid by him which shall be audited by the commissioner of finance and paid upon his warrant.

There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated such sums as may, from time to time, be necessary to pay these warrants.

Sec. 86. Laws 1965, Chapter 415, Section 1, Subdivision 2, is amended to read:

Subd. 2. In the furtherance of public safety in the Soudan state park, the ~~department commissioner of conservation~~ *natural resources* shall utilize any available services of the ~~safety division of the state industrial commission~~ *department of labor and industry* and shall may contract with the county of St. Louis in a sum not exceeding \$500 annually for payment of all for reasonable and necessary inspections of said mine and all equipment used therein, as provided by the rules and regulations of the ~~safety division of the state industrial commission~~ *department of labor and industry*. There shall be appropriated to the commissioner of conservation from the general revenue fund of the state of Minnesota the sum

of \$500 annually to carry out the purposes of this act. Cost of inspections shall be paid from appropriations made to the department of natural resources.

Sec. 87. Laws 1965, Chapter 415, Section 1, Subdivision 3, is amended to read:

Subd. 3. If at any time the state industrial commission commissioner of labor and industry deems that said mine or its equipment is not safe for public use, the commission commissioner shall issue an order that said mine shall be closed, and the public shall be barred therefrom until further order of the commission commissioner authorizing the reopening of said mine.

Sec. 88. Minnesota Statutes 1974, Chapter 16A, is amended by adding a section to read:

[16A....] [REPORT ON FEES.] *The commissioner of finance shall review and analyze fees collected by state departments and agencies. The commissioner shall prepare a report on those fees in which the cost of collections of the fee and the service provided for the fee appear excessive in relation to the amount of the fee collected. The report shall be submitted by November 15 of any even numbered year to the committee on finance of the senate and the committee on appropriations of the house of representatives.*

Sec. 89. When any state agency or department proposes to contract with a person, other than a state employee, for information relating to whether or not an activity should be undertaken, that agency or department shall consult with the state planning agency prior to entering into any contract. The state planning agency shall advise as to whether the information to be obtained through the proposed contract can be obtained more economically in another way, such as through the services of another state agency or department. If a consulting contract is entered into by the state, a copy of the contract shall be immediately filed with the state planning agency, which shall continuously monitor work performed under the contract. The contracting agency shall also continuously monitor work performed under the contract.

Sec. 90. Minnesota Statutes 1974, Section 3.97, Subdivision 5, is amended to read:

Subd. 5. The legislative auditor may appoint a deputy legislative auditor and a confidential secretary each of whom shall serve at his pleasure in the unclassified service shall establish a financial audits division and a program evaluation division to fulfill the duties prescribed in section 3.97. Each division shall be supervised by a deputy auditor, appointed by the legislative auditor, with the approval of the commission, for a term coterminous with the legislative auditor's term. The deputy auditors may be removed before the expiration of their terms only for cause. The legislative auditor and deputy auditors may each appoint a confidential secretary to serve at his pleasure. Except as may be otherwise provided for by law the legislative auditor The commission shall fix their the salaries of the deputy auditors and confidential secretaries. The

deputy auditors may perform and exercise the powers, duties and responsibilities imposed by law on the legislative auditor ~~and is when authorized so to do by the legislative auditor. All The deputy auditors and the confidential secretaries shall serve in the unclassified civil service, but all other officers and employees of the legislative auditor shall continue to be in the classified civil service.~~

Sec. 91. Minnesota Statutes 1974, Section 3.971, is amended to read:

3.971 [POWERS AND DUTIES OF LEGISLATIVE AUDITOR.] *Subdivision 1. To perform financial audits the legislative auditor shall post-audit and make a complete examination and verification of all accounts, records, inventories, vouchers, receipts, funds, securities, and other assets of all state departments, boards, commissions, and other state agencies at least once a year, if funds and personnel permit, and oftener if deemed necessary or as directed by the legislature or the legislative audit commission. Audits may include detailed checking of every transaction or test checking as the legislative auditor deems best. The books of the state treasurer and commissioner of finance may be examined monthly. The legislative auditor shall see that all provisions of law respecting the appropriate and economic use of public funds are complied with by all departments and agencies of the state government.*

A copy of all post-audits, reports and results of examinations made by the legislative auditor shall be deposited with the legislative reference library.

Subd. 2. To perform program evaluation, the legislative auditor shall determine the degree to which the activities and programs entered into or funded by the state are accomplishing their goals and objectives, including an evaluation of goals and objectives, measurement of program results and effectiveness, alternative means of achieving the same results, and efficiency in the allocation of resources.

Sec. 92. Minnesota Statutes 1974, Section 138.025, Subdivision 1, is amended to read:

138.025 [TRANSFER OF CONTROL OF CERTAIN HISTORIC SITES.] *Subdivision 1. [AUTHORITY.] The authority of the department commissioner of natural resources and its division of parks and recreation, or any successor thereto, to administer and control the historic sites enumerated in this section is withdrawn, and is hereby conferred upon the Minnesota historical society. The society shall exercise the general administration and control of such sites, preserve their historic features, conduct archaeological investigations, establish necessary interpretive centers, and perform such additional duties and services at such sites as may be deemed necessary and beneficial to such sites. The commissioner of natural resources shall continue to administer and control the state parks enumerated in this section excepting the portions thereof designated as historic sites, the administration and control of which is by this section vested in the Minnesota historical society. The Minnesota historical society may contract with*

existing state departments and agencies for such materials and services, including utility services, as may be necessary for the administration and maintenance of the sites listed in this section.

Sec. 93. Minnesota Statutes 1974, Section 138.025, is amended by adding a subdivision to read:

Subd. 9. [FORT SNELLING OFFICERS' ROW.] The commissioner of natural resources may contract with the Minnesota historical society for the purpose of preserving the historic homes along Taylor avenue, Fort Snelling, known as "Officers' Row" and the annex building, buildings numbered 151 to 161.

The Minnesota historical society may contract with state departments, agencies, public and private organizations and individuals for occupancy of the "Officers' Row" homes, provided the occupancy conforms to rules and regulations set down by the Minnesota historical society.

It is in the public interest of the people of Minnesota to further the preservation of this historic area.

Sec. 94. Minnesota Statutes 1974, Section 201.021, is amended to read:

201.021 [PERMANENT REGISTRATION SYSTEM.] A permanent system of voter registration by county is established. Any county containing no city with a population of 10,000 or more may by resolution of the county board be exempted from the provisions of sections 201.021 to 201.221. The county auditor shall be chief registrar of voters and the chief custodian of the official registration records in each county.

Sec. 95. The appropriations made by this act to the commissioner of natural resources for parks and recreation management include \$500,000 each year for trails financed by $\frac{3}{8}$ of one percent of the unrefunded gasoline tax used by snowmobiles. If the gasoline excise tax is increased from 7 to 9 cents in the 1975 session, these appropriations shall be increased by \$150,000 each year of the biennium. The appropriations for recreational trails described above are to be expended in the same proportions as directed in Laws 1973, Chapter 648, Subdivision 6.

Sec. 96. The commissioner of corrections may use any funds available to him to provide for the payment of expenses of the members of the health advisory committee incurred in attendance of meetings under the provisions of Minnesota Statutes, Section 43.329. The committee is limited to 25 reimbursable meetings per year.

Sec. 97. Minnesota Statutes 1974, Section 27.07, is amended to read:

27.07 [GRADES ESTABLISHED; INSPECTION.] The commissioner shall have power to establish grades on all produce and when deemed necessary shall provide for inspecting and grading produce subject to sale at such marketing points within the state as the commissioner may designate, and provide for the issuing of

certificates of inspection showing the grade, quality, and conditions of the produce, and may charge and collect a reasonable fee therefor, a schedule thereof to be adopted and published from time to time. Such certificates of inspection shall be prima facie evidence in all courts of this state as to the grade, quality, and condition of the produce at the time the inspection was made. When any person having produce desires to have it inspected he may apply to the commissioner for the service of an inspector and, if it appears to the commissioner that the volume of the produce is sufficient to justify the request, he may grant the service upon terms and conditions to be fixed by him. Any inspection service so ordered and maintained shall be self-supporting. The commissioner may require a deposit, prior to the establishment of the inspection service, in amount equal to the costs thereof as estimated by him and he may further require that such deposits be renewed, from time to time, in such manner that a permanent account shall be maintained; *deposits are sufficient at all time to pay the costs of such inspection service for a period of not less than 15 days in advance. Moneys placed in the hands of the commissioner for this purpose shall be placed in a separate account, to be known as the produce inspection account, and the sums such persons shall contribute to each account shall be kept separate on the books of the commissioner. No money shall be paid from this account for inspection services rendered to any person in excess of the moneys on hand accredited to his account. This money shall be deposited in the state treasury in the same manner as other departmental receipts are deposited, credited to the account herein created, and paid out only upon order of the commissioner.* When any such agreement shall terminate by action of either party thereto, the commissioner shall withdraw from such account the full amount of all such bills payable for services rendered and return pay to the depositor any moneys remaining to his credit *after the deduction of the costs at the time such agreement terminates. Any sums deposited in the state treasury under the provisions of sections 27.01 to 27.15 and 27.19 are hereby appropriated for the purposes set forth therein.*

Sec. 98. The commissioner of agriculture may disburse one time only from the funds of the department of agriculture in fiscal year 1975 the sum of \$5,000 to a nonprofit corporation engaged in a program of reforestation in the control of dutch elm and oak wilt disease.

Sec. 99. The appropriation for the construction of the Grand Mound interpretive center made in Laws 1973, Chapter 720, Section 43, Subdivision 7(c), shall not cancel but shall be available until the project is completed or abandoned.

Sec. 100. Minnesota Statutes 1974, Section 238.04, Subdivision 1, is amended to read:

238.04 [COMMISSION CREATED.] Subdivision 1. A state commission on cable communication is hereby created within the department of administration and shall consist of seven members. The commission shall reside within the department of administration for a period not to exceed ~~two~~ four years from May 24, 1973.

The members of the commission shall be representative of the broad range of interests related to telecommunication needs and concerns.

Sec. 101. The unexpended balances of appropriations as certified by the commissioner of administration to the commissioner of finance heretofore made by the legislature by Laws 1969, Chapter 1159, Section 2, Subdivision 15, (1), and Laws 1971, Chapter 963, Section 2, Subdivision 17, (1) and Section 4, (3) (a) are hereby reappropriated to the commissioner of administration as follows:

Laws 1969, Chapter 1159, as detailed above\$3,057.29

Laws 1971, Chapter 963, as detailed above \$62,265.33 to be used for the following purpose:

(a) to supplement the appropriation made by Laws 1975, Chapter 64, Section 1, for the restoration, repair and rehabilitation of the exterior of the capitol building\$65,322.62

Sec. 102. The unexpended balance of \$230,879.20, as certified by the commissioner of administration to the commissioner of finance, remaining from the appropriation heretofore made by the legislature by Laws 1971, Chapter 963, Section 2, Subdivision 18 (1), is hereby reappropriated to the commissioner of administration to remodel available space in state institutions for state agencies pursuant to the provisions of Laws 1973, Chapter 720, Section 51.

Sec. 103. There is hereby transferred from the general fund the sum of \$28,674.50 and from the highway safety account 74035:00 20 the sum of \$5,130.85 to the trunk highway fund for engineering services provided by the highway department for rail crossing safety projects and clearances.

Sec. 104. Notwithstanding the provisions of any other law, the approved complement set forth in this act for various state agencies pertains only to the complement financed all or in part from direct legislative appropriations.

Sec. 105. The staffs of the senate finance committee and the house appropriations committee shall, at the request of agencies receiving appropriations herein and the executive branch budgetary authority, provide wherever available detailed information as to the activities and object of expenditures that go into the appropriation totals.

Sec. 106. Minnesota Statutes 1974, Sections 33.17; 88.063, Subdivision 2; 201.34; and 246.32 are repealed."

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

"A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; authorizing the disposal of certain property; authorizing fixing and limiting the amount of fees to be collected in certain cases; requiring certain reports to be prepared; authorizing certain grants-in-aid; providing penalties for misusing appropriated moneys; amending Minnesota Statutes 1974, Sections 3.102; 3.97, Subdivision

5; 3.971 and by adding a subdivision; 4.11, Subdivision 5; 5.08, Subdivision 2; 12.21, Subdivision 3; Chapter 16 by adding a section; 16.012; 16.757; 16A by adding a section; 17B.15 and by adding a subdivision; 27.07; 29.021; 30.20; 116C.05; 116D.04, Subdivision 3; 138.025, Subdivision 1 and by adding a subdivision; 144.61; 149.04; 176.611, Subdivision 6a; 181A.07, Subdivision 1; 201.021; 238.04, Subdivision 1; Chapter 299D by adding a section; 299D.03 by adding a subdivision; 308.905; 326.44; 326.64; 347.33, Subdivision 3; 484.54; Laws 1965, Chapter 415, Section 1, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Sections 33.17; 88.063, Subdivision 2; 201.34; and 246.32."

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

House Conferees: (Signed) Neil S. Haugerud, Willis R. Eken, Gordon O. Voss, Gerald Knickerbocker, Fred C. Norton.

Senate Conferees: (Signed) Gerald L. Willet, John C. Chenoweth, Winston W. Borden, Richard W. Fitzsimons, J. A. Josefson.

Mr. Willet moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1759 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. 1759: A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; authorizing the disposal of certain property; authorizing fixing and limiting the amount of fees to be collected in certain cases; requiring certain reports to be prepared; authorizing certain grants-in-aid; providing penalties for misusing appropriated moneys; amending Minnesota Statutes 1974, Sections 3.102; 3.97, Subdivision 5; 3.971 and by adding a subdivision; 4.11, Subdivision 5; 5.08, Subdivision 2; 12.21, Subdivision 3; Chapter 16 by adding a section; 16.012; 16.757; 16A by adding a section; 17B.15 and by adding a subdivision; 27.07; 29.021; 30.20; 116C.05; 116D.04, Subdivision 3; 138.025, Subdivision 1 and by adding a subdivision; 144.61; 149.04; 176.611, Subdivision 6a; 181A.07, Subdivision 1; 201.021; 238.04, Subdivision 1; Chapter 299D by adding a section; 299D.03 by adding a subdivision; 308.905; 326.44; 326.64; 347.33, Subdivision 3; 484.54; Laws 1965, Chapter 415, Section 1, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Sections 33.17; 88.063, Subdivision 2; 201.34; and 246.32.

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 64 and nays 3, as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|-----------|-------------|-----------|---------------|
| Anderson | Berg | Brataas | Conzemius | Fitzsimons |
| Arnold | Bernhagen | Chenoweth | Davies | Frederick |
| Ashbach | Blatz | Chmielewski | Doty | Gearty |
| Bang | Borden | Coleman | Dunn | Hansen, Baldy |

| | | | | |
|-------------|--------------|--------------|----------------|-----------|
| Hansen, Mel | Kleinbaum | Nelson | Perpich, A. J. | Spear |
| Hanson, R. | Knutson | North | Perpich, G. | Stassen |
| Hughes | Kowalczyk | Ogdahl | Pillsbury | Stokowski |
| Humphrey | Larson | Olhoft | Purfeerst | Stumpf |
| Jensen | Laufenburger | Olson, A. G. | Renneke | Tennessen |
| Josefson | Lewis | Olson, H. D. | Schaaf | Ueland |
| Keefe, J. | McCutcheon | Olson, J. L. | Schmitz | Wegener |
| Keefe, S. | Merriam | O'Neill | Sillers | Willet |
| Kirchner | Moe | Patton | Solon | |

Messrs. Brown, Milton and Schrom voted in the negative.

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 has adopted the recommendation and report of the Conference Committee on House File No. 1743, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1743: A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, corrections ombudsman, various health related boards, public assistance programs, aid to dependent children, Minnesota supplemental assistance, and public relief.

House File No. 1743 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

SUSPENSION OF RULES

Mr. Coleman moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 1743.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 58 and nays 5, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Davies | Kirchner | Ogdahl | Schmitz |
| Arnold | Doty | Kleinbaum | Olhoft | Schrom |
| Ashbach | Dunn | Knutson | Olson, A. G. | Solon |
| Berg | Frederick | Kowalczyk | Olson, H. D. | Spear |
| Bernhagen | Gearty | Larson | Olson, J. L. | Stassen |
| Blatz | Hansen, Baldy | Laufenburger | O'Neill | Stokowski |
| Borden | Hansen, Mel | Lewis | Patton | Stumpf |
| Brataas | Hughes | McCutcheon | Perpich, A. J. | Tennessen |
| Chenoweth | Humphrey | Merriam | Perpich, G. | Wegener |
| Chmielewski | Jensen | Milton | Purfeerst | Willet |
| Coleman | Keefe, J. | Moe | Renneke | |
| Conzemius | Keefe, S. | Nelson | Schaaf | |

Messrs. Bang, Brown, Josefson, North and Sillers voted in the negative.

The motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1743

A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, corrections ombudsman, various health related boards, public assistance programs, aid to dependent children, Minnesota supplemental assistance, and public relief.

May 19, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 1743 report that we have agreed upon the items in dispute and recommend as follows: The Senate recede from its amendments to H. F. No. 1743 and that the bill be amended by striking all matter after the enacting clause and in lieu thereof substituting the following:

“Section 1. DEPARTMENTS OF PUBLIC WELFARE, CORRECTIONS, HEALTH, CORRECTIONS OMBUDSMAN, AND VARIOUS HEALTH RELATED BOARDS TO EXPEND MONEYS. The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated from the general fund in the state treasury not otherwise appropriated, or any other fund herein designated, to be expended for the purposes specified in the following sections of this act, to be available for the fiscal years ending June 30, 1975, June 30, 1976, and June 30, 1977.

APPROPRIATIONS

Available for the Year
Ending June 30,

1976

1977

\$

\$

Sec. 2. TO THE COMMISSIONER OF PUBLIC WELFARE

Subd. 1. Program and Administrative Support

6,568,000

6,821,000

Approved Complement—306.3

Estimated federal funds to be deposited in the general fund which are earned by the various accounts of the department of public welfare are detailed on the worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the

| | 1976 | 1977 |
|---|-----------|-----------|
| | \$ | \$ |
| office of the commissioner of administration and the commissioner of finance. If federal funds anticipated are less than those shown on the official worksheets, the commissioners of administration and finance shall reduce the amount available from the specific appropriation by a like amount. Such reductions shall be noted in the budget document submitted to the 70th legislature in addition to an estimate of similar federal funds anticipated for the 1977-1979 bien-nium. | | |
| Notwithstanding any other law to the contrary, not more than \$5,000 annually is appropriated from salary savings to be used for the payment of necessary travel expenses to and from interviews arranged by the department of public welfare, incurred by job applicants for professional, administrative, or highly technical positions recruited by the department of public welfare. | | |
| Notwithstanding any state law to the contrary, the commissioner of public welfare shall not adjust the budget standards for any categorical aid program in excess of the amount authorized by the legislature, unless federal law or regulation require such action. | | |
| In determining the amount of the public assistance grant, except for general assistance, the commissioner shall effect a 4 percent increase on or after July 1, 1975. | | |
| Subd. 2. Centralized Disbursement | 5,625,000 | 5,660,000 |
| The commissioner of public welfare shall submit a report to | | |

| | 1976 | 1977 |
|--|-----------|-----------|
| | \$ | \$ |
| the 1977 legislature regarding the effectiveness of the twelve positions granted by the 1975 legislature for increasing support payments. | | |
| Provided that the appropriations made in this subdivision shall be immediately available upon final passage of this act to compensate for the delay in receipt of federal earnings. | | |
| Subd. 3. Community Based Residential Services—Mentally Retarded | 788,000 | 788,000 |
| Provided that \$450,000 of the amount appropriated in this subdivision shall be expended in accordance with the provisions of Minnesota Statutes 1974, Section 252.30. | | |
| Subd. 4. Community Based Residential Services—Chemically Dependent | 3,531,200 | 3,881,000 |
| 1975—\$600,000 Deficiency Appropriation | | |
| Provided that \$525,000 of the appropriations for 1976 and 1977 shall be immediately available upon final passage of this act, for the purpose of providing funds for an anticipated deficiency in fiscal year 1975 and for funding of this activity for the 1975-1977 biennium. | | |
| Provided that reimbursement from state funds for detoxification centers shall be prorated if the appropriation made in this subdivision is insufficient to pay the cost as provided by Minnesota Statutes 1974, Section 254A.08, Subdivision 3. | | |
| Subd. 5. Community Based Residential Services—Mentally Ill | 186,700 | 513,100 |
| Provided that each appropriation provided by Subdivisions | | |

| | 1976 | 1977 |
|--|-----------|-----------|
| | \$ | \$ |
| 3, 4, and 5 shall primarily apply to one state hospital receiving district. | | |
| The commissioner of public welfare shall submit a report on the expenditure of the appropriations in Subdivisions 3, 4, and 5 to the 1977 legislature. | | |
| Subd. 6. Community Mental Health Centers | 6,687,600 | 7,346,900 |
| 1975 — \$123,125 deficiency appropriation | | |

Notwithstanding any law to the contrary, no funds provided in this subdivision shall be used for matching that part of salaries paid above the class of persons in comparable positions in the state civil service nor shall any funds provided in this subdivision be used for matching that part of fringe benefits which exceed the fringe benefits provided to employees in the state civil service.

The above funds provide for a 50 percent matching, except for counties affected by equalization aid, of local community mental health centers approved expenditures. Seventy-five percent of any federal funds received as reimbursement by the commissioner of public welfare shall be used to equally reduce local and state funding and surplus state funds resulting from federal funds shall cancel to the general fund. Twenty-five percent of the federal funds may be used for program expansion.

The community mental health centers may accept cases from juvenile courts for diagnostic evaluation.

Approved Complement — 4.4

| | 1976 | 1977 |
|---|-------------|-------------|
| | \$ | \$ |
| Subd. 7. Aid to Families with Dependent Children, Minnesota Supplemental Assistance, and Medical Assistance | 109,400,000 | 119,900,000 |

Approved Complement — 11.3

Notwithstanding the provisions of any other law, the commissioner of public welfare may utilize the funds, pursuant to the approval of the governor, provided in the above subdivision to pay a portion of the cost of day care and vocational training programs. The portion of the cost not paid by federal funds shall be paid equally from state and local funds. The cases selected by the commissioner for the new programs, on the average, shall not have a greater cost than if they remained in this program. The commissioner shall develop such criteria, selection principles, and other rules so as to carry out the intent of this provision.

The commissioner of public welfare shall provide supplementary grants for aid to families with dependent children and shall include the following costs in determining the amount of the supplementary grants: major home repairs, repair of major home appliances, utility recaps, supplementary dietary needs not covered by medical assistance, and replacement of essential household furnishings and essential major appliances.

Notwithstanding the provisions of any other law to the contrary, the commissioner of public welfare may transfer funds provided in the above subdivision to the department of health for the non-federal

| | 1976 | 1977 |
|--|------------|------------|
| | \$ | \$ |
| share of periodic medical review, including fiscal year 1975. | | |
| Provided that the amount appropriated for implementation of Minnesota Statutes 245.0313 shall be available only if matched by federal funds. Provided that if the cost of care in state institutions falls below the projections used for implementation of Minnesota Statutes 245.0313, any excess appropriation shall revert to the general fund. | | |
| For purposes of administering the medical assistance budget during the biennium, the department of public welfare shall not freeze rates nor withhold increases for budgetary reasons solely for rates paid to skilled and intermediate care licensed nursing home facilities certified under Title XIX of the Social Security Act, but, rather if the medical assistance budget appears to need adjustment during the biennium because of insufficient appropriations, such adjustments shall be made on a non-discriminatory basis for all categories of assistance in the medical assistance program. | | |
| Subd. 8. General Assistance . . | 6,300,000 | 6,300,000 |
| Approved Complement — .8 | | |
| Subd. 9. County Administrative Cost Reimbursement | 10,000,000 | 11,000,000 |
| Subd. 10. Programs for the Aging | 135,000 | 135,000 |
| Provided that the funds appropriated by this subdivision may not be expended unless matched by federal funds. | | |

The use of the funds appropriated herein may include the

| | 1976 | 1977 |
|--|------|------|
| | \$ | \$ |
| appropriate matching of federal funds provided to programs for the aging for the payment to members of advisory committees required in these programs by federal law, for their actual expenses incurred in performance of their duties. | | |

| | | |
|--|-----------|-----------|
| Subd. 11. Vocational Rehabilitation of the Blind | 1,083,600 | 1,125,900 |
|--|-----------|-----------|

Approved Complement—42

The sum of \$2,500 each year out of the amount above appropriated shall be paid into the revolving fund established by Laws 1947, Chapter 535, for the purchase of equipment and supplies for establishing and operating of vending stands by blind persons. All income, receipts, earnings, and federal grants due to the operation thereof shall also be paid into said fund, and all equipment, supplies and expenses for the setting up of such stands to be so operated, shall be paid from said fund.

| | | |
|--|-----------|-----------|
| Subd. 12. Special Financial Aids to Counties | 2,761,700 | 2,876,800 |
|--|-----------|-----------|

All payments from funds appropriated for equalization aid shall be based upon a formula which includes four factors: recipient rate, per capita income, per capita taxable value, and per capita expenditures for welfare as indicated in the worksheets of the conference committee which also specify the number of counties that may receive this aid.

Salary expenditures for computation of equalization aid shall not be included for purposes of computing county per capita welfare costs or in county welfare costs.

1976

1977

\$

\$

Notwithstanding any law to the contrary, initial payments for equalization aid to counties shall be made on or before October 1, 1975, for fiscal year 1976 and on or before October 1, 1976, for fiscal year 1977. Final payments shall be made before October 1 of the following fiscal year.

For the purposes of equalization aid, welfare costs shall be deemed to include all forms of public assistance and the administrative costs thereof, to-wit: medical assistance, aid to dependent children, Minnesota supplemental assistance, payments to the commissioner of public welfare for care and treatment of patients in state institutions, medical relief, hospital charges, maintenance of children not under state guardianship, general assistance, and all administrative costs except university hospitals care, care of children under state guardianships, and poor burials.

No county shall be entitled to the benefits of this act if it has transferred any moneys available for welfare purposes to any other county funds, except that where funds are otherwise unavailable, a transfer may be made to the general revenue fund of said county for payment of rent of office space for the county welfare board. Such transfer shall be made only with the approval of the governor after consultation with the Minnesota public relief advisory committee. Provided further that such transfer of funds for payment of rent shall not be considered an expenditure for equalization aid reimbursement. Any federal funds re-

| | 1976 | 1977 |
|---|-----------|-----------|
| | \$ | \$ |
| ceived in lieu of taxes because of federal grants shall be available for welfare purposes. | | |
| Provided that no county shall receive from the equalization aid payment an amount in excess of 75 percent of its cost of welfare as defined in this subdivision from state funds. | | |
| Notwithstanding any law to the contrary, the formula used in this subdivision for equalizing welfare costs shall be used for computing distressed county aid for daytime activity centers and community mental health centers. | | |
| Provided that any funds appropriated by this subdivision for the Red Lake Band of Chippewa Indians in excess of the county costs for this purpose shall cancel to the general fund. | | |
| Provided that reimbursements for general relief—Indians and the Red Lake Band of Chippewa Indians shall be prorated if the appropriation made in this subdivision is insufficient to provide full reimbursement. | | |
| Subd. 13. Daytime Activity Centers for the Mentally Retarded | | |
| a. Grant-in-aid funding | 4,514,600 | 4,923,300 |
| Approved Complement—2 | | |
| The above funds provided for a 60 percent matching, except for counties affected by equalization aid payments, of local daytime activity centers approved expenditures. Seventy-five percent of any federal funds received as reimbursement by the commissioner of public welfare shall be used to equally reduce local and state funding and surplus state funds | | |

| | 1976 | 1977 |
|--|------------|------------|
| | \$ | \$ |
| resulting from federal funds shall cancel to the general fund. Twenty-five percent of the federal funds may be used for program expansion. | | |
| b. Transportation aids | 2,100,000 | 2,100,000 |
| Subd. 14. Cost of Care Grants—Mentally Retarded | 2,998,700 | 3,268,600 |
| Notwithstanding any law to the contrary, this appropriation provides for not more than 70 percent of the cost of care. | | |
| Provided that this appropriation shall be reduced by \$150,000 each year if separate legislation for a parent subsidy program is not enacted. | | |
| Subd. 15. Cost of Care Grants—Emotionally Disturbed | 1,106,000 | 1,106,000 |
| Notwithstanding any other law to the contrary, this appropriation provides for not more than 70 percent of the cost of care. | | |
| Subd. 16. Foster Grandparents Program | 220,000 | 242,000 |
| Five percent of this appropriation may be retained by the governor's council on aging as a fee for administrative services and expenses, pursuant to Minnesota Statutes 1974, Section 256.976. | | |
| Subd. 17. Day Care Services Development and Funding . . | 821,300 | 978,200 |
| Of the \$352,000 provided in this subdivision for migrant labor day care services, \$100,000 shall be immediately available. | | |
| Subd. 17. State Hospitals . . . | 67,508,800 | 67,801,000 |
| Approved Complement— | | |
| July 1, 1975—5,317 | | |

1976

1977

\$

\$

July 1, 1976—5,367

The amounts that may be expended for each category from these appropriations are as follows:

- (a) Current Expense
 - \$ 9,784,000 for fiscal year 1976
 - \$10,537,000 for fiscal year 1977
- (b) Salaries
 - \$56,439,000 for fiscal year 1976
 - \$57,264,000 for fiscal year 1977
- (c) Repairs and Replacements—\$1,285,800

Not more than 25 percent of the salary savings occurring as a result of efficiencies in operations may be used for supplies and expense expenditures upon the advance approval of the commissioner of administration.

Provided that laundry service shall be furnished without charge to the Willow River camp.

Provided that when equipment expenditures are necessary at the prison laundry, laundry service may be provided for the prison after the transfer of four positions from the department of corrections to the department of welfare has been accomplished.

Notwithstanding any law to the contrary, the commissioner of public welfare may authorize any state hospital to enter into agreement with other governmental and non-profit health service organ-

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\$

izations for participation in "shared service" agreements which would be of mutual benefit to the state, the health service organizations involved and the public. The charges for such services shall be on an actual cost basis and the receipts shall be deposited in the general fund.

So much of the above funds as necessary may be established in a special account in the department of public welfare to pay for special costs relating to the mental health commitment act and review boards for veterans hospitals.

Provided that all new positions granted in these appropriations shall be direct patient care positions.

Provided that as the population decreases, the supportive staff complement shall be reduced in direct proportion.

The budgets for the schools, nursing homes, and hospitals shall be submitted to the 1977 legislature on an individual hospital basis together with a summary budget in the same format as the legislature appropriated funds.

Notwithstanding any law to the contrary, the commissioner of public welfare may request of the commissioner of administration the use of available funds previously appropriated remaining in any department of public welfare building accounts to be used for remodeling for Life Safety Code and licensure requirements necessary to obtain Title XVIII and XIX federal government funds. \$100,000 of this amount may be used

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for remodeling Lake Owasso childrens home. Such funds shall not be expended until the commissioner of welfare has submitted a written plan to the house appropriations and senate finance committees.

Funds from this subdivision shall be used for payment for the Lake Owasso Children's Home according to the contract specifications. In addition, the complement shall be reduced by the number of positions at Lake Owasso upon entering into such contractual agreement. The funds appropriated for Lake Owasso are the maximum amount which may be expended and any unnecessary funds occurring as a result of contract specifications shall cancel to the general fund.

The commissioner of public welfare shall present a comprehensive report to the legislature by January 5, 1976, setting forth in detail a plan to phase down or cease operations at one or more state hospitals. The plan shall be submitted to and acted upon by the 1976 legislature.

The commissioner of public welfare may enter into negotiations with other units of government or private agencies or organizations to explore transfer of control of any building, facility, or institution under the jurisdiction of the commissioner. The commissioner of public welfare shall submit a progress report of any negotiations undertaken pursuant to this provision in his January 5, 1976, report to the legislature.

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

The department of public welfare shall consolidate the laundries of the state hospitals as follows: Rochester to Faribault, Fergus Falls to Brainerd, Glen Lake to St. Peter, and Hastings to Faribault.

Subd. 19. Special Schools

2,836,900

2,839,700

Approved Complement—223.5

The amounts that may be expended for each category from these appropriations are as follows:

- (a) Current Expense
 - \$314,400 for fiscal year 1976
 - \$333,400 for fiscal year 1977
- (b) Salaries
 - \$2,363,600 for fiscal year 1976
 - \$2,363,600 for fiscal year 1977
- (c) Repairs and Replacements
 - \$49,700 for fiscal year 1976
 - \$35,200 for fiscal year 1977
- (d) Regional Library for the Blind
 - \$109,200 for fiscal year 1976
 - \$107,500 for fiscal year 1977

Approved Complement—10.5

Provided that state funding for two positions currently funded by federal monies shall only become available if federal funds are withdrawn.

| | 1976 | 1977 |
|---|-----------|-----------|
| | \$ | \$ |
| <p>The commissioner of public welfare shall begin consolidation of support services for the Faribault state hospital, school for the deaf, and the braille and sight saving school, as soon as feasible. Such consolidation shall include, but not be limited to: laundry service, food service, maintenance and business office functions.</p> | | |
| Subd. 20. Rehabilitate Dow Hall | 137,000 | |
| <p>Provided that these funds shall not be expended until a plan has been reviewed by the senate and house appropriation committees.</p> <p>Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.</p> | | |
| Subd. 21. State Operated Nursing Homes | 7,296,500 | 7,333,300 |
| Approved Complement—610 | | |
| <p>The amounts that may be expended for each category from these appropriations are as follows:</p> | | |
| (a) Current Expense | | |
| \$1,171,000 for fiscal year 1976 | | |
| \$1,224,600 for fiscal year 1977 | | |
| (b) Salaries | | |
| \$6,052,000 for fiscal year 1976 | | |
| \$6,052,000 for fiscal year 1977 | | |
| (c) Repairs and Replacements | | |
| \$73,500 for fiscal year 1976 | | |
| \$56,700 for fiscal year 1977 | | |
| Subd. 22. Special Equipment for the State Hospitals, Spe- | | |

| | 1976 | 1977 |
|--|---------|---------|
| | \$ | \$ |
| cial Schools and State Operated Nursing Homes | 730,000 | |
| Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. | | |
| Subd. 23. Commissioner of Public Welfare | 100,000 | |
| The commissioner of public welfare shall pay \$25.00 per diem plus travel expenses in the same manner and amount as state employees to the members of the Northwest Citizens Advisory Task Force on the use of Fergus Falls state hospital and the West Central Citizens Advisory Task Force on the use of Fergus Falls state hospital. Public employees shall not receive any per diem payments. Staffing and expenses may be provided as necessary from this appropriation. Each task force shall be comprised of county commissioners, licensed professionals, welfare directors, public members, and a non-voting member appointed by the commissioner of public welfare. The efforts of the two task forces shall be coordinated by a joint coordinating committee. | | |
| A preliminary report shall be submitted to the legislature on or before February 1, 1976, and a final report on or before January 2, 1977. | | |
| Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. | | |
| Subd. 24. Support of Human Services Boards | 450,000 | 450,000 |
| The amount available in this | | |

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subdivision for the state planning agency shall be used for the financial assistance, providing primary support for operating human services boards, and implementing a program for standardization of personnel policies, evaluation and fiscal practices, forms and procedures among the departments of public welfare, health, corrections, employment services and the division of vocational rehabilitation in the department of education and the federal categorical program activities in their relationship to human services boards. The state planning agency may direct any of the agencies to furnish them with personnel and services necessary to discharge duties and prescribe the terms of assistance, and shall present an interim report to the 1976 legislature and a final report to the 1977 legislature for the reorganization of the delivery of state and local human services. Notwithstanding M. S. 402.02, Subdivision 1, human services boards are not required to have citizen members. Not later than 365 days after establishment of an operating human services board, present local operating boards shall cease operation.

Sec. 3. TO THE COMMISSIONER OF CORRECTIONS

Subdivision 1. Administration

(a) Salaries, supplies and expense

4,503,000

5,173,000

Approved Complement—

1976—238.75

1977—244.75

No new program may be implemented unless a statistical

| | 1976 | 1977 |
|--|---------|---------|
| | \$ | \$ |
| evaluation of its objectives and accomplishments accompanies the development of such program. | | |
| Provided that the parole agents shall reside in the various districts of the state in which they are employed during the period for which this appropriation is effective. | | |
| Provided that regional supervisors paid from this account may also supervise state parole agents as directed by the commissioner of corrections. Such duties shall not interfere with the supervisor's responsibility under the County Probation Act, Laws 1959, Chapter 698. | | |
| (b) County Reimbursement. . | 770,000 | 770,000 |
| Provided further that reimbursement to counties as provided by Minnesota Statutes 260.311, Subdivision 5, shall be computed on the basis of 50 percent of the probation officers salary costs only, including fringe benefits, however that part of fringe benefits in excess of those provided for state civil service employees shall not be reimbursable. | | |
| Notwithstanding any law to the contrary, no county shall be eligible for the reimbursement aforementioned unless its county probation officers are paid a salary commensurate with the salaries paid to comparable positions in the classified service of the state civil service. The salary range to which the county probation officers shall be assigned shall be determined by the judge(s) of the juvenile court(s) who shall base the decision on length and performance of service of said officer(s). The judges of | | |

| | 1976 | 1977 |
|---|---------|--------|
| | \$ | \$ |
| the juvenile courts shall annually assign their county probation officer(s) to a position on the aforementioned salary scale commensurate with the officer's experience, tenure, and responsibilities and said judges shall file with the county auditor an order setting said county probation officer's salary. | | |
| Provided further that reimbursement to counties shall be prorated if the appropriation made in this item is insufficient to pay the cost as provided by Minnesota Statutes 260.311, Subdivision 5. | | |
| Provided that time spent by the county probation officer as a court referee shall not qualify for reimbursement from this appropriation. | | |
| (c) Sheriffs Expense Conveying Prisoners | 30,000 | 30,000 |
| (d) Planning and Implementing Institutional Population Changes | 335,000 | |
| A committee of ten and necessary staff shall be appointed by the commissioner of corrections to recommend to the 1976 legislature the following: | | |
| a. The placement of inmates in the Minnesota security hospital who are under the exclusive control of the commissioner of corrections. | | |
| b. An action plan to assure reducing the prison population to a maximum of 350 and where the excess population will be located. | | |
| c. The necessary construction and demolition to accomplish a maximum | | |

1976

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population of 350 in the state prison.

d. The future of the industry programs.

The commissioner of corrections is authorized to pay members of the committee \$25.00 per diem plus travel expenses pursuant to rules and regulations promulgated by the commissioner of personnel, however, no public employee may receive a per diem payment. \$35,000 is available from this appropriation to finance the committee and its staff to submit its report to the 1976 legislature.

\$300,000 of this appropriation is available after submission of the above plan to the senate finance and house appropriations committees, to develop for the 1977 legislature the following:

- a. Preliminary architectural plans.
- b. A progress report on the population changes.
- c. A master plan for the 1977 to 1979 biennium.

Subd. 2. Corrections Subsidy Act

7,369,900

As counties begin participating in the corrections subsidy act, the complement of the central office shall be reduced by the number of positions transferred to the counties entering the act.

The commissioner of corrections shall select the counties which may participate under the Corrections Subsidy Act after consulting with the ap-

| | 1976 | 1977 |
|---|-----------|-----------|
| | \$ | \$ |
| propriate finance committees of the legislature. | | |
| Subd. 3. Health Care Services. | 1,137,000 | 1,175,000 |

Approved Complement—13

The amount appropriated by this subdivision shall be used to provide professional health care to persons confined in institutions under the control of the commissioner of corrections, and to cover costs of their care in hospitals and other medical facilities not under the control of the commissioner of corrections, including the secure treatment unit operated by the St. Paul-Ramsey Hospital. All reimbursements for such health care services shall be credited to this account and become a part thereof.

| | | |
|---------------------------------|---------|--|
| Subd. 4. Personnel Training . . | 616,700 | |
|---------------------------------|---------|--|

This appropriation includes funds for training of group home parents in county homes.

| | | |
|--------------------------------|---------|--|
| Subd. 5. Vocational Training . | 140,000 | |
|--------------------------------|---------|--|

The amount appropriated by this item shall be used for the purpose of providing vocational training of the inmates of institutions under the control of the commissioner of corrections. The commissioner of corrections is hereby authorized and empowered to employ skilled craftsmen to conduct a vocational training program and to instruct such inmates.

| | | |
|--------------------------------|---------|---------|
| Subd. 6. Foster Group Care . . | 400,000 | 400,000 |
|--------------------------------|---------|---------|

The amount appropriated by this item shall be used for foster group care facilities under the commissioner of corrections and to reimburse

| | 1976 | 1977 |
|--|---------|---------|
| | \$ | \$ |
| counties pursuant to Minnesota Statutes 1974, Section 260.251, Subdivision 1a, provided, however, that such reimbursement to counties shall be prorated if the appropriation is insufficient. | | |
| The amounts reimbursed to the counties shall be based upon 50 percent of cost to the counties after federal and state aids, grants or relief programs have been deducted from the costs of said group home operations. | | |
| Subd. 7. Work Release and Newgate Programs | 457,000 | |
| This appropriation includes \$217,000 for the Newgate program. | | |
| Subd. 8. Community Corrections Centers | 212,500 | 212,500 |
| Subd. 9. Regional Jails, Area Lock-ups, and Detention Centers | 281,300 | 281,300 |
| Subd. 10. Special Projects.... | 298,200 | 66,200 |
| This appropriation is intended as the state match for applications for federal grants. | | |
| The commissioner of finance is hereby directed to establish whatever accounts the department of corrections deems necessary to expend the funds provided by this subdivision. | | |
| Subd. 11. Correctional Institutions | | |
| This appropriation is for the Minnesota state prison, state reformatory for men, Minnesota correctional institution for women, state training school, Willow River camp, Minnesota home school, and | | |

| | 1976 | 1977 |
|------------------------------------|------------|------------|
| | \$ | \$ |
| the metropolitan training center. | | |
| (a) Current Expense | 3,317,200 | 3,478,100 |
| (b) Salaries | 15,349,000 | 15,378,000 |
| Approved Complement — 1086.75 | | |
| (c) Special Equipment | 320,000 | |
| (d) Repairs and Replacements | 730,000 | |

Vocational rehabilitation funds received by the department of corrections for the Willow River camp shall cancel to the general fund.

The commissioner of corrections may utilize the institutions under his control in the manner he determines to be most efficient and designate the programs to be conducted therein.

The academic school program at the state training school and the Minnesota home school shall be conducted on a 12 month basis.

Provided that the appropriate committees on finance of the legislature shall receive a written report of the anticipated expenditures from the prison revolving fund for recreational or vocational equipment not less than 30 days prior to expenditure.

Provided the youthful offender reception center shall be at the reformatory for men until June 30, 1977.

| | |
|------------------------------|---------|
| (e) License Plate Plant..... | 272,000 |
|------------------------------|---------|

The amount provided by clause (e) is appropriated from the highway user tax

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

distribution fund, and shall be available for immediate encumbrance.

Any unexpended balances in subdivisions 1(d), 2, 4, 5, 7, 11(c), 11(d), and 11(e) remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 4. HEALTH RELATED BOARDS

| | | |
|---|--------|---------|
| Subd. 1. Board of Examiners for Nursing Home Adminis- trators | 62,200 | 63,000 |
| Subd. 2. Board of Examiners for Psychologists | 20,700 | 22,500 |
| Subd. 3. Board of Medical Ex- aminers | | 251,800 |
| Subd. 4. Board of Nursing... | | 363,200 |
| Subd. 5. Board of Pharmacy.. | | 150,400 |
| Subd. 6. Board of Veterinary Examiners | | 21,400 |
| Subd. 7. Board of Podiatry... | | 5,300 |
| Subd. 8. Board of Dentistry.. | | 117,300 |
| Subd. 9. Board of Chiropractic Examiners | | 28,300 |
| Subd. 10. Board of Optometry. | | 24,700 |

Provided that the commissioners of administration and finance shall not permit the allotment, encumbrance, or expenditure of any funds appropriated in this section in excess of the anticipated biennial revenues.

Sec. 5. BOARD OF HEALTH

| | | |
|---|-----------|-----------|
| Subd. 1. Preventive and Per- sonal Health Services | 5,613,700 | 6,092,700 |
|---|-----------|-----------|

Approved Complement—181

Provided that the commission-

| | 1976 | 1977 |
|---|-----------|-----------|
| | \$ | \$ |
| ers of administration and finance shall not permit the allotment, encumbrance, or expenditure of any funds appropriated in this subdivision for hotel, resort and restaurant licensing in excess of anticipated revenues. | | |
| Subd. 2. Health Systems Quality Assurance | 1,002,100 | 1,014,500 |
| Approved Complement—54.25 | | |
| Of the amounts provided in this item, \$198,600 for fiscal year 1976 and \$211,100 for fiscal year 1977 are appropriated from the trunk highway fund for emergency medical services activities. | | |
| Subd. 3. Management, Planning, and Information Services | 1,160,400 | 1,213,600 |
| Approved Complement—49.25 | | |
| All receipts received from the national office of vital statistics for microfilmed transcripts of vital statistics records shall be deposited in and for the benefit of the general fund. | | |
| Provided that administrative support for health related boards shall be provided by the health department. The health department shall be reimbursed for the cost of providing this service | | |
| Subd. 4. Dental Health Education Program | 142,500 | |
| Sec. 6. CORRECTIONS OM-BUDSMAN | | |
| Subd. 1. Salaries, Supplies and Expense | 139,300 | 139,300 |
| Sec. 7. COMMISSIONER OF PUBLIC WELFARE | | |
| Subd. 1. Community Action Programs | 1,200,000 | |

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

This appropriation shall be used to make grants for local match increases to fund costs for on-going programs for Minnesota community action agencies, and to fund match moneys for emergency and community partnership programs. A report shall be submitted to the 1976 and 1977 legislature regarding the expenditure of this appropriation.

Sec. 8. CONTINGENT FOR
STATE INSTITUTIONS

1,225,000

The amount appropriated by this item or so much thereof as may be necessary, is to be used for emergency purposes, and for the purchase of food, clothing, drugs, and fuel for any of the institutions or work camps for which an appropriation is herein made. The expenditure of said contingent shall be under the control of the legislative advisory committee and no expenditure shall be made therefrom without the direction of the governor after consultation with the legislative advisory committee.

Any unexpended balance in Section 5, subd. 4, Section 7, and Section 8 remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Provided that the allowance for food may be adjusted annually according to the United States department of labor, bureau of labor statistics publication wholesale price index, upon the approval of the governor. Such adjustments shall be based on the June, 1975, wholesale food price index, but

such adjustment shall be prorated if the wholesale food price index adjustment would require funds in excess of this appropriation.

Sec. 9. EMPLOYEES COMPENSATION

To be transferred by the commissioner of finance to the department of labor and industry, compensation revolving fund, for fiscal year 1975, in payment of obligations incurred by the following state agencies in the amount as indicated:

Public Welfare \$653,622.74

Corrections \$113,607.11

Sec. 10. UNEMPLOYMENT COMPENSATION

To unemployment compensation fund for fiscal year 1975, in reimbursement of unemployment compensation benefits paid for former employees of the following:

Department of Corrections \$118,671.69

Department of Public Welfare \$490,442.88

Sec. 11. CERTAIN FUNDS USED FOR CERTAIN PURPOSES. Upon the approval of the commissioner of public welfare or the commissioner of corrections as to the institutions under their respective control, the superintendent of any such institution for which an appropriation is made herein may pay out of the current expense appropriation of said institution to any employee thereof, the amount of any property damage sustained by such employee, not in excess of \$250 by reason, or as a result of action of any patient or inmate of such institution.

Except at the state prison and state reformatory, profits accrued by reason of operation of diversified labor accounts may be used at the direction of the superintendent of the institution for the purchase of occupational therapy equipment.

Sec. 12. APPROVED COMPLEMENT. Except as otherwise provided herein, whenever an appropriation to any institution or agency discloses an approved complement, the institution or agency is limited in the employment of the number of full-time equivalent persons indicated by such approved complement. Part-time and summer student help may be employed with the advance approval of the commissioner of administration, and shall not be included in the approved complement. Such approved complement, however, does not include employees engaged in repair or construction projects who may be employed only with the advance approval of the commissioner of administration.

Additional employees over the number of the approved complement may be employed on the basis of public necessity or emer-

gency with the written approval of the governor, but the governor shall not approve such additional personnel until he has consulted with the legislative advisory committee. Any requests for increases in the approved complement shall be forwarded to the appropriate committees on finance of the legislature not less than 30 days prior to the legislative advisory committee meeting. The provisions hereof shall extend to any other agency to which the present authority of the legislative advisory committee may be transferred.

Sec. 13. CERTAIN EMPLOYEES. Provided that none of the moneys appropriated by this act or any other law shall be used to employ maids or personnel with similar domestic duties to work in residences of any officer or employee of any institution, department, or agency of the state. This provision shall not apply to such persons who pay a fixed monthly fee for board and room and laundry and who obtain their meals from state operated dining rooms.

Sec. 14. RECEIPTS. All funds, sums of moneys, or other resources provided or to be received, including all receipts, collections, legislative allocations, transfers, and other income and receipts properly belonging to and to be used for financing activities, programs, and other projects other than the institutions now or hereafter under the supervision and jurisdiction of the commissioner of public welfare not otherwise specifically designated as income or credits to other state departments or funds by law, shall be credited to and become a part of the appropriations provided for in section 2, subdivisions 1, 7, 10, 11, and 12.

All receipts of said institutions and activities carried on under the direction of said commissioners of public welfare and corrections shall be deposited in and for the benefit of the general fund, provided, however, that this shall not apply to revolving funds now established in institutions under the control of said commissioner; and provided further that this shall not apply to receipts from the operation of patients' and inmates' stores and vending machines, which shall be deposited in the social welfare fund in each institution for the benefit of the patients and inmates; and provided further that this shall not apply to money received in payment for services of inmate labor employed in the industries carried on in the state reformatory for men, state reformatory for women, and state prison, which receipts shall be credited to the current expense fund of said institutions.

Sec. 15. COMMISSARY AND QUARTER ALLOWANCE. No commissary privileges including food, laundry service, and household supplies, shall be furnished to any person in staff residences or apartments from appropriations made by this act.

The commissioner of administration is hereby directed to charge a fair rental rate including utility costs to any persons who reside on state institution grounds. The legislature directs the department of corrections to reduce staff housing as soon as possible.

Quarters and a stipend allowance of not to exceed \$150 per

month may be authorized by the commissioner of welfare for medical students and physician fellows.

Notwithstanding any provision in Minnesota Statutes, Section 246.02, to the contrary, maintenance including food, laundry service, and household supplies shall not be furnished to any officer including, but not limited to, the chief executive officers of the state prison and reformatories.

Sec. 16. PROVISIONS. Moneys appropriated under this act for the purchase of provisions within the item "current expense" shall be used solely for that purpose. The amounts appropriated for provisions are shown on the worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration. Any money so provided and not used for purchase of provisions shall be cancelled into the fund from which appropriated, except that money so provided and not used for the purchase of provisions because of population decreases may be transferred and used for the purchase of medical and hospital supplies after consultation with the legislative advisory committee, whose opinion shall be advisory only.

Sec. 17. FEDERAL GRANTS. Grants in aid now or hereafter received from the federal government for any welfare, assistance or relief program or for administration under the jurisdiction of the department of public welfare shall, in the first instance, be credited to a federal grant fund and shall be transferred therefrom to the credit of the commissioner of public welfare in the appropriate account upon certification of the commissioner of public welfare that the amounts so requested to be transferred have been earned or are required for the purposes and programs intended. Moneys received by such federal grant fund need not be budgeted as such, provided transfers from such fund are budgeted for allotment purposes in the appropriate appropriations.

The department of public welfare is authorized and directed to negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or obtaining any grants or aids. Any grants or aids thus secured or received are hereby appropriated to said department of public welfare and made available for the uses and purposes for which it was received but shall be used to reduce the appropriations hereinbefore provided unless federal law prohibits such action or unless the commissioner of public welfare obtains approval of the governor who shall seek the advice of the legislative advisory committee.

Grants now or hereafter received from the federal government for any vocational training program or for administration under the jurisdiction of the department of corrections shall, in the first instance, be credited to a federal grant fund and shall be transferred therefrom to the credit of the commissioner of corrections in the appropriate account upon certification of the commissioner of corrections that the amounts so requested to be transferred have been earned or are required for the purposes and program intended. Moneys received by such federal grant fund need not be

budgeted as such provided transfers from such fund are budgeted for allotment purposes in the appropriate appropriation.

Sec. 18. Provided that the commissioner of public welfare and the commissioner of health shall not transfer any funds to or from personnel services, or claims, grants and shared-revenues, as shown on the official worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration, except for those transfers which have the written approval of the governor, who shall consult with the legislative advisory committee for its recommendations, which shall be advisory only.

Sec. 19. UNOBLIGATED BALANCES. The unobligated balances on hand as of June 30, 1975, June 30, 1976, and June 30, 1977, in the several appropriations and accounts for which an appropriation is herein made out of the general fund, or has heretofore been made, are hereby cancelled into the general fund as of June 30, 1975, June 30, 1976, and June 30, 1977, and the unobligated balances on hand as of June 30, 1975, June 30, 1976, and June 30, 1977, appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1975, June 30, 1976, and June 30, 1977.

The provisions of this section shall not apply to aid, contributions, or reimbursements received from the federal government by the state and all federal aid and contributions or reimbursements are hereby reappropriated for the purpose of supplementing the appropriation herein provided and shall be added to the maximums of the several accounts herein designated.

Sec. 20. TRANSFER OF FUNDS. (a) The commissioner of public welfare by direction of the governor after consulting with the legislative advisory committee may transfer unobligated appropriation balances between the various accounts appropriated under section 2, subdivisions 3, 4, 5, 6, 7, 13, 14 and 15. Provided further that if the appropriation under section 2, subdivision 7 should be insufficient for either year, then the appropriation for the other year shall be available therefor by direction of the governor after consulting with the legislative advisory committee.

(b) Authority is hereby granted to the commissioner of corrections to transfer appropriations between all subdivisions of section 3 except for subdivision 1a in the best interest of the security and rehabilitation programs and for more efficient utilization of personnel and facilities. Of the appropriation provided by section 3, subdivision 1a funds may be transferred from this appropriation to other appropriations in section 3 but in no case may transfers from the other appropriations in section 3 be made to section 3 subdivision 1a. Such transfers shall be made with the written approval of the governor after consulting with the legislative advisory committee.

Sec. 21. TRANSFER OF PERSONNEL. (a) Notwithstanding any other law to the contrary, the commissioner of public welfare shall transfer authorized positions between the institutions under

his control in order to properly staff the institutions, taking into account the differences between programs in each institution.

(b) Notwithstanding any other law to the contrary, the commissioner of corrections may transfer authorized positions between programs subject to the restrictions imposed by section 20(b).

Sec. 22. Notwithstanding any other law to the contrary, the departments of health, public welfare, and corrections shall not put into effect any rule, regulation, or standard, which has a fiscal impact in excess of \$100,000 annually without first providing the house appropriations and the senate finance committees with a fiscal note.

Sec. 23. Notwithstanding any law to the contrary, when institutions of the department of public welfare or the department of corrections are consolidated, the commissioner of personnel and the commissioner of administration shall direct the department incorporating the consolidation and all other departments of the state of Minnesota to employ the affected employees at no loss in salary.

The commissioner of personnel is hereby directed to temporarily suspend any rules, regulations, or laws to accomodate these provisions. Any department which employs any of the affected employees is authorized to temporarily exceed its approved complement. The commissioner of administration shall develop procedures to insure that the moving expenses are reimbursed for those employees who relocate pursuant to the consolidation.

Sec. 24. The commissioner of public welfare shall notify the house appropriations and senate finance committees of the terms of any contractual arrangement entered into by the commissioner and the attorney general, pursuant to an order of any court of law, which provides for the receipt of funds by the commissioner.

Any funds recovered or received by the commissioner pursuant to an order of any court of law shall be placed in the general fund.

Sec. 25. Dental Health Education Program.

Subd. 1. Development of Program. The board of health shall assist school and community personnel, including dental professionals, to develop a comprehensive preventive oral health program in the elementary school community.

Subd. 2. Objectives. The program shall be operated so as to achieve the following:

(a) Decreasing oral disease through an instruction program or oral health education for teachers;

(b) Improving oral health knowledge, attitudes, and behavior of both the student and the wider school community, including educators, administrators, and parents; and

(c) Planning a sequential oral health education curriculum

emphasizing behavior modification for the total health education program of a school system.

Subd. 3. Duties of board of health.

(a) Technical assistance teams; inservice training of educators. The board of health shall establish technical assistance teams of dental hygienists, consulting dentists, and consulting health educators. The initial program will place one team in four state health regions and reflecting rural, suburban, and urban communities. The teams shall provide inservice education to teachers in the district on methods and techniques of dental behavior change.

(b) Guidelines for implementation in schools. The board of health shall provide guidelines to selected schools for the implementation of their programs to train classroom teachers to be dental health educators. The teachers shall participate in oral health education, analysis, and recording of data.

(c) Standards; evaluation. The board of health shall establish standards for program performance. These standards, together with accepted dental indices, shall be used by the technical assistance teams to evaluate school programs of oral health knowledge and behavior modification on test and control groups.

(d) Consultation to dental personnel. The board of health shall provide information and assistance to dental personnel on methods and techniques of oral health behavior improvement.

Sec. 26. Minnesota Statutes 1974, Section 241.01, Subdivision 7, is amended to read: Subdivision 7. [USE OF FACILITIES OF INSTITUTION BY OUTSIDE AGENCIES.] The commissioner of corrections may authorize and permit public or private social service, educational or rehabilitation agencies or organizations and their clients to enter upon and utilize use the facilities, staff and other resources of institutions under his control and may require the participating agencies or organizations to pay all or part of the costs thereof. All sums of money received pursuant to the agreements herein authorized *shall not cancel until the end of the fiscal year immediately following the fiscal year in which the funds were received. The funds are available for use by the commissioner during that period,* and are hereby appropriated annually to the commissioner of corrections for the purposes of this subdivision.

Sec. 27. Minnesota Statutes 1974, Section 260.151, Subdivision 1, is amended to read: 260.151 [INVESTIGATION; PHYSICAL AND MENTAL EXAMINATION.] Subdivision 1. Upon request of the court the county welfare board or probation officer shall investigate the personal and family history and environment of any minor coming within the jurisdiction of the court under section 260.111 and shall report its findings to the court. The court may order any minor coming within its jurisdiction to be examined by a duly qualified physician, psychiatrist, or psychologist appointed by the court ; or, . With the consent of the commissioner of corrections and agreement of the county to pay the costs thereof, the court may, by order, place such a minor coming within its jurisdiction in an institution maintained by the commissioner

for the detention, diagnosis, custody and treatment of persons adjudicated to be delinquent, in order that the condition of the minor be given due consideration in the disposition of the case. Adoption investigations shall be conducted in accordance with the laws relating to adoptions. Any funds received under the provisions of this subdivision or under provisions of section 260.175, clause (d) shall not cancel until the end of the fiscal year immediately following the fiscal year in which the funds were received. The funds are available for use by the commissioner of corrections during that period, and are hereby appropriated annually to the commissioner of corrections to furnish diagnostic services for wards of the Minnesota corrections authority as reimbursement of the costs of providing these services to the juvenile courts.

Sec. 28. Minnesota Statutes 1974, Chapter 8, is amended by adding a section to read: [8.14] [ACTIONS CHALLENGING STATE EXPENDITURES: INTERVENTION.] *In any action in which the state of Minnesota or any of its officers is a party and the amount of state expenditures for a particular purpose is challenged on the ground that the expenditure is insufficient to enable the state or any of its agencies to comply with the alleged requirements of the constitution of the United States or of federal law, the attorney general shall petition on behalf of and provide representation for (1) an individual taxpayer, who as an authorized representative of a particular class of recipients or beneficiaries of significant state appropriations, has requested the representation or (2) any other state agency that wishes to intervene in the action. The attorney general shall oppose any attempt to require the state to expend money for any purpose in excess of the amounts appropriated for that purpose by law.*

Sec. 29. Sections 26 and 27 of this act are effective the day following its final enactment.

Further amend the title as follows:

Page 1, last line, after "relief" and before the period insert "; amending Minnesota Statutes 1974, Chapter 8 by adding a section, Sections 241.01, Subdivision 7; and 260.151, Subdivision 1"

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

House Conferees: (Signed) Don Samuelson, Walter Hanson, Paul McCarron, Al Wieser, Jr., Fred C. Norton.

Senate Conferees: (Signed) George Conzemius, Ralph Doty, John Olson, W. G. Kirchner, Robert Tennesen.

Mr. Conzemius moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1743 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. 1743: A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the

use thereof, including appropriations for the departments of public welfare, corrections, health, corrections ombudsman, various health related boards, public assistance programs, aid to dependent children, Minnesota supplemental assistance, and public relief; amending Minnesota Statutes 1974, Chapter 8 by adding a section, Sections 241.01, Subdivision 7; and 260.151, 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 49 and nays 9, as follows:

Those who voted in the affirmative were:

| | | | | |
|-------------|---------------|--------------|----------------|-----------|
| Anderson | Fitzsimons | Knutson | Olson, A. G. | Schrom |
| Arnold | Gearty | Kowalczyk | Olson, H. D. | Solon |
| Blatz | Hansen, Baldy | Larson | Olson, J. L. | Spear |
| Borden | Hanson, R. | Laufenburger | Patton | Stassen |
| Brataas | Hughes | McCutcheon | Perpich, A. J. | Stokowski |
| Chenoweth | Humphrey | Merriam | Pillsbury | Stumpf |
| Chmielewski | Jensen | Moe | Purfeerst | Tennessen |
| Coleman | Josefson | Nelson | Renneke | Wegener |
| Conzemius | Keefe, S. | Ogdahl | Schaaf | Willet |
| Doty | Kleinbaum | Olhott | Schmitz | |

Those who voted in the negative were:

| | | | | |
|-----------|-------------|-----------|--------|-------------|
| Berg | Brown | Keefe, J. | Milton | Perpich, G. |
| Bernhagen | Hansen, Mel | Lewis | North | |

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 has adopted the recommendation and report of the Conference Committee on House File No. 1741, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1741: A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for the horticultural society; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government; for maintenance of the uniform laws commission; for the Port Authority of Duluth; and for other purposes.

House File No. 1741 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

SUSPENSION OF RULES

Mr. Coleman moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 1741. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1741

A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for the horticultural society; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government; for maintenance of the uniform laws commission; for the Port Authority of Duluth; and for other purposes.

May 19, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 1741 report that we have agreed upon the items in dispute and recommend as follows: The Senate recede from its amendments to H. F. No. 1741 and that the bill be amended by striking all matter after the enacting clause and in lieu thereof substituting the following:

"Section 1. APPROPRIATIONS. The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury, or any other fund herein designated for the purposes specified in the following sections of this act, to be available for the fiscal years ending June 30, 1975, June 30, 1976, and June 30, 1977.

APPROPRIATIONS

Available for the Year

Ending June 30,

1976

1977

\$

\$

Sec. 2. GENERAL GOVERNMENT

Subdivision 1. Minnesota-Wisconsin Boundary Area Commission

41,200

46,000

For 1975—\$6,000

| | 1976 | 1977 |
|---|--------|--------|
| | \$ | \$ |
| Provided that the amount that may be expended shall not exceed the amount provided for the commission by the state of Wisconsin. | | |
| Subd. 2. Uniform Laws Commission | 9,900 | 9,900 |
| Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. | | |
| Subd. 3. Great Lakes Commission | 27,500 | 27,500 |
| Sec. 3. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES | | |
| Subdivision 1. Societies and Associations | | |
| (a) State Horticultural Society | | |
| 1. For maintenance | 22,500 | 22,500 |
| (b) For expenses for the Junior Livestock Show in Duluth | 1,400 | 1,400 |
| Said sum to be paid to the junior livestock association of Duluth and to be expended by said association for the payment of the expenses and transportation of boys and girls displaying exhibits and in attendance at the junior livestock show at Duluth and for prizes awarded to exhibitors at said show. | | |
| (c) For aid to Minnesota Livestock Breeders Association | 14,100 | 14,200 |
| (d) For aid to Northern Sheep Growers Associations.. | 1,125 | 1,125 |
| (e) For aid to Southern Sheep Growers Associations at LeSueur, Minnesota..... | 500 | 500 |

| | 1976 | 1977 |
|--|-------|-------|
| | \$ | \$ |
| (f) For Red River Valley Live- stock Associations | 7,500 | 7,500 |

Provided that the amount appropriated by item (f) hereof shall be disbursed pursuant to provisions of Minnesota Statutes, Section 38.02.

| | | |
|--|-------|-------|
| (g) For the Red River Valley Dairymen's Association, Inc., for the purpose of promoting better dairying | 1,500 | 1,500 |
|--|-------|-------|

Items (a), (c), (d), (e), (f), and (g) shall be appropriated under provisions of Minnesota Statutes, Section 17.07.

Subd. 2. Aid to Agricultural Societies and Poultry Associations

| | | |
|--|---------|---------|
| (a) Aid to county and district agricultural societies | 240,000 | 240,000 |
|--|---------|---------|

Of the amount appropriated by item (a), \$4,500 each year is for livestock premiums to county fair associations for carrying on boys' and girls' club work.

Provided that the amount appropriated by item (a) hereof shall be disbursed according to Minnesota Statutes, Section 38.02.

Provided that out of the amounts appropriated by item (a) hereof, \$1,000 each year shall be available to the Red Lake Band of Chippewa Indians to be expended as may be directed by the Indian council for the purpose of encouraging such activities and arts as will advance the economic and social interest of their people and particularly to promote a program of agricultural development that will utilize to the greatest possible extent the lands and forest owned by

| | 1976 | 1977 |
|---|---------|-------|
| | \$ | \$ |
| them. This appropriation may be used to help maintain an agricultural extension service; to promote 4-H club work, or for premiums for the competitive display of exhibits at any fair or exposition that may be arranged under the direction of the council. | | |
| (b) County Fair Bicentennial Exhibits and Projects | 100,000 | |
| Provided that these funds shall be used to reimburse county fairs who received funds under Laws 1973, Chapter 592, Section 4, Subdivision 2(a). | | |
| The payment to each county fair from this appropriation shall not exceed 20 percent of its total premiums paid in 1974. | | |
| (c) For aid in payment of premiums at exhibitions of poultry for the poultry associations mentioned in Laws 1949, Chapter 718, Section 7, Subdivision 8 | 3,500 | 3,500 |
| Provided that out of the amounts appropriated by item (c) hereof the amount of \$1,125 shall be allotted each fiscal year to aid the Minnesota state poultry association in the payment of premiums and other necessary expenses, exclusive of salaries or wages of any kind, at its annual exhibition. | | |
| Provided that the northern poultry association (being a consolidation of fourteen northwestern county associations) shall receive not to exceed \$150. | | |
| Provided that no one association or society will receive an amount greater than the an- | | |

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

nual premium paid to exhibitors by them and shall not in any case exceed the sum of \$150 to any one county.

Provided further that any society or association to be entitled to their distributive share of this appropriation shall file annually with the department of agriculture on or before the first day of April of each year, a sworn statement signed by the president or secretary of such association or society showing the amount of cash premiums paid during the year to exhibitors, and the amount to be distributed to such society or association from said fund shall be based and determined upon the amount of cash premiums paid out as hereinbefore provided. Provided further that except as herein provided where there is more than one association in a county, the amount allotted to such county, not exceeding \$150 aforesaid, shall be distributed to the societies in equal amounts.

Sec. 4. SOCIAL SECURITY

Subdivision 1. Minnesota Veterans Home

| | | |
|------------------------------|---------|---------|
| (a) Maintenance and repairs. | 651,946 | 678,503 |
|------------------------------|---------|---------|

Of the amounts appropriated by item (a), including such additional federal funds and dedicated receipts as may be available for maintenance and repair not to exceed \$1,300,410 is for salaries for the year ending June 30, 1976, and \$1,301,710 is for salaries for the year ending June 30, 1977, but may be augmented by such specific sums as are ap-

1976

1977

\$

\$

propriated for salary increases by the 1975 legislature.

Of the amounts appropriated by item (a), no additional classified employees shall be granted beyond the approved roster of 100 classified employees.

Federal aid, compensation, or reimbursement from the federal government or otherwise received by the Minnesota veterans home, and all receipts from maintenance charges are hereby reappropriated to be used for the purpose of supplementing the appropriation herein provided for, however, any income in excess of \$1,402,300 for fiscal year 1976, and \$1,462,300 for fiscal year 1977 shall reduce the general fund appropriation by a like amount.

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

No commissary privileges including food, laundry service, janitorial service, and household supplies shall be furnished to any employees paid from this appropriation.

(b) Repairs and replacements

30,000

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

Subd. 2. Miscellaneous Accounts

(a) Disabled American Veterans

1. For salaries, supplies and

| | 1976 | 1977 |
|--|--------|--------|
| | \$ | \$ |
| expense to be expended as provided by Laws 1941, Chapter 425 | 10,000 | 10,000 |
| (b) Veterans of Foreign Wars | | |
| 1. For carrying out the provisions of Laws 1945, Chapter 455 | 10,500 | 10,500 |
| Sec. 5. EDUCATION, LIBRARIES, MUSEUMS AND RECREATION | | |

Subdivision 1. Minnesota Historical Society

| | | |
|--------------------------|-----------|-----------|
| (a) Grants and Aids..... | 2,325,285 | 2,466,082 |
|--------------------------|-----------|-----------|

The above appropriation includes sufficient funds to pay salary increases authorized January 1, 1975.

From the appropriation made to the Historical Society by this act, employees, with the exception of the director, shall be paid a salary comparable to the salaries paid to state employees in the classified state civil service. The appropriation includes funds to provide for a seven-day-a-week tour program in the capitol and historical buildings. The historical building shall remain open for public use on Saturdays and, if necessary, adjustments in the remainder of the weekday schedule may be effected by the Minnesota historical society. Notwithstanding any other laws to the contrary, the society may purchase fire, wind, hail and vandalism insurance from this appropriation. The amount of funds necessary to meet expenses shall be paid to the society upon certification by the director of the Minnesota historical society of this amount

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

to the commissioner of finance.

Any unexpended balance remaining at the end of the first year shall be returned to the state treasury and credited to the general fund.

Notwithstanding any other law to the contrary the appropriations made in this act shall be subject to the charter of the Minnesota historical society of 1849 and as amended in 1856.

The Minnesota historical society shall report annually by November 15 of each year to the governor, the commissioners of finance and administration, and the appropriate finance committees of the house and senate the amount and purpose for which state funds under this subdivision were expended for each fiscal year of the biennium.

The grant-in-aid appropriation herein provided shall be expended in the manner and under the terms and conditions described by the governing body of the Minnesota historical society.

| | |
|------------------------------|---------|
| (b) Museum Program | 200,000 |
|------------------------------|---------|

The appropriation herein provided shall be expended according to the provisions of Minnesota Statutes 138.035.

| | |
|--|---------|
| (c) Historic Sites Improvement | 150,000 |
|--|---------|

| | |
|--|--------|
| (d) Construction Archaeology | 50,000 |
|--|--------|

| | |
|----------------------------------|--------|
| (c) Contingent Account | 30,000 |
|----------------------------------|--------|

| | |
|----------------------------------|---------|
| (f) Historic Sites Program . . . | 475,000 |
|----------------------------------|---------|

| | 1976 | 1977 |
|---|---------|---------|
| | \$ | \$ |
| (g) Harkin-Massopust Store . | 50,000 | |
| (h) Grand Mound Interpretive Center | 25,000 | |
| These funds shall be available upon completion of construction of the Grand Mound interpretive center. | | |
| Any unexpended balances in subdivision 1 (b), (c), (d), (e), (f), (g), and (h) remaining in the first year shall not cancel but shall be available for the second year of the biennium. | | |
| (i) Minnesota History and Learning Center | 25,000 | 25,000 |
| (j) Regional History Centers . | 60,000 | 60,000 |
| Subd. 2. For maintenance of the Sibley House, to be expended by the Sibley House Association | 15,000 | 15,000 |
| Notwithstanding any other law to the contrary, the amount of \$1,500 is provided each year out of the above appropriation for fire, wind, hail, and vandalism insurance. | | |
| Subd. 3. Minnesota Academy of Science | 16,200 | 16,200 |
| Subd. 4. Minnesota State Arts Council | 500,000 | 500,000 |

Provided that the state arts council shall create 13 local arts development task forces using state economic development region lines as district boundaries. The state arts council shall recognize one task force from each district. Each task force shall meet at least bimonthly and shall act as a clearing house with right of review and recommendation for proposals generated by groups

1976

1977

\$

\$

and individuals within its region. This program shall be for local art development and not for professional touring or special projects.

The state arts council shall be responsible for the administration of the professional touring program. Grants made under the touring program shall be used only for payment of touring costs.

Provided that the state arts council shall develop a comprehensive statewide information and publicity system and that it shall include a progress report on its activities in its annual report to the legislature.

Provided that not less than 55 percent of program moneys shall be expended in regions outside the seven-county metropolitan area.

Provided that none of the state share of grants and subsidies shall be used for matching salary expenditures of any of the various arts councils.

Every publication, program or other graphic material prepared by the Minnesota state arts council or prepared for use by any other organization in connection with an activity funded in whole or part by the council shall bear the legend: "This activity is made possible in part by a grant provided by the Minnesota state legislature and the Congress of the United States."

None of the appropriation for the second year of the biennium shall be expended until the state arts council has first consulted with the committee

1976

1977

\$

\$

on appropriations of the house and the committee on finance of the senate and received its recommendation thereon. Such recommendation shall be advisory only.

Subsidies may be allocated to the major arts organizations, provided that the Minnesota state arts council shall set guidelines and shall be responsible for the disbursement of the following funds. In no event will the subsidy exceed the projected deficit in the year in which it is given. If these guidelines and restrictions are established and met, there is available \$75,000 for fiscal year 1976 and \$125,000 for fiscal year 1977 from the appropriation provided in this subdivision.

Provided that state funding for grants and subsidies may not be expended unless matched by federal funds except for the \$200,000 subsidy appropriation.

Subd. 5. Minnesota Safety Council

47,500

47,500

The moneys appropriated by this act shall be from the trunk highway fund and shall be disbursed by the commissioner of finance on certification of need therefor by the president of the Minnesota safety council. The commissioner of finance shall disburse upon such certification 25 percent of the annual appropriation on the first day of July, October, January, and April of each fiscal year.

Sec. 6. MINNESOTA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

15,000

15,000

Provided that a portion of these funds shall be expended for education of the public relative to the sterilization of domestic pets.

Provided further that a report shall be submitted to the 1976 and 1977 legislature regarding expenditures for public information programs.

| | | |
|--|--------|--------|
| Sec. 7. COUNTY ATTORNEYS COUNCIL | 50,000 | 50,000 |
| Sec. 8. PORT AUTHORITY OF DULUTH | 80,000 | 80,000 |

These amounts are appropriated to the Port Authority of Duluth, organized under Minnesota Statutes, Sections 458.09 to 458.19, and shall be used for the promotion of seaway trade.

The Port Authority of Duluth shall file a report of activities financed by this appropriation with the legislature on or before November 1, 1975, and November 1, 1976.

| | | |
|--|--------|--------|
| Sec. 9. SOUTHERN MINNESOTA RIVERS BASIN COMMISSION | 40,000 | 40,000 |
|--|--------|--------|

Sec. 10. UNEMPLOYMENT COMPENSATION

For 1975 — \$5,586.93

In reimbursement of unemployment compensation benefits paid for former employees of the Minnesota Veterans Home.

Sec. 11. WORKMEN'S COMPENSATION

For 1975—\$17,209.55

To be transferred by the commissioner of finance to the department of labor and industry compensation revolving fund, in payment of obli-

gations incurred by the following agencies in the amounts as indicated:

Historical Society \$11,318.53

Minnesota Veterans

Home 5,891.02

Sec. 12. UNOBLIGATED BALANCES. The unobligated balances on hand as of June 30, 1975, June 30, 1976, and June 30, 1977, in the several appropriations and accounts of each of the departments or divisions for which an appropriation is made herein out of the general fund, are hereby cancelled into the general fund as of June 30, 1975, June 30, 1976, and June 30, 1977, and the unobligated balances on hand as of June 30, 1976, and June 30, 1977, appropriated out of any other funds shall be cancelled into the fund from which they are appropriated as of June 30, 1976, and June 30, 1977. The provisions of this section shall not apply where otherwise indicated in this act or to aid, contributions, or reimbursements received from the federal government by the state, and all such federal aid, contributions, or reimbursements are hereby reappropriated for the purpose of supplementing the appropriations herein provided.

Sec. 13. Any moneys made available to any state department or agency by this act by appropriation, transfer, or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Section 355.50 and 352.04, Subdivision 5."

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

House Conferees: (Signed) A. J. (Tony) Eckstein, James Swanson, Wendell Erickson, John Arlandson.

Senate Conferees: (Signed) Clarence Purfeerst, Gerald Willet, Gene Merriam, William Kirchner, Harmon Ogdahl.

The hour of 12:00 midnight having arrived, Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon Tuesday, January 27, 1976. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate