

ONE HUNDRED SEVENTH DAY

St. Paul, Minnesota, Tuesday, April 6, 1976

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 for the balance of today's proceedings. The following Senators answered to their names:

Anderson	Chmielewski	Hanson, R.	Olhoff	Sillers
Arnold	Coleman	Hughes	Olson, J. L.	Solon
Ashbach	Conzemius	Keefe, S.	O'Neill	Spear
Bang	Davies	Kirchner	Patton	Stokowski
Berg	Doty	Kleinbaum	Perpich, A. J.	Stumpf
Bernhagen	Dunn	Knutson	Pillsbury	Ueland
Blatz	Fitzsimons	Kowalczyk	Purfeerst	Wegener
Borden	Frederick	Larson	Renneke	Willet
Brataas	Gearty	McCutcheon	Schaaf	
Brown	Hansen, Baldy	Milton	Schmitz	
Chenoweth	Hansen, Mel	Moe	Schrom	

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

Prayer was offered by the Chaplain, Rev. Dave Schneider.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Jensen; Perpich, G.; Olson, A. G. and Tennesen were ex-

cused from the Session of today. Messrs. Kleinbaum, McCutcheon, Milton and Stassen were excused from the Session of today from 12:00 o'clock noon until 1:45 o'clock p.m. Mr. Fitzsimons was excused from the Session of today at 4:00 o'clock p.m. Messrs. Chenoweth and Doty were excused from the Session of today at 6:00 o'clock p.m. Mr. Borden was excused from the Session of today from 1:30 o'clock p.m. until 3:30 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 3, 1976

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. 357: An Act relating to the university of Minnesota board of regents; providing for student or recent graduate members; amending Minnesota Statutes 1974, Chapter 137, by adding a section.

S. F. No. 10: An Act relating to certain commercial transactions; amending provisions of the uniform commercial code governing secured transactions and related provisions; amending Minnesota Statutes 1974, Chapter 336, by adding sections; and Sections 336.1-105; 336.1-201; 336.2-107; 336.5-116; 336.9-102; 336.9-103; 336.9-104; 336.9-105; 336.9-106; 336.9-203; 336.9-204; 336.9-205; 336.9-301; 336.9-302; 336.9-304; 336.9-305; 336.9-306; 336.9-307; 336.9-308; 336.9-312; 336.9-313; 336.9-318; 336.9-401; 336.9-402; 336.9-403; 336.9-404; 336.9-405; 336.9-406; 336.9-407; 336.9-501; 336.9-502; 336.9-504; and 336.9-505; repealing Minnesota Statutes 1974, Section 336.9-408.

S. F. No. 161: An Act relating to highway traffic regulations; required equipment on certain vehicles; amending Minnesota Statutes 1974, Section 169.733.

S. F. No. 454: An Act relating to intoxicating liquor; licensing of bottle clubs; amending Minnesota Statutes 1974, Section 340.119, Subdivision 3.

S. F. No. 674: An act relating to administrative procedure; requiring agency estimates of the cost of proposed rules to local public bodies; amending Minnesota Statutes, 1975 Supplement, Section 15.0412, by adding a subdivision.

S. F. No. 1039: An Act relating to certain counties; providing for the approval of plats and surveys by the county surveyor; providing for a fee; amending Minnesota Statutes 1974, Chapter 389, by adding a section.

S. F. No. 1156: An act relating to political subdivisions; authorizing direct loans to cities, counties and towns; amending Minne-

sota Statutes 1974, Chapter 465, by adding a section.

S. F. No. 1262: An Act relating to tax forfeited lands; authorizing the county auditor to grant easements or permits thereon for recreational trails; amending Minnesota Statutes 1974, Section 282.04, Subdivision 4.

S. F. No. 1296: An Act relating to insurance; making more certain which group insurance policies and subscriber contracts are required to provide insurance coverage to employees after termination of employment; extending the period for certain notices to terminated employees; requiring certain group insurance policies to provide for optional conversion to an individual policy after group coverage terminates; amending Minnesota Statutes 1974, Sections 62A.16; and 62A.17, by adding a subdivision; and Minnesota Statutes, 1975 Supplement, Section 62A.17, Subdivision 5.

S. F. No. 1530: An Act relating to game and fish; establishing the expiration date of all game and fish licenses as the last day of February; authorizing the commissioner of natural resources to provide for the issuance of more than one game or fish license to a person during any licensing year; providing for distribution of game and fish licenses on consignment; establishing an issuing fee for such licenses; requiring sub-agents to be bonded; authorizing county auditors to retain a four percent commission on license fees; authorizing the commissioner of natural resources to issue regulations relating to sub-agencies; amending Minnesota Statutes 1974, Sections 98.45, Subdivision 1; and 98.50, Subdivisions 1, 2 and 5, and by adding a subdivision; repealing Minnesota Statutes 1974, Section 98.50, Subdivision 3.

S. F. No. 1575: An Act relating to certain counties; authorizing the expenditure of county and federal revenue sharing funds for certain purposes.

S. F. No. 1792: An Act relating to the registration of title to real estate; fees of the registrar; providing that certain fees be credited to the assurance fund; eliminating the fees for filing the certified copy of the application for registration; amending Minnesota Statutes 1974, Sections 508.75 and 508.82.

S. F. No. 1813: An Act authorizing the conveyance by the state of certain lands located in Roseau county.

S. F. No. 1873: An Act relating to counties; authorizing counties to levy special assessments for county highway improvements within portions of unorganized townships; amending Minnesota Statutes 1974, Section 429.011, Subdivision 2a.

S. F. No. 1874: An Act relating to mortgages; legalizing certain foreclosure sales heretofore made and the records of the mortgage foreclosure proceedings.

S. F. No. 1876: An Act relating to the operation of state government; correcting the nomenclature of or restructuring several boards and committees; limiting the use of advisory groups; standardizing the terms, compensation and removal of members of

committees; abolishing or transferring the functions of several state agencies including the public relief advisory committee, the Minnesota-South Dakota boundary waters commission, the motor vehicle reciprocity commission, the Big Island veterans camp board of directors, the publications advisory board, the Indian education committee, the advisory committee for mentally retarded and cerebral palsied community residential facilities, and the state teletypewriter advisory committee; amending Minnesota Statutes 1974, Sections 3.30, by adding a subdivision; 16.71, Subdivision 1; 17.52; 17.53, Subdivision 5; 17.54, Subdivision 2; 21A.02, Subdivision 5; 21A.03; 29.14, Subdivision 4; 30.463, Subdivision 2; 32B.03, Subdivision 4; 84.01, Subdivision 5; 114.12; 116E.02, Subdivision 1; 116E.03, Subdivision 7, and by adding a subdivision; 121.83; 136A.02, Subdivision 5; 141.24; 168.187, Subdivisions 7, 8, 9, 11, 12, 15, 18, 24 and 25; 178.02, Subdivision 2; 197.13; 197.15; 197.16; 252.28, Subdivision 2; 256.01, Subdivision 6; 326.41; 326.49; 481.01; Chapters 15, 60C, 114, and 252 by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 15.01; 15.012; 15.059, Subdivisions 3 and 4; 84B.11, Subdivision 1; 86A.10, Subdivision 1; 115.71, Subdivision 4; 115.74; 125.183, Subdivision 1; 148.231, Subdivision 2; 149.02; 151.03; 155.05; 198.055, Subdivisions 1 and 2; 326.241, Subdivision 1; 326.33, Subdivision 1; Extra Session Laws 1971, Chapter 31, Article 13, as amended; Laws 1975, Chapter 271, Section 3; repealing Minnesota Statutes 1974, Sections 15.046, as amended; 72B.09; 114.01 to 114.08; 126.023; 168.187, Subdivision 6; 178.02, Subdivision 3; 197.14; 252.29; 362.16; Minnesota Statutes, 1975 Supplement, Sections 86A.10, Subdivisions 3, 4 and 5; 241.023; and 299C.47.

S. F. No. 1920: An Act relating to juvenile courts; requiring written findings of fact for all dispositions of delinquent, dependent, and neglected children; amending Minnesota Statutes 1974, Sections 260.185, Subdivision 1; and 260.191, Subdivision 1.

S. F. No. 1928: An Act relating to the city of Maplewood; paramedic service; authorizing the collection of taxes in excess of the levy limits for purposes of the paramedic program.

S. F. No. 1944: An Act relating to health; providing for a waiver of the certificate of need requirements by the state board of health; amending Minnesota Statutes, 1975 Supplement, Section 145.811; and Minnesota Statutes 1974, Chapter 145, by adding a section.

S. F. No. 1973: An Act relating to courts; time limitations on actions when party is outside the state; amending Minnesota Statutes 1974, Section 541.13.

S. F. No. 1976: An act relating to workmen's compensation; providing for determination of liability and the amount of employer reimbursement in cases of third party liability; amending Minnesota Statutes 1974, Section 176.061, Subdivisions 3 and 6; repealing Minnesota Statutes 1974, Section 176.061, Subdivision 10.

S. F. No. 2033: An Act relating to municipalities; clarifying the application of certain laws to certain municipalities; authorizing certain investments; bidding for certain government insurance contracts; amending Minnesota Statutes 1974, Section 471.616, Subdivision 1; Minnesota Statutes, 1975 Supplement, Section 471.561 and Laws 1976, Chapter 44, Section 19.

S. F. No. 2051: An Act relating to local improvements; council procedure; authorizing percentage payment in advance of completion of improvement on engineer's estimate; amending Minnesota Statutes 1974, Section 429.041, Subdivision 6.

S. F. No. 2077: An act relating to Blue Earth county; authorizing the county of Blue Earth to contract for the completion of the improvement of county ditch No. 27; setting limits for the expenditure of money for the improvement thereof; providing for the financing thereof; amending Laws 1975, Chapter 249, Section 1, Subdivision 1; and Section 2.

S. F. No. 2108: An Act relating to commerce; providing interest rate limits on loans by certain agricultural credit corporations; amending Minnesota Statutes 1974, Chapter 334, by adding a section.

S. F. No. 2130, An act relating to state lands; authorizing conveyance of certain parcels of land in Hennepin county.

S. F. No. 2147, An act relating to intoxicating liquor; permits to sell upon military bases or installations.

S. F. No. 2210: An Act relating to Red River watershed; authorizing watershed districts which are members of the lower Red River watershed management board to levy a tax; authorizing the management board to institute certain projects; allowing the board to enter certain intergovernmental agreements.

S. F. No. 2277: An Act relating to the organization and operation of state government; codifying various provisions formerly contained as riders in appropriation acts; amending Minnesota Statutes 1974, Sections 3.755; 16A.72; 38.02, Subdivision 1, and by adding a subdivision; 121.26; 125.08; 136.06; 136.11, Subdivisions 1 and 2, and by adding subdivisions; 136.13; 136.52, by adding a subdivision; 137.02, by adding a subdivision; 138.01; 144.169, by adding a subdivision; 158.04; 158.05; 158.08; 161.142, Subdivision 6; 161.201; 167.45; 171.26; 173.231; 241.27, by adding a subdivision; 245.61; 245.65, Subdivision 1; 246.02, Subdivisions 2 and 4; 248.07, Subdivision 8; 252.27, Subdivision 1; 254A.08, Subdivision 3; 256.01, Subdivision 8; 256.011; 260.311, Subdivision 5; 299D.03, Subdivision 6; 299D.04; 352B.02, Subdivision 1; Chapters 134, 136, 137, 138, 161, 242, 245, and 246, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 16.02, Subdivision 16; 243.09, Subdivision 3; 252.24, Subdivision 4; 260.251, Subdivision 1a; 268.08, Subdivision 5; repealing Minnesota Statutes 1974, Sections 136.821; 161.241, Subdivision 5; 161.261, Subdivision 3; 167.40; Laws 1969, Chapter 157, Section 2; Laws 1973, Chapter 768, Section 23; and Laws 1975, Chapter 433, Section 20.

S. F. No. 2318: An Act relating to highways; providing for the construction and maintenance of acoustical barriers along the perimeter of certain trunk highways; amending Minnesota Statutes, 1975 Supplement, Section 161.125.

S. F. No. 2373: An Act relating to estates; clarifies aspects of the law concerning administration of estates; harmonizes relevant registered land law with probate code; modifies document verification requirements; changes notice requirements; eliminates de novo appeals from probate court; authorizes the probate court to waive inheritance tax liens in supervised administrations; eliminates notice to attorney general for certain charitable devises; amending Minnesota Statutes 1974, Sections 524.1-310; 524.3-505; 524.3-908; 524.3-1003; 524.3-1007; 524.3-1201; 525.72; amending Minnesota Statutes, 1975 Supplement, Sections 501.79, Subdivision 2; 508.68; 524.1-401; 524.3-301; 524.3-306; 524.3-310; 524.3-403; 524.3-603; 524.3-801; 524.3-803; 524.3-806; 524.3-910; 524.3-1204; 524.4-204; and 525.31.

S. F. No. 1047: An act relating to the organization and operation of state government; providing for membership terms, compensation, removal of members, and filling of membership vacancies of certain state boards, commissions, committees, councils, authorities, the housing finance agency and the tax court.

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

April 5, 1976

I have the honor to inform you that the following enrolled Acts of the 1976 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 1976	Date Filed 1976
357		120	April 2	April 2
	290	121	April 2	April 2
	435	122	April 2	April 2
	718	123	April 2	April 2
	910	124	April 2	April 2
	1199	125	April 2	April 2
	1372	126	April 2	April 2
	1530	127	April 2	April 2
	1751	128	April 2	April 2
	1870	129	April 2	April 2
	2155	130	April 2	April 2
	2157	131	April 2	April 2
	2201	132	April 2	April 2
	2263	133	April 2	April 2
1047		134	April 3	April 3
10		135	April 3	April 3
161		136	April 3	April 3

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1976	Date Filed 1976
454		137	April 3	April 3
674		138	April 3	April 3
1039		139	April 3	April 3
1156		140	April 3	April 3
1262		141	April 3	April 3
1296		142	April 3	April 3
1530		143	April 2	April 3
1575		144	April 3	April 3

Sincerely, Joan Anderson Growe
Secretary of State

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

April 5, 1976

The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1976 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 1976	Date Filed 1976
1792		145	April 3	April 3
1813		146	April 3	April 3
1873		147	April 3	April 3
1874		148	April 3	April 3
1876		149	April 3	April 3
1920		150	April 3	April 3
1928		151	April 3	April 3
1944		152	April 3	April 3
1973		153	April 3	April 3
1976		154	April 3	April 3
2033		155	April 3	April 3
2051		156	April 3	April 3
2077		157	April 3	April 3
2108		158	April 3	April 3
2130		159	April 3	April 3
2147		160	April 3	April 3
2373		161	April 3	April 3
2210		162	April 3	April 3
2277		163	April 3	April 3
2318		164	April 3	April 3
	429	165	April 3	April 3
	525	166	April 2	April 3
	1026	167	April 3	April 3
	1057	168	April 3	April 3

Sincerely, Joan Anderson Growe
Secretary of State

April 5, 1976

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 1976 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 1976	Date Filed 1976
	1075	169	April 2	April 3
	1615	170	April 3	April 3
	2518	171	April 3	April 3
	2683	172	April 3	April 3

Sincerely,

Joan Anderson Growe
Secretary of State

S. F. No. 1615 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1615

A bill for an act relating to natural resources; prohibiting, except in national emergencies, certain activities in the boundary waters canoe area; prohibiting certain activities outside the boundary waters canoe area which cause degradation of a natural resource within the boundary waters canoe area.

April 3, 1976

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. 1615 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. 1615 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [84.523] [MANAGEMENT OF STATE MINERALS AND RELATED RESOURCES IN THE BOUNDARY WATERS CANOE AREA OF THE SUPERIOR NATIONAL FOREST.] Sub-division 1. [DEFINITION.] For the purposes of this section, the term "boundary waters canoe area" means that area of lands and waters in-

cluded within the boundaries designated in federal regulation REG U-3, 36 Code of Federal Regulations 293.16, as that regulation provided on January 1, 1975.

Subd. 2. [LEGISLATIVE FINDINGS AND PURPOSE.] The legislature finds that a combination of state legislative and administrative actions and court decisions have established a public policy of primarily wilderness management for state lands and waters within the boundary waters canoe area. This state policy, together with a similar federal policy and international actions consistent with these state and federal policies, has created an area of hundreds of thousands of acres of land and water containing myriad lakes and streams, wooded shores, virgin forests, and other natural attractions of surpassing scenic beauty and solitude, free from substantially all commercial activities and artificial development such as hydroelectric dams and power lines, resorts, roads, sawmills, and timber harvesting in no-cut zones.

Subd. 3. [MINING, AND USE OF STATE NATURAL RESOURCES FOR MINING, PROHIBITED IN B.W.C.A.] Except with the prior approval of the legislature in those cases of national emergency which have been declared by the Congress and which direct the need for exploration and mining of federal lands within the boundary waters canoe area, and after an investigation and determination by the commissioner of natural resources pursuant to subdivision 5 no state owned or administered land may be leased for exploration or mining of minerals, and no state permits, licenses or leases shall be issued to use any other state natural resources for any mineral exploration or mining operations in the boundary waters canoe area.

Subd. 4. [PEAT HARVESTING PROHIBITED IN BOUNDARY WATERS CANOE AREA.] Except with prior approval of the legislature in those cases of national emergency which have been declared by the Congress and which direct the need for exploitation of peat deposits on federal land within the boundary waters canoe area, and after an investigation and determination by the commissioner of natural resources pursuant to subdivision 5 no state owned or administered land may be leased for the purpose of harvesting peat, and no state permits, licenses or leases shall be issued to use any other state natural resources for the purpose of harvesting peat in the boundary waters canoe area.

Subd. 5. [INVESTIGATION AND DETERMINATION.] In the event of a national emergency declared by Congress which requires, for the protection of national interests, exploitation of natural resources of the type found in the boundary waters canoe area, the commissioner of natural resources shall investigate and determine if there are reasonable alternative methods for providing the needed resources. If the investigation shows there are reasonable alternatives to exploitation of natural resources in the area, no permit for development shall be issued. If the commissioner of natural resources determines there is a need to provide resources from within the boundary waters canoe area, and that there is no reasonable alternative available to meet the need, a permit may be issued upon approval by the state legislature.

Sec. 2. The sum of \$147,000 is appropriated from the general fund to the commissioner of natural resources for salaries, supplies, and expenses related to mineland reclamation, including but not limited to

the following: (1) the completion of development and promulgation of mineland reclamation rules, (2) development of administrative guidelines, procedures, and forms, and (3) development of supply-demand land use evaluations of mining districts for use in analyzing and granting mining permits. The money so appropriated is available for expenditure on the effective date of this act and shall remain available for expenditure until June 30, 1977, notwithstanding the provisions of Minnesota Statutes, Section 16A.28, or any other law relating to the lapse of appropriations to the contrary.

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

Strike the title and insert:

"A bill for an act relating to natural resources; prohibiting, except in national emergencies, the leasing of state minerals and the use of state natural resources in connection with mining in the boundary waters canoe area; for mineland reclamation purposes; appropriating money."

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

Senate Conferees: (Signed) A. J. Perpich, John Milton, Gerald L. Willet

House Conferees: (Signed) Douglas J. Johnson, B. J. Philbrook, John S. Biersdorf

Mr. Perpich, A. J. moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1615 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. 1615: A bill for an act relating to natural resources; prohibiting, except in national emergencies, certain activities in the boundary waters canoe area; prohibiting certain activities outside the boundary waters canoe area which cause degradation of a natural resource within the boundary waters canoe area.

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

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

S. F. No. 1963 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1963

A bill for an act relating to the operation of state government; raising base salaries for certain executive branch employees, judges and judicial branch employees; limiting possible increases for certain executive branch employees; requiring political subdivisions of the state to report certain salaries; providing for a report by the personnel board; extending the open meeting law to the legislature; amending Minnesota Statutes 1974, Sections 15A.081; 15A.083, as amended; 43.062, Subdivision 3; and 43.067; 471.705, Subdivision 1; and Chapter 43, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 15A.081, Subdivision 1; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivisions 1a and 4; 43.066; 43.069; and 487.05.

April 5, 1976

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. 1963 report that we have agreed upon the items in dispute and recommend as follows:

That S. F. No. 1963 be amended as follows:

Strike everything after the enacting clause and insert:

"ARTICLE I

Section 1. [BOARD OF LEGISLATIVE COMPENSATION.] *Subdivision 1. The board of legislative compensation is composed of nine members appointed by the governor.*

Subd. 2. A person registered as a lobbyist under the laws of this state or serving as an employee of the state or a member of the legislature shall not be eligible for appointment as a member of the board. No more than five of the members shall be members of the same political party. The board shall select from among its membership a chairman and other officers as it deems necessary.

Subd. 3. The compensation of board members, the removal of board members and the filling of vacancies shall be as provided for other administrative boards in chapter 15.

Subd. 4. The commissioner of administration shall provide clerical and other personnel, suitable office space, and supplies as necessary for the proper working of the board. With the approval of the commissioner of administration, an employee of a state agency may be transferred temporarily to assist the board in its work. The agency to which the employee is permanently assigned shall pay his salary and be reimbursed from money appropriated to the commissioner of administration for the purposes of the board.

Subd. 5. On or before December 15, 1976, the board shall set and announce the compensation to be paid to members of the legislature. Any salary set by the board shall not be lower than a salary set by statute. Notwithstanding any other law, the compensation may include, in the discretion of the board, per diem payments. The compensation set by the board shall be effective on the first day of the regular legislative session in 1977 and shall remain in effect unless changed by law. The procedures required by chapter 15 in the promulgation of rules shall not be required in the setting of compensation pursuant to this section.

Subd. 6. In conducting its review of compensation, the board shall consider the amount of compensation paid in government service and private industry to employees with similar responsibilities, the amount of compensation needed to attract qualified persons, current economic conditions in the nation and the state, the average length of a legislative session, the amount of work required of individual legislators during legislative sessions and interim periods, and opportunities to earn income from other sources without neglecting required legislative duties. The board shall also consider the extra costs incurred by those legislators who are required to temporarily live in the vicinity of the capitol during a legislative session.

Subd. 7. Unless changed by law, the compensation fixed by the board shall have the full force and effect of law and shall be deemed to modify, supersede, or render inapplicable, as the case may be, all inconsistent provisions of law enacted prior to the date of the report of the board and shall be printed by the revisor of statutes in the session laws for the legislative session immediately following transmittal of the report.

Sec. 2. Minnesota Statutes 1974, Section 3.13, is amended to read:

3.13 [PRESIDENT AND SPEAKER; COMPENSATION.] The president of the senate and , the speaker of the house of representatives and the majority and minority leaders of both houses shall receive, in addition to the amounts specified in section 3.09, the sum of \$5 each per day during any session a term of the legislature unless otherwise provided by the board of legislative compensation .

ARTICLE II

Section 1. Minnesota Statutes, 1975 Supplement, Section 15A.-081, Subdivision 1, is amended to read:

15A.081 [SALARIES AND SALARY RANGES FOR CERTAIN EMPLOYEES.] Subdivision 1. The following salaries or salary ranges are provided for the below listed officers and employees in the executive branch of government:

	Base Salary or Range	
Administration, department of commissioner	\$36,000	\$41,000
deputy commissioner	28,800	34,900

Base Salary or Range

Aeronautics, department of commissioner	20,400	25,000
Agriculture, department of commissioner	22,000	32,000
deputy commissioner	17,600	27,200
Attorney general, office of attorney general	36,500	
deputy attorney general	10,100-31,500	22,500-35,700
Auditor, office of auditor	22,900	
deputy auditor	20,900	23,400
Commerce, department of commissioner of banks	22,000	27,500
commissioner of insurance	22,000	27,500
commissioner of securities	22,000	27,500
Community college system chancellor	27,500	38,000
Corrections, department of commissioner	28,000	33,000
deputy commissioner	22,400	28,100
Corrections board Members, other than chairperson		22,000
Economic development, department of commissioner	22,000	26,000
deputy commissioner	17,600	22,100
Education, department of commissioner	20,800	37,000
deputy commissioner		31,500
Employment services, department of commissioner	23,400	30,000
deputy commissioner		25,500
Energy agency director		30,500
deputy director		26,000
Finance, department of commissioner	35,500	40,000
deputy commissioner	20,400	34,000
Governor, office of governor	41,000	

	Base Salary or Range	
Health, department of commissioner	30,300	36,000
deputy commissioner		30,600
Hearing examiners, office of chief hearing examiner		35,000
Higher education coordinating commission executive director	26,100	32,000
assistant executive director	20,000	
Highways, department of commissioner	33,600	39,000
deputy commissioner		33,200
Housing finance agency executive director		35,000
Human rights, department of commissioner	20,000	25,000
deputy commissioner		21,300
Indian affairs commission executive director	17,500	21,000
Investment, board of executive secretary	35,000	37,500
Iron range resources and rehabilitation board commissioner		25,000
deputy commissioner		21,300
Labor and industry, department of commissioner	26,400	32,000
deputy commissioner	21,100	27,200
workmen's workers' compensation commissioner	22,000	35,000
director, mediation services	21,000	
Lieutenant governor, office of lieutenant governor	30,000	
Liquor control, department of commissioner	19,000	
Mediation services, bureau of director		26,000
Natural resources, department of commissioner	22,300	37,000
deputy commissioner	22,600	31,500

	Base Salary or Range	
Personnel, department of		
commissioner	31,000	37,000
deputy commissioner	24,800	31,500
Planning agency		
director	27,000	33,000
Pollution control agency		
director	24,000	30,000
<i>deputy director</i>		25,500
Public safety, department of		
commissioner	26,900	34,000
deputy commissioner	21,500	28,900
Public service, department of		
commissioner, public service		
commission	22,000	28,000
director	20,700	28,000
Public welfare, department of		
commissioner	33,600	39,000
deputy commissioner	26,900	33,200
Revenue, department of		
commissioner	20,900	36,000
<i>deputy commissioner</i>		30,600
Secretary of state, office of		
secretary of state	25,000	
deputy secretary of state	17,500	22,600
State college university system		
chancellor	32,500	39,000
Treasury, state		
treasurer	25,000	
deputy treasurer	17,500	22,600
Veterans affairs, department of		
commissioner	16,000	26,000
<i>deputy commissioner</i>		22,100

Sec. 2. Minnesota Statutes 1974, Section 43.062, Subdivision 1, is amended to read:

43.062 [SALARY SETTING AUTHORITY.] Subdivision 1. [SALARY LISTING.] The personnel board shall, on or before November 15 of each even numbered year, submit to the commissioner of personnel a listing of salaries for the positions listed in sections 15A.081 and 15A.083 and for members of the legisla-

ture . The board may also recommend adding or deleting of positions from this list.

Sec. 3. Minnesota Statutes 1974, Section 43.062, Subdivision 3, is amended to read:

Subd. 3. [SALARIES.] Except for positions for which salary ranges have been established, the salary listing shall contain a specific salary for each position defined in subdivision 1. ~~For positions for which no salary ranges have been established, the salary listing shall further contain a specific monetary amount or percentage to which an incumbent's salary may be raised to reward achievement as prescribed by section 43.069.~~

~~The board shall determine only a fixed salary for the positions of the constitutional officers, executive secretary of the board of investment, the workmen's compensation commissioner and the commissioner of public service who shall not be eligible for achievement awards as provided by section 43.069.~~

Sec. 4. Minnesota Statutes 1974, Section 43.067, is amended to read:

43.067 [SALARY LIMITS.] *Subdivision 1. [AGENCY HEADS AND DEPUTIES.]* The base salary of the head of any state department in the executive branch shall serve as the upper limit of compensation in his organization ~~unless the personnel board approves an exemption in individual cases the department. Within the department, no person other than the department head shall be paid more than the base salary of the deputy department head if there is a deputy department head. If the deputy department head is paid pursuant to a salary range, no person other than the department head shall be paid more than the highest step in that salary range .~~

Subd. 2. [DISCRETIONARY EXEMPTIONS.] ~~The personnel board may grant exemptions from the provisions of subdivision 1 in the case of an individual employee in the classified civil service, but a salary increase authorized by other law by reason of seniority or cost of living adjustments shall not be sufficient reason to grant an exemption. The board may grant an exemption upon application of the employee's department head, but only if the board determines that the position requires special expertise necessitating a higher salary in order to maintain or attract qualified persons. In no event may a salary exempted pursuant to this subdivision exceed 120 percent of the base salary established in chapter 15A for the employee's department head.~~

Subd. 3. [MEDICAL DOCTORS EXEMPTED.] ~~Salaries of medical doctors who are occupying positions which the commissioner of personnel determines require an M.D. degree and who are paid under the provisions of section 43.126, shall be excluded from the limitation provided in this section.~~

Sec. 5. [TEMPORARY PROVISION.] ~~No incumbent whose salary is prescribed in section 15A.081, or whose salary is limited by section 43.067, shall suffer a decrease in salary as a result of this act. If an incumbent's new salary as prescribed by section 15A.081, is less than the salary he is earning on the day prior to the effective date of this act, the salary for that incumbent, for as long as he holds that position, shall~~

be the salary he is receiving on the day prior to the effective date of this act. This provision shall be effective for a particular incumbent until a vacancy in the position occurs or the salary of the incumbent falls below a newly established statutory limit.

An incumbent whose salary was, prior to the effective date of this act, set pursuant to section 43.126 may, at his discretion, continue to have his salary set pursuant to section 43.126 without reference to sections 15A.081, or 43.067.

An incumbent whose position is not listed in section 15A.081 and whose salary on the effective date of this act is higher than that permitted by section 43.067, shall continue to receive that higher salary for as long as he holds that position, but he shall not be eligible for increases (1) until his salary is no longer higher than that permitted by section 43.067, or (2) unless the personnel board approves an exemption pursuant to section 43.067, subdivision 2.

Article III

Section 1. Minnesota Statutes 1974, Section 15A.081, is amended by adding a subdivision to read:

Subd. 5. [CONSTITUTIONAL OFFICERS.] The following salaries are provided for the constitutional officers of the state:

<i>Governor</i>	<i>\$45,000</i>
<i>Attorney general</i>	<i>42,000</i>
<i>Lieutenant governor</i>	<i>32,000</i>
<i>Auditor</i>	<i>27,500</i>
<i>Secretary of state</i>	<i>26,500</i>
<i>Treasurer</i>	<i>26,500</i>

Article IV

Section 1. Minnesota Statutes 1974, Section 15A.083, as amended by Laws 1975, Chapter 381, Section 1, and Laws 1976, Chapter 2, Section 2, is amended to read:

15A.083 [SALARIES FOR POSITIONS IN THE JUDICIAL BRANCH.] Subdivision 1. **[ELECTIVE JUDICIAL OFFICERS.]** The following salaries shall be paid annually to the enumerated elective judicial officers of the state:

<i>Chief justice of the supreme court</i>	<i>\$40,000</i>	<i>\$45,000</i>
<i>Associate justice of the supreme court</i>	<i>\$36,500</i>	<i>43,000</i>
<i>District judge, and judge of probate court in Ramsey and Hennepin counties</i>	<i>32,000</i>	<i>37,500</i>

~~Each district judge shall receive \$1,500 additional annually from each county in his district having a population of 200,000 or more. When any district judge shall preside upon the trial or hearing of~~

any cause outside of his resident district wherein the district judge receives a larger salary he shall receive an additional compensation during the period of such trial or hearing the difference between his fixed compensation and the compensation of the district judge of the district where he has been so engaged to be paid by the county wherein the trial or hearing was held upon certification of the senior resident district judge thereof.

An amount due from a county under this subdivision shall be paid by the state and forthwith reimbursed by the county.

Subd. 2. [COUNTY COURT AND COUNTY MUNICIPAL JUDGES.] Notwithstanding any other provision of the law, the following annual salaries shall be paid to the enumerated judicial officers:

(1) Judge of a county court, or county municipal court . . . \$35,000.

(1) (2) Notwithstanding any other law to the contrary, the salary paid to a judge of a county court shall also be paid to judges of the probate court of St. Louis county and to judges of the Duluth municipal court.

(2) Judges of the county municipal courts, and county courts in the counties of Hennepin, Ramsey, Washington, Anoka, Scott, Carver and Dakota . . . \$20,000.

(3) If any judge enumerated in this subdivision dies while in office, the amount of his salary remaining unpaid for the month in which his death occurs, shall be paid to his estate.

(4) Judges not learned in the law \$25,000.

(5) The amounts required to pay the salaries in this subdivision are hereby appropriated from the general fund of the state of Minnesota.

Subd. 3. [RANGES FOR OTHER JUDICIAL POSITIONS.] Salaries or salary ranges are provided for the following positions in the judicial branch of government. The appointing authority of positions for which ranges have been provided shall fix individual salaries under the provisions of section 15A.081, subdivision 2.

Public defender	\$24,000-30,000	\$26,400-32,200
Court administrator	25,000-32,000	27,400-34,400
County attorneys		
council executive		
director	18,000-27,500	19,200-28,500

Subd. 4. [TAX COURT.] Salaries of members of the tax court \$10,500 \$12,000.

Sec. 2. [TEMPORARY PROVISION.] Notwithstanding any other provision of this act to the contrary, an increase in compensation provided a district or supreme court judge herein shall not take effect until every judge of the district court and justice of the supreme court who served in the district or supreme court prior to July 1, 1967, submits an executed agreement to the executive director of the Minnesota state retirement system in accord with section 490.106.

Sec. 3. Minnesota Statutes, 1975 Supplement, 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 except that a judge shall not be paid such travel expenses for travel from his place of residence to and from his permanent chambers unless it is more than 75 miles.~~ 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.

Sec. 4. *The chief justice of the supreme court shall appoint an advisory committee on court facilities composed of seven members. The committee shall expire, and the terms, compensation and removal of committee members shall be as provided in section 15.059. The committee shall report to the legislature and the supreme court by November 15 of each even numbered year its findings on the adequacy and long-range needs for court facilities within the state. If appropriate, the report shall also include recommendations for the improvement of the facilities.*

Sec. 5. Minnesota Statutes 1974, Section 487.01, Subdivision 5, is amended to read:

Subd. 5. Each county court district shall elect one county court judge except:

(1) The district consisting of St. Louis county shall elect six judges; two of the county court judges shall reside and serve in and be elected at large by the voters of St. Louis county; two of the county court judges shall reside and serve in and be elected by the voters in that part of St. Louis county south of the following described line: South of the south line of township 55; the area to be known as the south district; one county court judge shall reside and serve in and be elected by the voters of an area to be known as the northwest district, which area lies within the following described lines in St. Louis county: North of the south line of township 55 and west of the west line of range 18 and excluding that part of Portage township west of the west line of range 18; and one county court judge shall reside and serve in and be elected by the voters of an area to be known as the northeast district, which area lies within the following described lines in St. Louis county: North of the south line of township 55 and east of the west line of range 18 and including that part of Portage township west of the west line of range 18.

(2) The district consisting of Dakota county, the district consisting

of Anoka county and the district consisting of Stearns, Sherburne and Benton shall each elect five judges;

(3) The district consisting of Olmsted and Dodge counties, the district consisting of Winona and Wabasha counties and the district consisting of Washington county shall each elect three judges;

(4) The district consisting of Blue Earth county, the district consisting of Clay county, the district consisting of Sibley, Meeker and McLeod counties, the district consisting of Martin, Watonwan and Faribault counties and the district consisting of Pine, Chisago and Isanti counties shall each elect two county court judges.

(5) The number of judges to be elected may be increased by the county board of the affected county or by the concurrence of the county boards of those affected counties combined into districts ; *provided that no new judge positions authorized pursuant to this section may be created without specific statutory authorization .*

Article V

Section 1. Minnesota Statutes 1974, Section 241.045, Subdivision 4, is amended to read:

Subd. 4. [COMPENSATION; EXPENSES.] ~~Each member of the authority other than the chairman shall receive as compensation the sum of \$20,000 per year, payable in the same manner as other employees of the state. Compensation for the chairman of the authority board shall receive as compensation his be his salary as an officer of the department of corrections, which shall not be less than the salary of the other members of the authority board . In addition to the compensation herein provided, Each member of the authority board shall be reimbursed for all expenses paid or incurred by him in the performance of his official duties in the same manner as other employees of the state. This Compensation and these expenses shall be paid out of the general fund in the same manner as the salaries and expenses of other state officers employees are paid, except that the salary and expenses of the chairman of the authority board shall be paid out of funds appropriated to the commissioner of corrections.~~

Sec. 2. Minnesota Statutes 1974, Chapter 8, is amended by adding a section to read:

[8.065] [DEPUTY AND ASSISTANT ATTORNEYS GENERAL; ASSIGNMENTS.] *Notwithstanding any other provision of law, the attorney general may assign all deputy and assistant attorneys general authorized by statutes to such state agencies as he deems necessary to the proper conduct of the legal business of the state.*

Sec. 3. *No public employee or official shall be paid a salary in an amount greater than the salary paid to the governor, nor shall any additional compensation be paid in an amount greater than additional compensation paid the governor. Salary and compensation in effect on the effective date of this act that conflict with this section may continue until their expiration, and no subsequent salary and compensation for that person in that position shall exceed the salary and compensation effective at the expiration unless that salary and compensation cease to be in excess of the salary and*

compensation of the governor. The limitation contained in this section shall not apply to employees of the university of Minnesota, nor shall it apply to medical doctors who the appropriate appointing authority determines are occupying positions requiring an M.D. degree.

Sec. 4. [APPROPRIATION.] *There is appropriated from the general fund to the commissioner of administration the sum of \$10,000 to carry out the purposes of article I.*

Sec. 5. [REPEALERS.] *Minnesota Statutes 1974, Sections 15A.081, Subdivisions 1a and 4; 43.066; 43.069; 487.05; and 526.18 are repealed.*

Sec. 6. [NONSEVERABILITY.] *If article I, section 1, of this act or any part thereof shall be found to be unconstitutional, then articles I and III shall be void, and the salaries specified in article III shall revert to those specified in Minnesota Statutes, 1975 Supplement, Section 15A.081, Subdivision 1.*

Sec. 7. [EFFECTIVE DATE.] *Article I, section 2 is effective the first day of the 1977 legislative session. Article I, section 1; article IV, section 5; and article V, sections 3 and 4, are effective the day after enactment. The remainder of this act is effective with the first pay period beginning on or after July 1, 1976. Article I, section 1, shall expire June 30, 1977."*

Further strike the title and insert:

"A bill for an act relating to the operation of state government; raising salaries for certain executive branch employees, constitutional officers, judges and judicial branch employees; creating a board of compensation to revise salaries for legislators; limiting possible increases for certain executive branch employees; amending Minnesota Statutes 1974, Sections 3.13; 15A.081, by adding a subdivision; 15A.083, as amended; 43.062, Subdivisions 1 and 3; 43.067; 241.045, Subdivision 4; 487.01, Subdivision 5; and Chapter 8, by adding a section; Minnesota Statutes, 1975 Supplement, Sections 15A.081, Subdivision 1; and 484.54; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivisions 1a and 4; 43.066; 43.069; 487.05; and 526.18."

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

Senate Conferees: (Signed) Norbert Arnold, Gene Merriam

House Conferees: (Signed) Harry A. Sieben, Martin O. Sabo, Irvin N. Anderson

Mr. Arnold moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1963 be now adopted, and that the bill be repassed as amended by the Conference Committee.

Mr. Ashbach moved a substitute motion that the Conference Committee Report on S. F. No. 1963 be rejected and that S. F. No. 1963 be returned to the Conference Committee as formerly constituted.

Mr. Arnold requested that the motion be divided. So the motion was divided.

The question being taken on the first portion of the motion of Mr. Ashbach that the Conference Committee Report on S. F. No. 1963 be rejected,

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

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

Those who voted in affirmative were:

Anderson	Chenoweth	Hanson, R.	Merriam	Renneke
Arnold	Chmielewski	Josefson	Moe	Schaaf
Ashbach	Davies	Keefe, J.	Ogdahl	Schrom
Bang	Doty	Kirchner	Olhoft	Sillers
Berg	Dunn	Knutson	Olson, H. D.	Solon
Bernhagen	Fitzsimons	Kowalczyk	Olson, J. L.	Stassen
Blatz	Frederick	Larson	O'Neill	Stumpf
Borden	Gearty	Laufenburger	Patton	Ueland
Brataas	Hansen, Baldy	Lewis	Pillsbury	Wegener
Brown	Hansen, Mel	McCutcheon	Purfeerst	Willet

Those who voted in the negative were:

Coleman	Hughes	Keefe, S.	Perpich, A. J.	Spear
Conzemius	Humphrey	Kleinbaum	Schmitz	Stokowski

The motion prevailed.

Mr. Ashbach withdrew the second portion of his motion.

Mr. Coleman moved that S. F. No. 1963 be returned to the Conference Committee as formerly constituted.

Mr. Arnold moved a substitute motion that S. F. No. 1963 be laid on the table.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 13, and nays 40, as follows:

Those who voted in affirmative were:

Arnold	Chmielewski	Moe	Schaaf	Willet
Borden	Hughes	Olhoft	Schmitz	
Chenoweth	Merriam	Purfeerst	Schrom	

Those who voted in the negative were:

Ashbach	Doty	Josefson	Laufenburger	Pillsbury
Bang	Dunn	Keefe, J.	Lewis	Renneke
Berg	Fitzsimons	Keefe, S.	McCutcheon	Sillers
Bernhagen	Frederick	Kirchner	Olson, H. D.	Spear
Blatz	Gearty	Kleinbaum	Olson, J. L.	Stassen
Coleman	Hansen, Baldy	Knutson	O'Neill	Stokowski
Conzemius	Hansen, Mel	Kowalczyk	Patton	Stumpf
Davies	Humphrey	Larson	Perpich, A. J.	Ueland

The motion did not prevail.

The question recurred on the motion of Mr. Coleman.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Moe	Schmitz
Ashbach	Doty	Kirchner	Ogdahl	Schrom
Bang	Dunn	Kleinbaum	Olhoft	Sillers
Berg	Fitzsimons	Knutson	Olson, H. D.	Solon
Bernhagen	Frederick	Kowalczyk	Olson, J. L.	Spear
Blatz	Gearty	Larson	O'Neill	Stassen
Brataas	Hansen, Mel	Laufenburger	Patton	Stokowski
Brown	Hughes	Lewis	Perpich, A. J.	Stumpf
Chenoweth	Humphrey	McCutcheon	Pillsbury	Ueland
Chmielewski	Josefson	Merriam	Purfeerst	
Coleman	Keefe, J.	Milton	Renneke	

The motion prevailed.

S. F. No. 2581 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2581

A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money for the general administrative expenses of state government and limiting the use thereof; providing for payment of claims against the state; abolishing the state claims commission; amending Minnesota Statutes 1974, Sections 3.732, Subdivisions 1, 2, and 5; 3.751, Subdivision 1; 176.011, Subdivision 9; 192.38; 238.04, by adding a subdivision; 345.48, Subdivision 2; and Chapter 3, by adding a section; Minnesota Statutes, 1975 Supplement, Section 4.19; repealing Minnesota Statutes 1974, Sections 3.66 to 3.7311; 3.735; 3.752; 3.753; 3.76 to 3.83; and 15.315.

April 3, 1976

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. 2581 report that we have agreed upon the items in dispute and recommend as follows:

Strike everything after the enacting clause and insert:

"Section 1. [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 "1976" and "1977" wherever used in this act, shall mean that the

appropriations listed thereunder shall be available for the year ending June 30, 1976, and June 30, 1977, respectively.

APPROPRIATIONS

Available for the Year

Ending June 30,

1976

1977

\$

\$

Sec. 2. LEGISLATURE

To the legislative joint committee for review of administrative rules.

30,000

This appropriation shall not cancel, but shall be available until June 30, 1977.

Sec. 3. CONTINGENT ACCOUNT. .

25,000

This sum is appropriated to the general contingent account for the purposes of sections 37 and 38 of this act dealing with prevailing wage administration.

Sec. 4. MINNESOTA BICENTENNIAL COMMISSION

300,000

No more than 80 percent of this appropriation may be expended in grants to state agencies or political subdivisions as defined in section 15.162, subdivisions 5 and 7. No more than 20 percent of the appropriation may be expended for state-wide bicentennial commission programs. Notwithstanding the provisions of Laws 1975, Chapter 411, the Minnesota American Revolution Bicentennial Commission shall terminate December 1, 1976.

Sec. 5. ATTORNEY GENERAL

Subdivision 1. For moving, remodeling, furnishings, and related costs involved in the consolidation of offices in the highway, veterans service and capitol square buildings

95,000

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 2. Salaries, supplies and expense for defending tort claims against the state

200,000

	1976	1977
	\$	\$
Sec. 6. STATE TREASURER.....	15,000	
For advertising expenses relating to the disposition of unclaimed property.		
Sec. 7. ADMINISTRATION		
Subdivision 1. Utility Services.....	310,250	322,250
These sums shall be added to the amounts appropriated in Laws 1975, Chapter 204, Section 18, Subdivision 1.		
Subd. 2. Statewide licensing system development	113,000	
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.		
Subd. 3. The commissioner of administration is authorized to pay this sum to the National Governor's Conference		3,085
Subd. 4. Interstate Co-op Commission.	5,000	
The sums appropriated in subdivisions 3 and 4 shall be added to the appropriations made in Laws 1975, Chapter 204, Section 18, Subdivision 1.		
Subd. 5. In the event the income from parking lots and facilities under the jurisdiction of the commissioner of administration is inadequate to make the annual payment of \$203,200 in November, 1975 and 1976, as required by Laws 1973, Chapter 778, Section 21, these payments may be wholly or partially deferred. To the extent these payments are deferred, the commissioner shall, from time to time, make additional payments so as to pay to the Minnesota state building account in the state bond fund the total sum of \$4,064,000.		
Subd. 6. Notwithstanding the provisions of any law to the contrary, the commissioner of administration shall sell the state owned property comprising the Orr airport in the manner which will realize the greatest return to the state, if the airport is		

1976

1977

\$

\$

not returned to the community, county or region by December 31, 1976. The sale 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 best 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. 7. North Capitol Area Improvement

800,000

To rehabilitate and redevelop the area north and west of the capitol bounded by Aurora Street, Marion Street, Edmund Avenue, Como Avenue, Park Street, Sherburne Avenue and Rice Street. The commissioner of administration shall consult with and coordinate development activities with the city of St. Paul or the St. Paul housing and redevelopment authority in performing the rehabilitation and redevelopment activities shall be consistent with the Minnesota State Capitol Area North Study as adopted and interpreted by the capitol area architectural and planning board. This appropriation is contingent upon the following events occurring prior to July 1, 1977: (1) the appropriation by the city of St. Paul of an equal or greater amount for the same purposes, and (2) the securing by the city of St. Paul or the St. Paul housing and redevelopment authority of a commitment from a qualified developer to construct housing units in the capitol north study area.

Prior to the expenditure of any moneys from the appropriation in this subdivision, the commissioner

	1976	1977
	\$	\$
of administration shall consult with the chairman of the house appropriations committee and the chairman of the senate finance committee, and the chairmen will make their recommendations thereon. The recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.		
Subd. 8. Acquisition of Mechanic Arts High School	2,000,000	
Notwithstanding any other law to the contrary, the commissioner of administration is authorized to negotiate and proceed with the acquisition of Mechanic Arts High School and adjacent athletic fields owned by the St. Paul School District.		
Notwithstanding the provisions of Minnesota Statutes, Section 117.52, no relocation assistance, services, payments or benefits shall be provided by the commissioner of administration in connection with the acquisition.		
Independent School District No. 625 shall place any money paid to it by the state for acquisition of the Mechanic Arts High School and its adjacent lands in its building construction fund.		
Sec. 8. FINANCE		
Tort Claims		500,000
This appropriation is available to pay tort claims against the state, as approved by the commissioner of finance pursuant to section 33 of this act.		
Sec. 9. PERSONNEL		
Labor Negotiator	13,938	84,476
Notwithstanding the approved complement provisions of Laws 1975, Chapter 204, Section 20, the approved complement shall be 94.		

	1976	1977
	\$	\$

The appropriations made in this section shall be added to the appropriations made in Laws 1975, Chapter 204, Section 20.

Sec. 10. STATE PLANNING AGENCY

Subdivision 1. The state planning agency may during the biennium ending June 30, 1977 conduct training activities for local and regional government officials and the public in general as necessary to the implementation of its functions and responsibilities and may charge fees to the participants necessary to cover the agency costs for the activities. All fees received shall be paid into the state treasury and reappropriated to the state planning agency. The agency shall use these receipts to pay expenses relating to the activities for which the fees are paid.

Subd. 2. LOCAL GOVERNMENT TRAINING	75,000
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The state planning agency may use this appropriation to organize and conduct training seminars for elected and appointed officials of municipalities and political subdivisions.

Subd. 3. Study of local government fiscal problems, debts, and fiscal management	50,000
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This appropriation shall not cancel but shall be available until June 30, 1977.

Sec. 11. INDIAN AFFAIRS BOARD	10,000
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Notwithstanding the approved complement provision of Laws 1975, Chapter 204, Section 27, the approved complement shall be 7.

This sum shall be added to the appropriation for 1976 made in Laws 1975, Chapter 204, Section 27.

Sec. 12. VETERANS AFFAIRS

	1976	1977
	\$	\$
Notwithstanding the provisions of Laws 1976, Chapter 3, Section 4, Subdivision 1, Paragraph (a), the Minnesota veterans home may not expend any income in excess of \$1,472,300 for 1976.		
Sec. 13. PUBLIC SAFETY		
Subdivision 1. Crime Victims Reparation Board	100,000	100,000
These sums shall be added to the amounts appropriated in Laws 1975, Chapter 204, Section 31, Subdivision 8.		
Subd. 2. MINCIS		
Of the amount appropriated to the commissioner of public safety by Laws 1975, Chapter 204, Section 31, Subdivision 2, for fiscal year 1977, \$170,000 is hereby transferred and reappropriated to the same account for fiscal year 1976 to convert computer hardware for the Minnesota crime information system.		
Subd. 3. Fire Services Advisory Council	4,500	
This sum shall be in addition to the amounts appropriated in Laws 1975, Chapter 204, Section 31.		
Sec. 14. COMMERCE		
Hearings costs and employee expenses	102,000	
This appropriation shall be added to the appropriation made in Laws 1975, Chapter 204, Section 32.		
Sec. 15. LABOR AND INDUSTRY		
Subdivision 1. Salaries		92,200
Notwithstanding the approved complement provision of Laws 1975, Chapter 204, Section 41, Subdivision 1, the approved complement shall be 238.		
Subd. 2. Supplies and Expense		6,000
The appropriations made in this sec-		

	1976	1977
	\$	\$
tion shall be added to the appropriations made in Laws 1975, Chapter 204, Section 41.		
Sec. 16. REVENUE		
Subdivision 1. Administrative costs —circuit breaker		400,000
This amount shall be added to the appropriation for 1977 made in Laws 1975, Chapter 437, Article XIV, Section 1.		
Subd. 2. State Board of Assessors . .	28,865	28,865
Sec. 17. AERONAUTICS		
Operations and maintenance of the state owned airport at Orr		10,000
Notwithstanding the provisions of Laws 1975, Chapter 204, Section 45, Subdivision 8, the commissioner may operate the airport until December 31, 1976.		
This appropriation is from the state airport fund.		
Sec. 18. ENERGY		
Subdivision 1. Salaries	7,911	37,517
Notwithstanding the complement provision of Laws 1975, Chapter 204, Section 50, the approved complement of the agency is 30 for 1976 and 31 for 1977.		
Subd. 2. Supplies and Expense . . .	86,100	119,200
The appropriations in this section shall be added to the appropriations in Laws 1975, Chapter 204, Section 50.		
It is the intent of the legislature that environmental impact statements shall not be prepared in conjunction with the certificate of need process defined in Minnesota Statutes 1974, Section 116H 13, and the sums appropriated by this section shall not be expended for environmental reports of any kind.		

	1976	1977
	\$	\$
Sec. 19. NATURAL RESOURCES		
Subdivision 1. Administrative Management—Employee relocation expense		
	43,000	43,000
Of the amounts provided herein, \$14,000 each year is appropriated from the game and fish fund.		
Subd. 2. Field Services Support—real estate taxes		
	75,000	150,000
Of the amounts provided herein, \$18,750 for the first year and \$37,500 in the second year are appropriated from the game and fish fund.		
Subd. 3. Water Resources Management		
a. Hydrologic studies	192,000	183,750
b. Supplies and expense		87,000
Subd. 4. Forest Management—labor service		
	50,000	50,000
Subd. 5. Parks and Recreation Management—labor service		
	50,000	50,000
Subd. 6. Enforcement		

The provisions of the labor agreement negotiated between the state of Minnesota and the Minnesota conservation officers' association and signed by the parties on September 17, 1975, relating to wages and economic fringe benefits are hereby accepted. The commissioners of administration and finance are authorized to make available such moneys as are required to fulfill the state's responsibilities from the moneys appropriated and under the conditions required in Laws 1975, Chapter 204, Section 60.

The appropriations made in subdivisions 1 to 6 shall be added to the appropriations made in Laws 1975, Chapter 204, Section 51, Subdivision 1.

1976

1977

\$

\$

Subd. 7. Of the amount appropriated by Laws 1975, Chapter 204, Section 51 for the program Administrative Management Services for 1976 a sum of not to exceed \$150,000 is transferred and reappropriated for development of a cost distribution and cost accounting system in 1977. The system shall be developed under the direction and control of the commissioner of finance.

Subd. 8. Environmental Impact Statement

Reserve Mining Company Disposal Site

1,300,000

This appropriation shall be added to the appropriation made in Laws 1975, Chapter 204, Section 51, Subdivision 3, and shall be used to repay those appropriations from which moneys have been transferred to continue this activity. The commissioner of finance shall transfer from this account to the department of natural resources general operation and management account the sum of \$975,000, and to the pollution control agency salaries, supplies, and expense account the sum of \$325,000 for the 1976 year.

That portion of the rider in section 51, subdivision 3 which states "should this appropriation prove to be insufficient, the commissioner shall inform the commissioner of administration and request that additional moneys be available from whatever sources are appropriated" is repealed.

Subd. 9. Peat information program.

25,000

75,000

Sec. 20. STATE PLANNING AGENCY

Copper-nickel regional environmental impact study—phase II

1,400,000

This appropriation shall be added to the appropriation made in Laws 1975, Chapter 204, Section 55, Subdivision 7, Paragraph (e).

1976

1977

\$

\$

The requirements of Laws 1975, Chapter 204, Section 55 shall be satisfied by the study undertaken with this appropriation.

Sec. 21. GAME AND FISH APPROPRIATION CONTINGENT

Subdivision 1. There is appropriated the sum of \$2,500,000 from the general fund in the state treasury for the period ending June 30, 1978 as a contingent appropriation for the use and benefit of the game and fish fund in the state treasury. Transfers from the general fund account to maintain a balance in the game and fish fund may be made when authorized by the governor, but no such transfer shall be made until the governor has consulted with the legislative advisory commission and the commission has made its recommendation thereon. The recommendation shall be advisory only. Failure or refusal on the part of the commission to make its recommendation promptly shall be considered a negative recommendation.

Subd. 2. Any moneys transferred from the general fund shall be repaid to the general fund prior to June 30, 1978.

Sec. 22. Subdivision 1. The unencumbered balance of \$205,694.73 remaining in the appropriation made in Laws 1971, Chapter 963, Section 7, Subdivision 1, (1), to relocate computer facilities and install inverter is cancelled to the bond fund.

Subd. 2. The commissioner of finance is directed to transfer from the general fund to the computer services revolving fund the sum of \$205,694.73 to adjust the cost to the computer services revolving fund to the actual cost of relocation of computer facilities.

1976

1977

\$

\$

Sec. 23. PUBLIC WELFARE

Subdivision 1. Notwithstanding the provisions of Laws 1975, Chapter 434, Section 2, the appropriation for centralized disbursement in Laws 1975, Chapter 434, Section 2, Subdivision 2 for 1976 shall not be reduced unless the federal reimbursement is less than \$3,560,000.

Subd. 2. Notwithstanding the provisions of Laws 1975, Chapter 434, Section 2, federal funds budgeted to be earned in the Community Based Residential Services for the Chemically Dependent (subdivision 4) Activity shall be earned by the Day-time Activity Center grant in aid (subdivision 13) activity.

Sec. 24. CORRECTIONS

Notwithstanding any other law to the contrary, the commissioner of finance upon the request of the commissioner of corrections, may for purposes of budgeting and accounting, transfer and combine the amounts appropriated by Laws 1975, Chapter 434, Section 3, Subdivision 11, items a, b, c and d into single bookkeeping accounts. Provided, however, that reports of expenditures shall be available from the amounts expended for items a, b, c and d for each correctional institution.

Sec. 25. BOARD OF DENTISTRY

37,000

This appropriation shall be added to the appropriation made in Laws 1975, Chapter 434, Section 4, Subdivision 8.

Sec. 26. BOARD OF HEALTH

Subdivision 1. Preventive and Personal Health Services

123,344

126,482

Water Conditioners and Installers Licensing

9,631

9,967

	1976	1977
	\$	\$
Plumbers Licensing		
113,713 116,515		
Notwithstanding the approved complement provision of Laws 1975, Chapter 434, Section 5, Subdivision 1, the approved complement shall be 188.5.		
Subd. 2. Health Systems Quality Assurance	79,006	85,296
Mortuary Science		
59,724 65,520		
Hospital Administrators Registration		
19,282 19,776		

Notwithstanding the approved complement provision of Laws 1975, Chapter 434, Section 5, Subdivision 2, the approved complement shall be 58.75.

The appropriations made in subdivisions 1 and 2 shall be added to the appropriations made in Laws 1975, Chapter 434, Section 5.

Subd. 3. Notwithstanding any law to the contrary, the commissioner of finance may, upon the request of the commissioner of health, transfer amounts between appropriations for purposes of reflecting changes in the account structure of the department of health. Any transfer shall be reported to the committee on finance of the senate and the committee on appropriations in the house of representatives.

Sec. 27. Subdivision 1. All moneys appropriated for fiscal year 1977 in Laws 1975, Chapter 433, as shown in the worksheets of the conferees of the Senate and House of Representatives to the University of Minnesota, State University system, Community College System and Department of education for the purpose of providing funding for the use of and communications costs for the Minnesota educational computing consortium (MECC) managed Univac 1110 instructional time sharing system, and which are unencumbered after completion of the system acceptance test period commencing April 15, 1976, shall not be expended except under the conditions of subdivision 3, unless Univac meets the

acceptance test criteria as defined in the contract between MECC and Univac, including the requirements that:

(1) The criteria that the system be available to users for productive operational use an average of 90 percent or more of the principal period of maintenance (have an average effectiveness level of 90 percent) for a period of 30 consecutive days shall include unavailability from failure of hardware, software and Univac related communications capability and compatability and shall provide system security as set forth in the MECC bid specifications and Univac's response thereto. The average effectiveness level shall be the percentage figure determined by dividing the total productive operational use time by the total productive operational use time plus associated down time for all users except for intervals specifically provided for in the MECC/Univac contract.

(2) The MECC Acceptance Test Guide shall be used by MECC as the governing document for acceptance test procedures except that it shall not conflict with or lessen any of the performance requirements of the MECC/Univac contract itself.

(3) The systems acceptance criteria shall require throughput and response time for demand mode processing to be reasonably close to the throughput and response time required in the MECC/Univac contract for real time processing considering the functions being performed. The response time for real time processing as required in the benchmark performance demonstration criteria is four seconds or less.

(4) In the event that any of the terms or provisions in subparts 1, 2 and 3 of this subdivision conflict with the language of the contract, the language of the contract shall prevail.

Provided, however, that if any portion of the successful 30 continuous day performance period occurs after May 28, 1976, Univac shall be required to again successfully perform the acceptance test during the period beginning October 1, 1976 and continuing through December 22, 1976. If the acceptance test is not successfully performed within 90 days of April 15, 1976 or by December 22, 1976, if the second acceptance period is utilized, MECC shall terminate the agreement without further extension. Utilization of the second acceptance test period shall not relieve the contracting parties of any of the contract provisions relating to delivery of required features at the conclusion of the first acceptance period.

Subd. 2. The governor shall, using the procedures of Minnesota Statutes, Section 3.30, obtain the services of a consultant to monitor the contract and acceptance test and shall, again using the procedures of Minnesota Statutes, Section 3.30, determine whether the Univac 1110 has successfully passed the acceptance test. The governor's decision shall be binding on MECC. There is appropriated to the general contingent account the sum of \$100,000 which may be expended to accomplish the purposes of this subdivision.

Subd. 3. In the event that the Univac 1110 fails the acceptance test as defined in subdivision 1, or in the event that Univac removes the 1110 prior to the completion of the test the unencumbered funds may be expended and shall be used to provide back up

computer service to the MECC users. There is appropriated to the general contingent account the sum of \$500,000 which may be expended to provide additional back up service in the event the unencumbered funds are not sufficient.

Sec. 28. [INSERVICE TRAINING FOR RIGHT TO READ PROGRAM STAFF MEMBERS.] *The department of education shall implement an inservice training program for the staff members of the right to read program. The training shall be conducted jointly by the division of instruction and the division of special and compensatory education of the department of education. This section shall expire June 30, 1977.*

Sec. 29. *The higher education coordinating board shall not, prior to March 1, 1977, enforce any provisions of sections 136A.61 to 136A.71 or any rules or regulations promulgated thereunder.*

Sec. 30. Minnesota Statutes 1974, Section 3.732, Subdivision 1, is amended to read:

3.732 [SETTLEMENT OF CLAIMS.] Subdivision 1. As used in this section *and section 33 of this act* the terms defined in this section have the meanings given them.

(1) "State" means each of its departments, boards, commissions, officers in the executive branch financed in whole or in part with moneys appropriated by the legislature and includes but is not limited to the University of Minnesota, state colleges, community colleges, state hospitals, state penal institutions, and other state agencies. It does not include a city, town, county, school district, or other body corporate and politic.

(2) "Employee of the state" means all officers or employees of the state or of any of the aforesaid enumerated agencies thereof, members of the national guard, or persons acting on behalf of such enumerated agencies in an official capacity, temporarily or permanently, with or without compensation, *but does not include an independent contractor.*

(3) "Scope of his office or employment" means that the employee was acting on behalf of the state in the performance of duties or tasks lawfully assigned to him by competent authority.

Sec. 31. Minnesota Statutes 1974, Section 3.732, Subdivision 2, is amended to read:

Subd. 2. The head of each department or agency of the state, or his designee, acting on behalf of the state, shall attempt to determine, adjust and settle, at any time, any claim for money damages of \$500 \$2,500 or less against the state for injury to or loss of property or personal injury or death caused by an act or omission of any employee of the state while acting within the scope of his office or employment, under circumstances where the state, if a private person, would be liable to the claimant. Any such settlement shall be final and conclusive on all officers of the state, except where procured by fraud. The acceptance by the claimant of any such settlement shall be final and conclusive on the claimant and shall constitute a complete release of any claim against the

state and against the employee of the state whose act or omission gave rise to the claim, by reason of the same subject matter.

Sec. 32. Minnesota Statutes 1974, Section 3.732, Subdivision 5, is amended to read:

Subd. 5. Nothing in this section is to be construed as to deny a claimant who is not paid pursuant to the provisions hereof from ~~presenting a claim to the state claims commission or the legislature bringing an action at law in the courts of this state.~~

Sec. 33. Minnesota Statutes 1974, Chapter 3, is amended by adding a section to read:

[3.736] [TORT CLAIMS.] *Subdivision 1. [GENERAL RULE.] The state will pay compensation for injury to or loss of property or personal injury or death caused by an act or omission of any employee of the state while acting within the scope of his office or employment, under circumstances where the state, if a private person, would be liable to the claimant.*

Subd. 2. [PROCEDURE.] Claims of various kinds shall be considered and paid only in accordance with the statutory procedures provided. Where there is no other applicable statute, a claim shall be brought pursuant to this section as a civil action in the courts of the state.

Subd. 3. [EXCLUSIONS.] Without intent to preclude the courts from finding additional cases where the state and its employees should not, in equity and good conscience, pay compensation for personal injuries or property losses, the legislature declares that the state and its employees are not liable for the following losses:

(a) Any loss caused by an act or omission of a state employee exercising due care in the execution of a valid or invalid statute or regulation;

(b) Any loss caused by the performance or failure to perform a discretionary duty, whether or not the discretion is abused;

(c) Any loss in connection with the assessment and collection of taxes;

(d) Any loss caused by snow or ice conditions on any highway or other public place, except when the condition is affirmatively caused by the negligent acts of a state employee;

(e) Any loss caused by wild animals in their natural state;

(f) Any loss other than injury to or loss of property or personal injury or death;

(g) Any loss caused by the condition of unimproved real property owned by the state, which means land that the state has not improved, and appurtenances, fixtures and attachments to land that the state has neither affixed nor improved;

(h) Any loss arising from the construction, operation, or maintenance of the outdoor recreation system, as defined in section

86A.04, or from the clearing of land, removal of refuse, and creation of trails or paths without artificial surfaces, except that the state is liable for conduct that would entitle a trespasser to damages against a private person.

(i) Any loss of benefits or compensation due under a program of public assistance or public welfare, except where state compensation for loss is expressly required by federal law in order for the state to receive federal grants-in-aid;

(j) Any loss based on the failure of any person to meet the standards needed for a license, permit, or other authorization issued by the state or its agents;

(k) Any loss based on the usual care and treatment, or lack of care and treatment, of any person at a state hospital or state corrections facility where reasonable use of available appropriations has been made to provide care;

(l) Any loss, damage, or destruction of property of a patient or inmate of a state institution.

The state will not pay punitive damages.

Subd. 4. [LIMITS.] The total liability of the state and its employees acting within the scope of their employment on any tort claim shall not exceed:

(a) \$100,000 when the claim is one for death by wrongful act or omission and \$100,000 to any claimant in any other case.

(b) \$500,000 for any number of claims arising out of a single occurrence. If the amount awarded to or settled upon multiple claimants exceeds \$500,000, any party may apply to any district court to apportion to each claimant his proper share of the \$500,000. The share apportioned each claimant shall be in the proportion that the ratio of the award or settlement made to him bears to the aggregate awards and settlements for all claims arising out of the occurrence.

The limitation imposed by this subdivision on individual claimants includes damages claimed for loss of services or loss of support arising out of the same tort.

Subd. 5. [NOTICE REQUIRED.] Except as provided in subdivision 6, every person, whether plaintiff, defendant or third party plaintiff or defendant, who claims compensation from the state or a state employee acting within the scope of his employment for or on account of any loss or injury shall present to the attorney general of the state or, in the case of a claim against the university of Minnesota, to the person designated by the regents of the university as the university attorney, and any state employee from whom the claimant will seek compensation, within 180 days after the alleged loss or injury is discovered, a notice stating the time, place and circumstances thereof, the names of any state employee known to be involved, and the amount of compensation or other relief demanded. Actual notice of sufficient facts to reasonably put the state or its insurer on notice of a possible claim complies

with the notice requirements of this section. Failure to state the amount of compensation or other relief demanded does not invalidate the notice, but the claimant shall furnish full information available regarding the nature and extent of the injuries and damages within 15 days after demand by the state. The time for giving the notice does not include the time during which the person injured is incapacitated by the injury from giving the notice.

Subd. 6. [CLAIMS FOR WRONGFUL DEATH; NOTICE.] *When the claim is one for death by wrongful act or omission, the notice may be presented by the personal representative, surviving spouse, or next of kin, or the consular officer of the foreign country of which the deceased was a citizen, within one year after the alleged injury or loss resulting in the death. If the person for whose death the claim is made has presented a notice that would have been sufficient had he lived, an action for wrongful death may be brought without any additional notice.*

Subd. 7. [PAYMENT.] *A state agency, including any entity defined as part of the state in section 3.732, subdivision 1, clause (1), incurring a tort claim judgment or settlement obligation or whose employees acting within the scope of their employment incur the obligation may seek payment from money appropriated for this purpose by submitting a written request to the commissioner of finance. The request shall contain a description of the tort claim precipitating the request, specify the amount of the obligation and be accompanied by copies of judgments, settlement agreements or other documentation relevant to the obligation for which the agency is seeking payment. Upon receipt of the request and review of the claim, the commissioner of finance shall transfer money necessary to pay the obligation to the agency. On January 1 and July 1 of each year, the commissioner of finance shall transmit to the legislature and to the chairmen of the house appropriations and senate finance committees copies of all requests in the preceding six months together with a report on the transfers made with respect to each request. Payment shall be made only upon receipt of a written release by the claimant in a form approved by the attorney general, or the person designated as the university attorney, as the case may be.*

No attachment or execution shall issue against the state.

Subd. 8. [LIABILITY INSURANCE.] *A state agency, including any entity defined as a part of the state in section 3.732, subdivision 1, clause (1), may procure insurance against liability of the agency and its employees for damages resulting from the torts of the agency and its employees. The procurement of this insurance constitutes a waiver of the defense of governmental immunity to the extent of the liability stated in the policy but has no effect on the liability of the agency and its employees beyond the coverage so provided.*

Subd. 9. [INDEMNIFICATION]. *The state shall defend, save harmless, and indemnify any state employee against any tort claim or demand, whether groundless or otherwise, arising out of an alleged act or omission if the employee provides complete disclosure and cooperation in the defense of the claim or demand and if, except for elected*

employees, the employee's appointing authority certifies that the employee was acting within the scope of his employment. This determination may be overruled by the attorney general. This subdivision does not apply in case of malfeasance in office or willful or wanton neglect of duty.

Subd. 10. [JUDGMENT AS BAR.] The judgment in an action under this section is a complete bar to any action by the claimant, by reason of the same subject matter, against the state employee whose act or omission gave rise to the claim.

Subd. 11. [STATUTE OF LIMITATIONS.] The statute of limitations for all tort claims brought against the state shall be as set forth in chapter 541 and other applicable laws.

Sec. 34. Minnesota Statutes 1974, Section 3.751, Subdivision 1, is amended to read:

3.751 [CONTRACT CLAIMS.] Subdivision 1. When a controversy arises out of any contract for work, services, or the delivery of goods entered into by any state agency through established procedure, in respect to which controversy a person to the contract would be entitled to redress against the state, in a court of appropriate jurisdiction, if the state were suable, and when no claim against the state has been filed in the state claims commission or made in a bill pending in the legislature for the same redress against it, the state hereby waives immunity from suit in connection with such controversy and confers jurisdiction on the district court to hear and determine any such controversy in the manner provided for the trial of causes in the district court. Only a party to the contract may bring action against the state. ~~The state does not waive immunity with respect to claims of patients or other inmates of state institutions.~~

Sec. 35. Minnesota Statutes, 1975 Supplement, Section 4.19, is amended to read:

4.19 [CONSULTING CONTRACTS BY STATE AGENCIES OR DEPARTMENTS, FUNCTION OF STATE PLANNING AGENCY.] 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~~ *obtain the approval of* the state planning agency prior to entering into any contract or contracts relating to the same project or study when the aggregate amount is \$15,000 or more. The state planning agency shall advise as to determine whether the information to be obtained through the proposed contract or contracts can be obtained more economically in another way, such as through the services of another state agency or department. *A copy of all proposed contracts shall be furnished to the state planning agency, the senate finance committee and the house appropriations committee. Before a contract is approved or rejected, the state planning agency shall obtain the recommendations of the senate finance committee and the house appropriations committee. The recommendations are advisory only. Failure or refusal to make a recommendation promptly is deemed a negative recommendation.* 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. 36. Minnesota Statutes 1974, Section 176.011, Subdivision 9, is amended to read:

Subd. 9. [EMPLOYEE.] "Employee" means any person who performs services for another for hire; and includes the following:

- (1) an alien;
- (2) a minor;
- (3) a sheriff, deputy sheriff, constable, marshal, policeman, fireman, a county highway engineer, and a peace officer while engaged in the enforcement of peace or in and about the pursuit or capture of any person charged with or suspected of crime;
- (4) a county assessor;
- (5) an elected or appointed official of the state, except members of the state legislature, or of any county, city, town, school district or governmental subdivision therein but an officer of a political subdivision elected or appointed for a regular term of office or to complete the unexpired portion of any such regular term, shall be included only after the governing body of the political subdivision has adopted an ordinance or resolution to that effect;
- (6) an executive officer of a corporation;
- (7) a voluntary uncompensated worker, other than an inmate, rendering services in state institutions under the commissioner of public welfare and state institutions under the commissioner of corrections similar to those of officers and employees of such institutions, and whose services have been accepted or contracted for by the commissioner of public welfare or the commissioner of corrections as authorized by law, shall be employees within the meaning of this subdivision. In the event of injury or death of any such voluntary uncompensated worker, the daily wage of the worker, for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of such injury or death for similar services in institutions where such services are performed by paid employees;
- (8) a voluntary uncompensated worker engaged in peace time in the civil defense program when ordered to training or other duty by the state or any political subdivision thereof, shall be employees. The daily wage of the worker for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of such injury or death for similar services where such services are performed by paid employees;
- (9) a voluntary uncompensated worker participating in a program established by a county welfare board shall be an employee within the meaning of this subdivision. In the event of injury or death of any such voluntary uncompensated worker, the wage of the worker, for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid in the county at the time of such

injury or death for similar services where such services are performed by paid employees working a normal day and week;

(10) a voluntary uncompensated worker accepted by the commissioner of natural resources who is rendering services as a volunteer pursuant to section 85.041 shall be an employee. The daily wage of the worker for the purpose of calculating compensation payable under chapter 176, shall be the usual going wage paid at the time of injury or death for similar services where such services are performed by paid employees - ;

(11) a member of the military forces, as defined in section 190.05, while in "active service" or "on duty" as defined in section 190.05, when the service or duty is ordered by state authority. The daily wage of the member for the purpose of calculating compensation payable under this chapter shall be based on the member's usual earnings in civil life. If there is no evidence of previous occupation or earning, the commission shall consider the member's earnings as a member of the military forces;

In the event it is difficult to determine the daily wage as herein provided, then the commission may determine the wage upon which the compensation is payable.

Sec. 37. Minnesota Statutes, 1975 Supplement, Section 177.43, Subdivision 4, is amended to read:

Subd. 4. The prevailing wage rates, prevailing hours of labor and hourly basic rates of pay for all trades and occupations required in any contemplated project shall be ascertained before the state asks for bids. The ~~department~~ commissioner of labor and industry shall make such investigations as may be necessary to enable ~~it~~ *him* to ascertain such information. The ~~department~~ commissioner shall keep the information posted on the project in at least one conspicuous place for the information of the employees working on the project. *A person aggrieved by a final determination of the commissioner may petition the commissioner for reconsideration of his findings. A person aggrieved by a decision of the commissioner after reconsideration may within 20 days after the decision petition the commissioner for a public hearing in the manner of a contested case under the administrative procedures act, sections 15.0418 to 15.0421.*

Sec. 38. Minnesota Statutes, 1975 Supplement, Section 177.44, Subdivision 4, is amended to read:

Subd. 4. The commissioner of labor and industry shall at least once a year certify the prevailing hours of labor, the prevailing wage rate and the hourly basic rate of pay for all classes of laborers and mechanics referred to in subdivision 3 in each area. The certification shall in addition to the current prevailing hours of labor, the prevailing wage rates and the hourly basic rates of pay include future hours and rates when such hours and rates can be determined for any such classes of laborers and mechanics in any area and shall specifically set forth the effective dates thereof when future hours and rates are certified. If a construction project extends into more than one area there shall be but one standard of hours of labor and wage rates for the entire project. *A person aggrieved by a final determination of the commissioner may*

petition the commissioner for reconsideration of his findings. A person aggrieved by a decision of the commissioner after reconsideration may within 20 days after the decision petition the commissioner for a public hearing in the manner of a contested case under the administrative procedures act, sections 15.0418 to 15.0421. If, in the opinion of the commissioner, a change in the certified prevailing hours of labor, prevailing wage rate and the hourly basic rate of pay for any class of laborers or mechanics in any area is required, the commissioner may at any time certify that change.

Sec. 39. Minnesota Statutes 1974, Section 192.38, is amended to read:

192.38 [ILLNESS, INJURY, OR DEATH OF MEMBER OF MILITARY FORCES; COMPENSATION.] Subdivision 1. **[TEMPORARY EMERGENCY RELIEF.]** *If any officer or enlisted man of the military forces is wounded or otherwise disabled, dies from disease contracted or injuries received, or is killed while in "active service" or "on duty" as defined in Minnesota Statutes 1961, Section 190.05, and acts amendatory thereof, when such service or duty is ordered by state authority, he, or in the case of his death his dependent widow, child, or parent, may be provided with such immediate temporary relief as may be necessary in cases of severe hardship, in amount to be determined by the adjutant general and approved by the governor. All such payments under this subdivision shall be made from appropriations for the maintenance of the state military forces. The adjutant general shall notify the workers' compensation commission of any payments made pursuant to this subdivision and the amount thereof shall be subtracted from any award made by the commission.*

Subd. 2. **[ASSISTANCE TO CLAIMANTS.]** *To the extent information is available to him, the adjutant general shall provide information to a person seeking a benefit from the state or federal government or instituting a claim before a state or federal claims commission arising from loss, damage, or destruction of property or for injury or death incurred or sustained by a member of the military forces. The adjutant general shall notify the workers' compensation commission of any payments made pursuant to federal law, other than the federal social security act or the federal government life insurance program for members of the armed forces, for the same personal injury as the claimant is seeking workers' compensation for, and the amount thereof shall be subtracted from any award made by the commission.*

Sec. 40. Minnesota Statutes 1974, Section 238.04, is amended by adding a subdivision to read:

Subd. 5a. [CABLE COMMUNICATIONS BOARD MEMBERS EXPENSE.] *The chairman and other members of the board shall receive their ordinary and necessary expenses in the same manner and amount as state employees.*

Sec. 41. Minnesota Statutes 1974, Section 345.48, Subdivision 2, is amended to read:

Subd. 2. *Before making any deposit to the credit of the general fund, the state treasurer may deduct: (a) costs incurred in connection with any sale of abandoned property, (b) any costs of mail-*

ing and publication in connection with any abandoned property, and (c) reasonable service charges. *Any amounts so deducted shall be credited to a special account and are appropriated to pay costs required by the state treasurer for administration of this section.*

Sec. 42. [REPEALER.] *Minnesota Statutes 1974, Sections 3.66; 3.67; 3.68; 3.69; 3.70; 3.71; 3.72; 3.7311; 3.735; 3.752; 3.753; 3.76; 3.77; 3.78; 3.79; 3.80; 3.81; 3.82; and 3.83; are repealed.*

Sec. 43. [REPEALER.] *Minnesota Statutes 1974, Section 15.315, is repealed.*

Sec. 44. [REPEALER.] *Minnesota Statutes, 1975 Supplement, Section 299F.55, is repealed.*

Sec. 45. [EFFECTIVE DATES.] *Section 40 is effective January 1, 1976. Section 44 is effective July 1, 1976. Section 43 is effective August 1, 1976. Sections 30 to 34 apply to claims arising from events occurring on and after August 1, 1976. The remainder of this act is effective the day following its final enactment."*

Further, strike the title and insert:

"A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money for the general administrative expenses of state government and limiting the use thereof; providing for payment of claims against the state; abolishing the state claims commission; amending Minnesota Statutes 1974, Sections 3.732, Subdivisions 1, 2, and 5; 3.751, Subdivision 1; 176.011, Subdivision 9; 192.38; 238.04, by adding a subdivision; 345.48, Subdivision 2; and Chapter 3, by adding a section; Minnesota Statutes, 1975 Supplement, Sections 4.19; 177.43, Subdivision 4; and 177.44, Subdivision 4; repealing Minnesota Statutes 1974, Sections 3.66 to 3.7311; 3.735; 3.752; 3.753; 3.76 to 3.83; 15.315; and Minnesota Statutes, 1975 Supplement, Section 299F.55."

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

Senate Conferees: (Signed) Norbert Arnold, Jerald C. Anderson, Jack Davies, Richard W. Fitzsimons, J. A. Josefson

House Conferees: (Signed) Neil S. Haugerud, Phyllis Kahn, Ray W. Faricy, Mary M. Forsythe, Richard J. Parish

Mr. Arnold moved that the foregoing recommendations and Conference Committee Report on S. F. No. 2581 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. 2581: A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money for the general administrative expenses of state government and limiting the use thereof; providing for payment of claims against the state; abolishing the state claims commission; amending Minnesota Statutes 1974, Sections 3.732, Subdivisions 1, 2, and 5; 3.751, Subdivision 1; 176.011, Subdivision 9; 192.38; 238.04, by adding a subdivision; 345.48, Subdivision 2; and Chapter 3, by

adding a section; Minnesota Statutes, 1975 Supplement, Section 4.19; repealing Minnesota Statutes 1974, Sections 3.66 to 3.7311; 3.735; 3.752; 3.753; 3.76 to 3.83; and 15.315.

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, H. D.	Solon
Arnold	Fitzsimons	Kleinbaum	Olson, J. L.	Spear
Bang	Frederick	Knutson	O'Neill	Stassen
Berg	Gearty	Kowalczyk	Patton	Stokowski
Bernhagen	Hansen, Baldy	Laufenburger	Perpich, A. J.	Stumpf
Brataas	Hansen, Mel	Lewis	Pillsbury	Ueland
Brown	Hanson, R.	McCutcheon	Purfeerst	Wegener
Chenoweth	Hughes	Merriam	Renneke	Willet
Chmielewski	Humphrey	Milton	Schaaf	
Davies	Josefson	Moe	Schmitz	
Doty	Keefe, J.	Olhoft	Sillers	

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. 2657, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 2657: A bill for an act relating to natural resources; increasing certain permit and license fees; authorizing the issuance of Minnesota sportsman licenses; appropriating money; amending Minnesota Statutes 1974, Sections 85.05, Subdivision 2; 98.46, Subdivisions 2, 4, 7, 8, 9, 14, 15, 16, 17, as amended, 19, and by adding a subdivision; 101.44; and Chapter 105, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 98.46, Subdivision 5.

House File No. 2657 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted April 5, 1976

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2657

A bill for an act relating to natural resources; increasing certain permit and license fees; authorizing the issuance of Minne-

sota sportsman licenses; appropriating money; amending Minnesota Statutes 1974, Sections 85.05, Subdivision 2; 98.46, Subdivisions 2, 4, 7, 8, 9, 14, 15, 16, 17, as amended, 19, and by adding a subdivision; 101.44; and Chapter 105, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 98.46, Subdivision 5.

April 3, 1976

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. 2657 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. 2657 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 85.05, Subdivision 1, is amended to read:

85.05 [STATE PARK CAMP SITES.] Subdivision 1. [RULES, FEES.] The commissioner is hereby authorized to make rules and regulations for the use of state parks and charge appropriate fees for such uses, as hereinafter specified;

(1) Provide special parking space for automobile or other motor-driven vehicle in any state park or state recreation area;

(2) Provide special parking spurs and camp grounds for automobiles and sites for tent-camping and special auto trailer coach parking spaces for the use of the individual charged for such space according to the daily rates which shall be determined and fixed by the commissioner of natural resources consistent with the type of facility provided for the accommodation of guests in any particular park and with similar facilities offered for tourist camping in the area;

(3) Improve and maintain golf courses already established in state parks, and charge reasonable fees for the use thereof;

(4) May charge a fee for entrance to any pageant grounds which may be created in any state park for the purpose of having historical or other pageants conducted by the commissioner of any other authorized agency.

When deemed necessary by the commissioner, for the purpose of better carrying out any such state park pageants, he may stage such pageants in any municipal park or other lands near or adjoining any state park, and all receipts from such pageants shall be used in the same manner as though the pageants were carried on in a state park;

(5) Provide water, sewer, and electric service to trailer or tent camp sites and charge a reasonable fee therefor.

Any individual age 65 or over who furnishes satisfactory proof of

~~age shall pay on Monday through Thursday one half be exempt from payment of the fees set pursuant to clauses 1 to 4 on Monday through Thursday of each calendar week.~~

Sec. 2. Minnesota Statutes 1974, Section 85.05, Subdivision 2, is amended to read:

Subd. 2. [PERMITS FOR MOTOR VEHICLES.] (a) Except as provided in clauses (b), (c), (d) and (e) of this subdivision, no motor vehicle shall enter or be permitted to enter any state park, state monument, state recreation area or state wayside over 50 acres in area unless it has affixed to its windshield in the lower right corner thereof a permit which is provided for hereinafter. The commissioner of natural resources shall procure permits in such form as he shall prescribe for each calendar year which by appropriate language shall grant permission to use any state park, state monument, state recreation area or state wayside over 50 acres in area. Permits for each calendar year shall be provided and placed on sale before October 1 next preceding, and may be affixed and used on or at any time after said date until the end of the calendar year for which issued, such permits in each category shall be numbered consecutively for each year of issue. A fee of ~~2~~ \$5 shall be charged for each permit issued, except that permits of appropriate special design may be sold individually at ~~\$1~~ \$1.50 covering the use of state parks, state monuments, state recreation areas or state waysides under such conditions as the commissioner may prescribe for a designated period of not more than two days. The fee collected shall be deposited in the state park development account in the state treasury. Such permits shall be issued by such employees of the division of parks and recreation as the commissioner of natural resources may designate in writing and as hereinbefore provided.

(b) The commissioner shall issue without charge an employee's motor vehicle permit to any state employee who, for the purpose of performing official duties, must enter places where park stickers are required. The employee shall display his employee's permit on his motor vehicle in the same manner as state park stickers are displayed. A motor vehicle displaying only an employee's permit may not enter a place where park stickers are required if the vehicle is used for purposes other than those authorized by this clause (b).

(c) The commissioner shall issue without charge a motor vehicle permit to any individual of the age of 65 years or over who furnishes satisfactory proof of age. Such permit or the decal evidencing its issuance shall be valid only when displayed upon the vehicle owned and occupied by the person to whom issued.

(d) No state park permit is necessary for entry of a motor vehicle into a state park, state monument, state recreation area, or state wayside, on one day each calendar year which the commissioner may designate as state park open house day for the purpose of acquainting the public with state parks, monuments, recreation areas, and waysides. The commissioner shall announce the date of state park open house day at least 30 days in advance of the open house.

(e) No state park permit is necessary, nor shall any fee, including a parking fee, be charged, for entry of a motor vehicle into that part of

Fort Snelling state park commonly known as Fort Snelling Memorial Chapel island.

Sec. 3. Minnesota Statutes 1974, Section 85.32, Subdivision 1, is amended to read:

85.32 [CANOE AND BOATING ROUTES.] Subdivision 1. [AREAS MARKED.] The commissioner of natural resources is authorized in cooperation with local units of government and private individuals and groups when feasible to mark canoe and boating routes on the Little Fork, Big Fork, Minnesota, St. Croix, Snake, Mississippi, Red Lake, Cannon, Des Moines, Crow Wing, St. Louis, Rum, Kettle, Cloquet, Root, Zumbro and Crow rivers which have historic and scenic values and to mark appropriately points of interest, portages, camp sites, and all dams, rapids, waterfalls, whirlpools, and other serious hazards which are dangerous to canoe and watercraft travelers.

Sec. 4. Minnesota Statutes 1974, Section 98.45, is amended by adding a subdivision to read:

Subd. 8. Any resident whose age is 65 years or over may purchase a small game license for 50 percent of the fee specified in section 98.46, subdivision 2, plus the surcharge authorized pursuant to section 97.482.

Sec. 5. Minnesota Statutes 1974, Section 98.46, Subdivision 2, is amended to read:

Subd. 2. Fees for the following licenses, to be issued to residents only, shall be:

- (1) To take small game, \$4 \$5 ;
- (2) To take deer or bear, or both, with firearms during the period in which the licensee may take deer, \$7.50 \$10 ;
- (3) To take deer or bear, or both, with bow and arrow during the period in which the licensee may take deer, \$7.50 \$10 ;
- (4) To take fish by angling, \$4 \$5 ;
- (5) Combination husband and wife, to take fish by angling, \$6 \$8 ;
- (6) To take moose, \$100 for an individual or for a party of not to exceed four persons;
- (7) To take bear only, \$5.00 \$7.50 .

Sec. 6. Minnesota Statutes 1974, Section 98.46, is amended by adding a subdivision to read:

Subd. 2a. The commissioner of natural resources may issue Minnesota sportsman licenses. The licenses shall be issued to residents only. The fee for licenses shall be \$17 if the angling license is for one person and \$19 if the angling license is a combination husband and wife license. These fees do not include the surcharge authorized pursuant to section 97.482.

The license shall authorize the licensee to:

- (1) *Take small game;*
- (2) *Take fish by angling;*
- (3) *Take deer or bear with firearms during the period in which the licensee may take deer; or take deer or bear with bow and arrow during the period in which the licensee may take deer.*

Sec. 7. Minnesota Statutes 1974, Section 98.46, Subdivision 4, is amended to read:

Subd. 4. Fees for the following licenses, to be issued to residents only, shall be:

- (1) To trap fur bearing animals, except beaver, \$3 \$5 ;
- (2) To buy or sell raw furs anywhere within the state, \$20 \$50 ;
- (3) To buy or sell raw furs anywhere within the state as authorized in (2) and including the privilege of selling to resident manufacturers or to unlicensed non-residents, representing unlicensed non-residents as a broker or agent, or conducting a fur auction wherein sales are made to unlicensed non-residents or resident manufacturers, \$200 \$400 , provided that no raw furs shall be delivered to any unlicensed non-resident until a registration card disclosing the purchaser's name and place of business, the number and species of fur and the name and place of business of the licensee from whom the purchase is being made has been forwarded by such licensee to the division of game and fish, and provided further that any employee, partner or officer buying or selling at the established place of business only for such licensee may secure a supplemental license for \$10 \$20 ;
- (4) To trap beaver during an open season or by permit when doing damage, \$2.50.

Sec. 8. Minnesota Statutes, 1975 Supplement, Section 98.46, Subdivision 5, as amended by Laws 1976, Chapter 55, Section 4, is amended to read:

Subd. 5. Fees for the following licenses, to be issued to residents only, shall be:

- (1) To spear fish from a dark house, \$3 \$5 ;
- (2) For any fish house or dark house used during the winter fishing season, \$3 for each fish house or dark house not rented or offered for hire, and \$6 \$10 for each fish house or dark house rented or offered for hire. Each such fish house or dark house shall have attached to the outside a metal tag at least two inches in diameter with a 3/16 inch hole in the center, which will be issued with a license. Each metal tag shall be stamped with a number to correspond with the fish house or dark house license and also shall be stamped with the year of issuance. The metal tag shall be attached to the fish house or dark house as designated by commissioner's order;
- (3) To net whitefish, tullibees or herring from inland lakes or international waters, for domestic use only, for each net, \$1 \$3 ;

- (4) To conduct a taxidermist business, ~~\$2~~ \$10 ;
- (5) To maintain fur and game farms, including deer, ~~\$5~~ \$10 ;
- (6) To take mussels or clams, ~~\$5~~ \$25 ;
- (7) To take, transport, purchase and possess for sale unprocessed turtles and tortoises within the state, \$25;
- (8) To prepare dressed game fish shipments for nonresidents as provided by section 97.45, subdivision 6, as amended, \$10;
- (9) Minnow dealer, ~~\$15~~ \$50 plus \$10 for each vehicle;
- (10) Minnow dealer's helper, ~~\$2.50~~ \$5 for each helper. Minnow dealer's helpers' licenses shall be issued to the minnow dealer and are transferable by the dealer at will to his own helpers;
- (11) Exporting minnow dealer, \$200, plus \$10 for one vehicle only. No licenses to transport fathead minnows beyond the boundaries of the state will be issued for 1961 calendar year after the effective date of Laws 1961, Chapter 477, and the number issued prior to the effective date of Laws 1961, Chapter 477 will not be exceeded in subsequent years. The renewal of such existing licenses will be reserved through April 1 of the following year; licenses not so renewed will not be made available until the total number has been reduced to below 35 licenses.

Each vehicle license shall cover a specified vehicle. The serial number, license number, make, and model shall be specified on the license which must be conspicuously posted in the vehicle licensed. No vehicle shall be licensed if the maximum tank capacity exceeds 300 cubic feet, inside measurement, and unless it complies with reasonable regulations adopted pursuant to the provisions of section 101.42, subdivision 5.

The exporting minnow dealer's license and vehicle license are void upon the sale of the business or death of the licensee. Provided, however, a succeeding owner of the business upon meeting the required qualifications will be issued the required licenses upon application and payment therefor. In the event of the death of the licensee the administrator or executor of the estate may purchase such licenses and operate the business until the sale thereof. If there is no estate then the widow or a member of the immediate family, if qualified, will be issued the required licenses upon application and payment therefor.

Sec. 9. Minnesota Statutes 1974, Section 98.46, Subdivision 7, is amended to read:

Subd. 7. Fees for the following licenses to net for commercial purposes in the boundary waters between Wisconsin and Minnesota from Lake St. Croix to the Iowa border, which, except in the case of helpers licenses, shall be issued to residents only, shall be:

- (1) For each gill net not exceeding 500 feet in length, ~~\$2.50~~ \$10 ;
- (2) For each gill net exceeding 500 feet, but not over 1,000 feet, ~~\$5~~ \$20 ;
- (3) For each fyke net or hoop net, ~~\$5~~ \$10 ;

(4) For each bait or turtle net, \$1;

(5) For each set line, ~~\$1.25~~ \$10 for each identification tag to be attached to each set line;

(6) For helper's license, \$5.

Sec. 10. Minnesota Statutes 1974, Section 98.46, Subdivision 8, is amended to read:

Subd. 8. Fees for the following licenses to take rough fish with set lines, or seines, in the Mississippi River from the St. Croix River junction to St. Anthony Falls, to be issued to residents only, shall be:

(1) For a seine not exceeding 500 feet, \$20; for a seine in excess of 500 feet, but not over 1,000 feet, \$30; for each 100 feet of seine or fraction thereof in excess of 1,000 feet, \$2;

(2) For each set line, ~~\$5~~ \$10 ;

(3) For helper's license, \$5.

Sec. 11. Minnesota Statutes 1974, Section 98.46, Subdivision 9, is amended to read:

Subd. 9. A license to take rough fish with one set line, containing not more than ten hooks, in the Minnesota River from Mankato to its junction with the Mississippi River, and in the Mississippi River from St. Anthony Falls to the St. Croix junction, for domestic use, shall be issued to residents only, upon payment of the fee of ~~\$1~~ \$10 .

Sec. 12. Minnesota Statutes 1974, Section 98.46, Subdivision 14, is amended to read:

Subd. 14. Fees for the following licenses, to be issued to nonresidents, shall be:

(1) To take small game and unprotected quadrupeds with firearms and bow and arrows, \$25;

(2) To take deer ; and bear ; ~~or timber wolf, any or all of them,~~ during the period in which the licensee may take deer, and unprotected quadrupeds with firearms and bow and arrows, ~~\$50.25~~ \$60 ;

(3) To take deer ; and bear ; ~~or timber wolf, any or all of them,~~ during the period in which the licensee may take deer, and unprotected quadrupeds with a bow and arrows only, ~~\$10.25~~ \$25 ;

(4) To take bear ~~or timber wolf, or both~~ , \$25.25.

Sec. 13. Minnesota Statutes 1974, Section 98.46, Subdivision 15, is amended to read:

Subd. 15. Fees for the following licenses, to be issued to nonresidents, shall be:

(1) To take fish by angling, ~~\$6.50~~ \$10 ;

(2) A short term individual license to take fish by angling for three consecutive days, \$3 \$5 ;

(3) Combination husband and wife, to take fish by angling, ~~\$10~~ \$15 .

Sec. 14. Minnesota Statutes 1974, Section 98.46, Subdivision 16, is amended to read:

Subd. 16. Fee for the following license, to be issued to non-residents, shall be:

To buy or sell raw furs, ~~\$200~~ \$400 , except that a license shall not be required to buy from those licensed under subdivision 4(3).

Sec. 15. Minnesota Statutes 1974, Section 98.46, Subdivision 17, as amended by Laws 1976, Chapter 55, Section 5, is amended to read:

Subd. 17. Fees for the following licenses, to be issued to either residents or nonresidents, shall be:

(1) To deal in live or engage in the business of preserving minnows; minnow retailer, ~~\$2.50~~ \$5, plus \$10 for each vehicle used to transport minnows.

(2) To raise fish in a private hatchery, ~~\$5~~ \$25 .

(3) To take under state supervision sucker eggs from public waters, for private fish hatchery purposes:

(a) To take not to exceed 100 quarts, ~~\$50~~ \$100 ;

(b) To take in excess of 100 quarts, ~~\$1~~ \$2 per quart for such excess.

Sec. 16. Minnesota Statutes 1974, Section 98.46, Subdivision 19, is amended to read:

Subd. 19. Fees for the following licenses, to be issued to either residents or nonresidents, shall be:

(1) To buy fish from licensed commercial fishermen on Lake Superior:

(a) For the purpose of selling to retailers, \$25;

(b) For the purpose of retail selling only, \$5.

(2) To buy fish from licensed commercial fishermen on Lake of the Woods, Namakan, Sand Point, or Rainy Lake:

(a) Wholesale fish buyer's license, \$100;

(b) Fish buyer's license to ship from one place to another on international waters only, \$10.

(3) To tan or dress raw furs, ~~\$2~~ \$10 ;

(4) Fish peddler's license, to peddle with the use of a motor vehicle, any fish lawfully salable within the state, \$5. It shall be unlawful to misrepresent the species of any fish sold by any licensed fish peddler or his employee. Upon conviction of misrepresentation of the species of fish sold by any fish peddler licensed hereunder or his employee, his license shall be revoked, and such licensee shall not be eligible to obtain a fish peddler's license for the period of one year after said revocation. Misrepresentation shall include the following acts in addition to any other acts constituting misrepresentation in fact: (1) The designation of any fish by any name other than its common name in Minnesota; (2) The

designation of any fish by any other name than its common name in the locality where it was taken if it is not generally known by any common name in Minnesota.

Sec. 17. Minnesota Statutes 1974, Section 101.44, is amended to read:

101.44 [FROGS; SEASON, REGULATION, LICENSES.] Except as otherwise permitted, frogs may not be taken or possessed during the months of April and the first 15 days of May. During the open season, frogs not exceeding six inches in length, measured from tip of nose to tip of hind toes, legs fully extended, may be possessed in any numbers, bought, sold, and transported for angling purposes only. Except as otherwise provided under commissioner's regulations, not to exceed 150 frogs over six inches in length may be possessed in or transported through the state, except by common carrier, and may be possessed in any quantity and sold during the open season. It shall be unlawful to use cloth screens or other similar contrivances in catching frogs, provided, the taking of frogs may be prohibited in such areas of the state and during such periods as the commissioner may by order prescribe. Provided, further, that no person shall be permitted to take or possess frogs unless legally entitled to take fish within the state. The commissioner shall establish regulations dealing with the purchase, possession and transportation of frogs for purposes other than bait. The fee for this license shall be ~~\$26~~ \$50 for resident; ~~\$100~~ \$150 for non-residents. The commissioner may issue licenses to residents to take, possess, transport and sell frogs for purposes other than bait. The license fee shall be \$2.50.

Sec. 18. Minnesota Statutes 1974, Chapter 105, is amended by adding a section to read:

[105.415] [RULES GOVERNING PERMITS.] *Notwithstanding the provision in section 105.41, subdivision 1a, stating that the commissioner of natural resources shall submit to the legislature by January 1, 1975, for its approval proposed rules governing the allocation of waters among potential water users, and notwithstanding the provision in section 105.42, subdivision 1a, stating that the commissioner shall recommend by January 15, 1975, to the legislature a comprehensive law containing standards and criteria governing the issuance and denial of permits under the section, the commissioner shall prior to January 30, 1977, adopt rules containing standards and criteria for the issuance and denial of the permits required by sections 105.41 and 105.42.*

Sec. 19. [APPROPRIATION.] *There is appropriated from the game and fish fund to the commissioner of natural resources the sum of \$300,000 for fiscal year 1977 for deer habitat improvement, providing that a deer hunting season is held.*

Sec. 20. [EFFECTIVE DATES.] *This act is effective as to all big game licenses issued for 1976 and subsequent big game seasons and as to all other licenses and permits, except permits for motor vehicles, for licensing years commencing after December 31, 1976. Sections 1, 2, 3 and 18 are effective the day following final enactment."*

Further, strike the title in its entirety and insert:

"A bill for an act relating to natural resources; exempting senior

citizens from payment of certain camping fees; increasing motor vehicle permit fees; authorizing the designation of the Zumbro river as a canoe and boating route; providing a reduced fee for small game licenses for senior citizens; authorizing the issuance of Minnesota sportsman licenses; requiring the promulgation of rules concerning certain water permits; appropriating money; amending Minnesota Statutes 1974, Sections 85.05, Subdivisions 1 and 2; 85.32, Subdivision 1; 98.45, by adding a subdivision; 98.46, Subdivisions 2, 4, 7, 8, 9, 14, 15, 16, 17, as amended, and 19, and by adding a subdivision; 101.44; and Chapter 105, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 98.46, Subdivision 5, as amended."

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

House Conferees: (Signed) Phyllis Kahn, Bruce F. Vento, Rodney N. Searle

Senate Conferees: (Signed) Roger D. Moe, Gene Merriam, Mel Frederick

Mr. Moe moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2657 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. 2657: A bill for an act relating to natural resources; exempting senior citizens from payment of certain camping fees; increasing motor vehicle permit fees; authorizing the designation of the Zumbro river as a canoe and boating route; providing a reduced fee for small game licenses for senior citizens; authorizing the issuance of Minnesota sportsman licenses; requiring the promulgation of rules concerning certain water permits; appropriating money; amending Minnesota Statutes 1974, Sections 85.05, Subdivisions 1 and 2; 85.32, Subdivision 1; 98.45, by adding a subdivision; 98.46, Subdivisions 2, 4, 7, 8, 9, 14, 15, 16, 17, as amended, and 19, and by adding a subdivision; 101.44; and Chapter 105, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 98.46, Subdivision 5, 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 41 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Moe	Stokowski
Bang	Fitzsimons	Kirchner	Olhoff	Stumpf
Blatz	Frederick	Knutson	O'Neill	Ueland
Brataas	Gearty	Kowalczyk	Perpich, A. J.	Wegener
Brown	Hansen, Baldy	Laufenburger	Purfeerst	Willet
Chmielewski	Hansen, Mel	Lewis	Schaaf	
Coleman	Hughes	McCutcheon	Schmitz	
Conzemius	Humphrey	Merriam	Solon	
Davies	Keefe, J.	Milton	Spear	

Those who voted in the negative were:

Ashbach	Borden	Josefson	Olson, J. L.	Renneke
Berg	Dunn	Ogdahl	Patton	Schrom
Bernhagen	Hanson, R.	Olson, H. D.	Pillsbury	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. 2019, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 2019: A bill for an act relating to controlled substances; scheduling certain substances; amending Minnesota Statutes 1974, Section 152.02, Subdivisions 2, 3, 4, 5, and by adding a subdivision.

House File No. 2019 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 5, 1976

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2019

A bill for an act relating to controlled substances; scheduling certain substances; amending Minnesota Statutes 1974, Section 152.02, Subdivisions 2, 3, 4, 5, and by adding a subdivision.

April 3, 1976

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. 2019 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. 2019 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 152.02, Subdivision 2, is amended to read:

Subd. 2. The following items are listed in Schedule I:

(1) Any of the following substances, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation: Acetylmethadol; Allylprodine; Alphacetylmethadol; Alphameprodine; Alphamethadol; Benzethidine; Betacetylmethadol; Betameprodine; Betamethadol; Beta-prodine; Clonitazene; Dextromoramide; Dextrophan; Diampromide; Diethylambutene; Dimenoxadol; Dimepheptanol; Dimethylambutene; Dioxaphetyl butyrate; Dipipanone; Ethylmethylthiambutene; Etonitazene; Etoxadine; Furethidine; Hydroxypethidine; Ketobemidone;

Levomoramide; Levophenacymorphan; Morpheridine; Noracymethadol; Norlevorphanol; Normethadone; Norpipanone; Phenadoxone; Phenampromide; Phenomorphan; Phenoperidine; Piritramide; Proheptazine; Properidine; Racemoramide; Trimeperidine.

(2) Any of the following opium derivatives, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation: Acetorphine; Acetyldihydrocodeine; Acetylcodeine; Benzylmorphine; Codeine methylbromide; Codeine-N-Oxide; Cyprenorphine; Desomorphine; Dihydromorphine; Etorphine; Heroin; Hydromorphanol; Methyl-desorphine; Methylhydromorphine; Morphine methylbromide; Morphine methylsulfonate; Morphine-N-Oxide; Myrophine; Nicocodeine; Nicomorphine; Normorphine; Pholcodine; Thebacon.

(3) Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation: 3,4-methylenedioxy amphetamine; 4-bromo-2,5-dimethoxyamphetamine; 2,5-dimethoxyamphetamine; 4-methoxyamphetamine; 5-methoxy-3, 4-methylenedioxy amphetamine; Bufotenine; Diethyltryptamine; Dimethyltryptamine; 3,4,5-trimethoxy amphetamine; 4-methyl-2, 5-dimethoxyamphetamine; Ibogaine; Lysergic acid diethylamide; marijuana; Mescaline; N-ethyl-3-piperidyl benzilate; N-methyl-3-piperidyl benzilate; Psilocybin; Psilocyn; Tetrahydrocannabinols 1-[1-(2-thienyl) cyclohexyl] piperidine .

(4) Peyote, providing the listing of peyote as a controlled substance in schedule I does not apply to the nondrug use of peyote in bona fide religious ceremonies of the Native American Church, and members of the Native American Church are exempt from registration. Any person who manufactures peyote for or distributes peyote to the Native American Church, however, is required to obtain federal registration annually and to comply with all other requirements of law.

(5) Unless specifically excepted or unless listed in another schedule, any material compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Mecloqualone

Sec. 2. Minnesota Statutes 1974, Section 152.02, Subdivision 3, is amended to read:

Subd. 3. The following items are listed in Schedule II:

(1) Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(a) Opium and opiate, and any salt, compound, derivative, or prepa-

ration of opium or opiate, including the following: raw opium, opium extracts, opium fluidextracts, powdered opium, granulated opium, tincture of opium, apomorphine, codeine, ethylmorphine, hydrocodone, hydromorphone, metopon, morphine, oxycodone, oxymorphone, thebaine.

(b) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (a), except that these substances shall not include the isoquinoline alkaloids of opium.

(c) Opium poppy and poppy straw.

(d) Coca leaves and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine.

(2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers, unless specifically excepted, or unless listed in another schedule, whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation: Alphaprodine; Anileridine; Bezitramide; Dihydrocodeine; Dihydromorphinone; Diphenoxylate; Fentanyl; Isomethadone; Levomethorphan; Levorphanol; Metazocine; Methadone; Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane; Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic acid; Pethidine; Pethidine - Intermediate - A, 4-cyano-1-methyl-4-phenylpiperidine; Pethidine - Intermediate - B, ethyl-4-phenylpiperidine-4-carboxylate, Pethidine - Intermediate - C, 1-methyl-4-phenylpiperidine-4-carboxylic acid; Phenazocine; Piminodine; Racemethorphan; Racemorphan.

(3) Unless specifically excepted or unless listed in another schedule, any injectable liquid which contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers, material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

(a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;

(b) Methamphetamine, its salts, isomers, and salts of its isomers;

(c) Phenmetrazine and its salts;

(d) Methylphenidate.

(4) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(a) Methaqualone

- (b) *Amobarbital*
- (c) *Secobarbital*
- (d) *Pentobarbital*.

Sec. 3. Minnesota Statutes 1974, Section 152.02, Subdivision 4, is amended to read:

Subd. 4. The following items are listed in Schedule III:

(1) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:

(a) *Amphetamine*, its salts, optical isomers, and salts of its optical isomers;

(b) *Phenmetrazine* and its salts;

(c) Any substance, except an injectable liquid, which contains any quantity of *methamphetamine*, including its salts, isomers, and salts of isomers;

(d) *Methylphenidate* Any material, compound, mixture, or preparation which contains any quantity of *Amphetamine*, its salts, optical isomers, and salts of its optical isomers; *Phenmetrazine* and its salts; *Methamphetamine*, its salts, isomers, and salts of isomers; *Methylphenidate*; and which is required by federal law to be labeled with the symbol prescribed by 21 Code of Federal Regulations Section 1302.03 and in effect on February 1, 1976 designating that the drug is listed as a Schedule III controlled substance under federal law.

(2) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

(a) Any compound, mixture, or preparation containing *amobarbital*, *secobarbital*, *pentobarbital* or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule.

(b) Any suppository dosage form containing *amobarbital*, *secobarbital*, *pentobarbital*, or any salt of any of these drugs and approved by the food and drug administration for marketing only as a suppository.

(c) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules: *Chlorhexadol*; *Glutethimide*; *Lysergic acid*; *Lysergic acid amide*; *Methyprylon*; *Phencyclidine*; *Sulfondiethylmethane*; *Sulfonethylmethane*; *Sulfonmethane*.

(3) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:

- (a) *Benzphetamine*
- (b) *Chlorphentermine*
- (c) *Clortermine*

(d) *Mazindol*

(e) *Phendimetrazine*.

~~(3)~~ (4) *Nalorphine*.

~~(4)~~ (5) Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

(a) Not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium.

(b) Not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(c) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a four-fold or greater quantity of an isoquinoline alkaloid of opium.

(d) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(e) Not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(f) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(g) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(h) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

Sec. 4. Minnesota Statutes 1974, Section 152.02, Subdivision 5, is amended to read:

Subd. 5. The following items are listed in Schedule IV: *Barbital*; *Chloral betaine*; *Chloral hydrate*; *Chlordiazepoxide*; *Clonazepam*; *Clorazepate*; *Diazepam*; *Diethylpropion*; *Ethchlorvynol*; *Ethinamate*; *Fenfluramine*; *Flurazepam*; *Mebutamate*; *Methohexital*; *Meprobamate* except when in combination with the following drugs in the following or lower concentrations: *conjugated estrogens*, 0.4 mg; *tridihexethyl chloride*, 25mg; *pentaerythritol tetranitrate*, 20 mg ; *Methylphenobarbital*; *Oxazepam*; *Paraldehyde*; *Pemoline*; *Petrichloral*; *Phenobarbital* ; and *Phentermine* .

Sec. 5. Minnesota Statutes, 1975 Supplement, Section 151.212, Subdivision 2, is amended to read:

Subd. 2. [CONTROLLED SUBSTANCES.] In addition to the

requirements of subdivision 1, when the use of any drug containing a controlled substance, as defined in chapter 152, *or any other drug determined by the board*, either alone or in conjunction with alcoholic beverages, may impair the ability of the user to operate a motor vehicle, ~~that fact shall~~ *the board shall require by rule that notice* be prominently set forth on the label or container. *Rules promulgated by the board shall specify exemptions from this requirement when there is evidence that the user will not operate a motor vehicle while using the drug.*

Sec. 6. Minnesota Statutes 1974, Section 151.37, Subdivision 5, is amended to read:

Subd. 5. Nothing in this chapter shall prohibit the sale to, or the possession of, a legend drug by registered drug wholesalers, registered manufacturers, registered pharmacies, ~~any local detoxification centers~~, licensed ~~hospital or hospitals~~, bona fide hospitals wherein animals are treated, or licensed pharmacists and licensed practitioners while acting within the course of their practice only."

Further, strike the title and insert:

"A bill for an act relating to controlled substances; scheduling certain substances; authorizing notices on prescription drugs when driving may be impaired; clarifying the prohibition against sale or possession of legend drugs by certain persons; authorizing county detoxification centers to purchase and possess legend drugs; amending Minnesota Statutes 1974, Sections 151.37, Subdivision 5; 152.02, Subdivisions 2, 3, 4, and 5; Minnesota Statutes, 1975 Supplement, Section 151.212, Subdivision 2."

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

House Conferees: (Signed) John T. Clawson, Mary M. Forsythe, Linda L. Berglin

Senate Conferees: (Signed) David D. Schaaf, Jerald C. Anderson, John B. Keefe

Mr. Schaaf moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2019 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. 2019: A bill for an act relating to controlled substances; scheduling certain substances; authorizing notices on prescription drugs when driving may be impaired; clarifying the prohibition against sale or possession of legend drugs by certain persons; authorizing county detoxification centers to purchase and possess legend drugs; amending Minnesota Statutes 1974, Sections 151.37, Subdivision 5; 152.02, Subdivisions 2, 3, 4, and 5; Minnesota Statutes, 1975 Supplement, Section 151.212, 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 48 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	Olhoft	Schrom
Bang	Frederick	Kleinbaum	Olson, H. D.	Sillers
Bernhagen	Gearty	Kowalczyk	Olson, J. L.	Solon
Blatz	Hansen, Baldy	Laufenburger	O'Neill	Spear
Brataas	Hansen, Mel	Lewis	Patton	Stokowski
Chmielewski	Hanson, R.	McCutcheon	Perpich, A. J.	Stumpf
Coleman	Hughes	Merriam	Purfeerst	Ueland
Davies	Josefson	Milton	Renneke	Willet
Doty	Keefe, J.	Moe	Schaaf	
Dunn	Keefe, S.	Ogdahl	Schmitz	

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

MEMBERS EXCUSED

Pursuant to Rule 21, Mr. Olhoft moved that the following members be excused for a Conference Committee on H. F. No. 2233:

Messrs. Olhoft, Chmielewski and Renneke. The motion prevailed.

MOTIONS AND RESOLUTIONS

Mr. Schmitz moved that H. F. No. 2546 be taken from the table. The motion prevailed.

H. F. No. 2546: A bill for an act relating to taxation; providing for certain limitations on real property valuation; amending Minnesota Statutes, 1975 Supplement, Sections 273.11, Subdivision 2 and 273.17, Subdivision 1; repealing Minnesota Statutes 1974, Section 273.11, Subdivision 4.

Mr. Coleman for Mr. Olson, A. G., moved to amend H. F. No. 2546 as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 273.11, Subdivision 1, is amended to read:

273.11 [VALUATION OF PROPERTY.] Subdivision 1. ~~Except as provided in 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. 2. Minnesota Statutes, 1975 Supplement, Section 273.17, Subdivision 1, is amended to read:

273.17 [ASSESSMENT OF REAL PROPERTY.] Subdivision 1. In every 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, and all buildings or other structures of any kind, whether completed or in process of construction, of over \$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 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, and other parcels of land when the use of the land requires a change in classification or the land has been incorrectly classified in a previous 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 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. 3. [REPEALER.] *Minnesota Statutes 1974, Section 273.11, Subdivision 4; Minnesota Statutes, 1975 Supplement, Section 273.11, Subdivisions 2 and 5, are repealed.*

Sec. 4. [EFFECTIVE DATE.] *Sections 1 to 3 are effective for taxes levied in 1977 and subsequent years, payable in 1978 and subsequent years."*

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

A bill for an act relating to taxation; repealing limitations on the assessment of certain real property; amending Minnesota Statutes, 1975 Supplement, Sections 273.11, Subdivision 1; and 273.17, Subdivision 1; repealing Minnesota Statutes 1974, Section 273.11, Subdivision 4; and Minnesota Statutes, 1975 Supplement, Section 273.11, Subdivisions 2 and 5.

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 22 and nays 26, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Kirchner	O'Neill	Stumpf
Bang	Dunn	Larson	Patton	Ueland
Blatz	Frederick	McCutcheon	Pillsbury	
Brataas	Hansen, Baldy	Merriam	Sillers	
Brown	Hansen, Mel	Ogdahl	Stassen	

Those who voted in the negative were:

Berg	Hanson, R.	Kleinbaum	Olson, J. L.	Stokowski
Bernhagen	Hughes	Knutson	Perpich, A. J.	Willet
Borden	Humphrey	Laufenburger	Schmitz	
Conzemius	Josefson	Lewis	Schrom	
Doty	Keefe, J.	Milton	Solon	
Gearty	Keefe, S.	Olson, H. D.	Spear	

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

H. F. No. 2546 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 7, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Milton	Schmitz
Bang	Doty	Keefe, J.	Moe	Schrom
Berg	Dunn	Keefe, S.	Olson, H. D.	Solon
Bernhagen	Frederick	Kleinbaum	Olson, J. L.	Spear
Borden	Gearty	Knutson	O'Neill	Stassen
Brataas	Hanson, R.	Kowalczyk	Patton	Stokowski
Brown	Hughes	Laufenburger	Perpich, A. J.	Ueland
Coleman	Humphrey	Lewis	Purfeerst	Willet

Those who voted in the negative were:

Blatz	Larson	Merriam	Pillsbury	Stumpf
Hansen, Mel	McCutcheon			

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that H. F. No. 2144, No. 5 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 11:55 o'clock a.m. The motion prevailed.

The hour of 11:55 o'clock a.m. having arrived, the President called the Senate to order.

Mr. Laufenburger moved that the rules of the Senate be so far suspended as to allow reconsideration of the vote whereby the Fredrick amendment to H. F. No. 2144 was adopted by the Senate March 31, 1976.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 25 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kleinbaum	Moe	Schmitz
Arnold	Gearty	Larson	Olhoff	Schrom
Borden	Hughes	Laufenburger	Olson, H. D.	Solon
Coleman	Humphrey	Lewis	Perpich, A. J.	Wegener
Conzemius	Keefe, S.	Milton	Purfeerst	Willet

Those who voted in the negative were:

Ashbach	Chenoweth	Keefe, J.	O'Neill	Stassen
Bang	Dunn	Kirchner	Patton	Stumpf
Berg	Fitzsimons	Knutson	Pillsbury	Ueland
Bernhagen	Frederick	Kowalczyk	Renneke	
Blatz	Hansen, Mel	Merriam	Schaaf	
Brataas	Hanson, R.	Ogdahl	Sillers	
Brown	Josefson	Olson, J. L.	Spears	

The motion did not prevail.

H. F. No. 2144 was then progressed.

RECESS

Mr. Coleman moved that the Senate do now recess until 2:45 o'clock p.m. The motion prevailed.

The hour of 2:45 o'clock p.m. having arrived, the President called the Senate to order.

Without objection, the Senate reverted to the Order of Business of Messages From the House and Reports of Committees.

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 Senate File No. 2581, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 2581: A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money for the general administrative expenses of state government and limiting the use thereof; providing for payment of claims against the state; abolishing the state claims commission; amending Minnesota Statutes 1974, Sections 3.732, Subdivisions 1, 2, and 5; 3.751, Subdivision 1; 176.011, Subdivision 9; 192.38; 238.04, by adding a subdivision; 345.48, Subdivision 2; and Chapter 3, by adding a section; Minnesota Statutes, 1975 Supplement, Section 4.19; repealing Minnesota Statutes 1974, Sections 3.66 to 3.7311; 3.735; 3.752; 3.753; 3.76 to 3.83; and 15.315.

Senate File No. 2581 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 1976

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned:

S. F. No. 2313: A bill for an act relating to commitment and discharge of inebriate persons; limiting length of commitment for inebriates; amending Minnesota Statutes 1974, Section 253A.07, Subdivision 25; Minnesota Statutes, 1975 Supplement, Sections 254A.07, Subdivision 17; and 253A.15, Subdivision 1.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 1976

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. 2082: A bill for an act relating to taxation; providing for payments from the taconite municipal aid account to certain cities and towns; amending Minnesota Statutes 1974, Section 298.282, Subdivision 2, and by adding a subdivision.

Senate File No. 2082 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 1976

CONCURRENCE AND REPASSAGE

Mr. Perpich, A. J. moved that the Senate concur in the amendments by the House to S. F. No. 2082 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2082 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Moe	Renneke
Arnold	Fitzsimons	Kirchner	Olhoft	Schmitz
Bang	Frederick	Kleinbaum	Olson, H. D.	Schrom
Berg	Gearty	Kowalczyk	Olson, J. L.	Solon
Brown	Hansen, Baldy	Larson	O'Neill	Spear
Chmielewski	Hansen, Mel	Laufenburger	Patton	Stumpf
Coleman	Hanson, R.	Lewis	Perpich, A. J.	Ueland
Conzemius	Hughes	Merriam	Pillsbury	Wegener
Doty	Humphrey	Milton	Purfeerst	Willet

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 633: A bill for an act relating to taxation; inheritance and gift taxes; amending Minnesota Statutes 1974, Sections 291.03; 291.05; 292.05, Subdivision 1; and 292.07, Subdivisions 3 and 5.

Senate File No. 633 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 1976

CONCURRENCE AND REPASSAGE

Mr. Purfeerst moved that the Senate concur in the amendments by the House to S. F. No. 633 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 633: A bill for an act relating to taxation; increasing inheritance tax exemptions; providing that the same inheritance rates and exemptions apply to widow and widower; increasing the maintenance deduction; providing for the payment of the inheritance tax in installments over five years; providing an undue hardship deferral; amending Minnesota Statutes 1974, Sections 291.03; 291.05; 291.10; 291.11, Subdivision 1; 291.14, Subdivision 2; 291.20, Subdivisions 1 and 4; and Chapter 291, by adding a section; and Minnesota Statutes, 1975 Supplement, Sections 291.131, Subdivision 6; 291.132; and 291.14, Subdivision 4.

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

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

And the roll being called, there were yeas 50 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Moe	Schrom
Arnold	Dunn	Keefe, S.	Olhoff	Sillers
Bang	Fitzsimons	Kirchner	Olson, H. D.	Solon
Berg	Frederick	Kleinbaum	Olson, J. L.	Spear
Bernhagen	Gearty	Knutson	Patton	Stassen
Brataas	Hansen, Baldy	Kowalczyk	Perpich, A. J.	Stokowski
Brown	Hansen, Mel	Larson	Pillsbury	Stumpf
Chenoweth	Hanson, R.	Laufenburger	Purfeerst	Ueland
Coleman	Humphrey	Lewis	Renneke	Wegener
Conzemius	Josefson	Milton	Schmitz	Willet

Messrs. McCutcheon and Merriam voted in the negative.

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

REPORTS OF COMMITTEES

Mr. Coleman from the Committee on Rules and Administration, pursuant to the second paragraph of Rule 40 and on request of Mr. Perpich, A. J., first author of S. F. No. 387, companion file to H. F. No. 980, recommends that H. F. No. 980 be withdrawn from the Committee on Taxes and Tax Laws and be placed on General Orders.

Mr. Coleman moved the adoption of the foregoing committee report. The motion prevailed.

SUSPENSION OF RULES

Mr. Chenoweth moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee Report on S. F. No. 1644. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

S. F. No. 1644 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1644

A bill for an act relating to public welfare; establishing a senior companion program; appropriating funds.

April 6, 1976

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. 1644 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the House amendments except that on page 3, line 6, "\$250,000" be deleted and "\$100,000" be inserted in lieu thereof

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

Senate Conferees: (Signed) John C. Chenoweth, Roger D. Moe, Howard A. Knutson

House Conferees: (Signed) Randy C. Kelly, Donald B. Samuelson, Mary M. Forsythe

Mr. Chenoweth moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1644 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. 1644: A bill for an act relating to public welfare; establishing a senior companion program; appropriating funds.

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	Keefe, S.	Olhoft	Solon
Arnold	Dunn	Kirchner	Olson, J. L.	Spear
Ashbach	Fitzsimons	Kleinbaum	O'Neill	Stassen
Bang	Frederick	Knutson	Patton	Stokowski
Berg	Gearly	Kowalczyk	Perpich, A. J.	Stumpf
Bernhagen	Hansen, Baldy	Larson	Pillsbury	Ueland
Brataas	Hansen, Mel	Laufenburger	Purfeerst	Wegener
Brown	Hanson, R.	Lewis	Renneke	Willet
Chenoweth	Hughes	McCutcheon	Schaaf	
Chmielewski	Humphrey	Merriam	Schmitz	
Coleman	Josefson	Milton	Schrom	
Conzemius	Keefe, J.	Moe	Sillers	

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

SUSPENSION OF RULES

Mr. Chenoweth moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee Report on S. F. No. 2014. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

S. F. No. 2014 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2014

A bill for an act relating to retirement; increasing certain benefits and annuities; appropriating money.

April 6, 1976

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. 2014 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. 2014 be further amended as follows:

Page 1, line 19, after "fund;" insert "January 1, 1970, with respect to the St. Paul teachers retirement fund; July 1, 1971, with respect to the Duluth teachers retirement fund;"

Page 2, line 1, before the semicolon insert "of a covered fund"

Page 2, line 4, before the period insert "of a covered fund"

Page 2, line 22, delete "or"

Page 2, line 23, delete the period and insert a semicolon

Page 2, after line 23, insert:

"(8) the St. Paul teachers retirement fund; or

(9) the Duluth teachers retirement fund."

Page 2, line 31, delete "payment" and insert "accruing"

Page 3, line 5, delete "\$500" and insert "\$300"

Page 3, line 6, after the period insert "Provided further, that no plan participant who is less than 70 years of age and is receiving a permanent disability benefit or a retirement annuity from the St. Paul teachers retirement fund shall be entitled to an increase in the benefit or annuity pursuant to this act until the plan participant attains the age of 70 years."

Page 4, line 9, delete "payment" and insert "accruing"

Page 4, line 17, delete "\$500 per month." and insert "\$300 per month."

Page 5, line 9, delete "\$19,852,833" and insert "\$21,207,456"

Page 5, line 12, delete "\$210,075" and insert "\$237,356"

Page 5, line 14, delete "\$361,079" and insert "\$359,302"

Page 5, line 15, delete "\$8,668,120" and insert "\$8,668,197"

Page 5, line 28, delete the period and insert a semicolon

Page 5, after line 28, insert

"(9) To the St. Paul teachers retirement fund association \$942,137;

(10) To the Duluth teachers retirement fund association \$386,905."

Page 6, line 13, after the period insert "Provided however, that with

respect to any plan participant who is less than 70 years of age and is receiving a permanent disability benefit or retirement annuity from the St. Paul teachers retirement fund, the increase in such benefit or annuity pursuant to this act shall commence when the plan participant attains the age of 70 years and shall not include retroactivity."

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

Senate Conferees: (Signed) John C. Chenoweth, Harmon T. Ogdahl, Eugene E. Stokowski

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

Mr. Chenoweth moved that the foregoing recommendations and Conference Committee Report on S. F. No. 2014 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. 2014: A bill for an act relating to retirement; increasing certain benefits and annuities; appropriating money.

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	Doty	Keefe, J.	Milton	Schaaf
Arnold	Dunn	Keefe, S.	Moe	Schmitz
Bang	Fitzsimons	Kirchner	Ogdahl	Schrom
Berg	Frederick	Kleinbaum	Olhoft	Sillers
Bernhagen	Gearty	Knutson	Olson, J. L.	Solon
Brataas	Hansen, Baldy	Kowaczuk	O'Neill	Spear
Brown	Hansen, Mel	Larson	Patton	Stumpf
Chenoweth	Hanson, R.	Laufenburger	Perpich, A. J.	Ueland
Chmielewski	Hughes	Lewis	Pillsbury	Wegener
Coleman	Humphrey	McCutcheon	Purfeerst	Willet
Conzemius	Josefson	Merriam	Renneke	

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

MOTIONS AND RESOLUTIONS—CONTINUED

SUSPENSION OF RULES

Mr. Wegener moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee Report on S. F. No. 1800.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 25 and nays 26, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	Olson, H. D.	Spear
Arnold	Doty	Lewis	Perpich, A. J.	Stassen
Chenoweth	Gearty	Merriam	Purfeerst	Stumpf
Chmielewski	Hughes	Moe	Schmitz	Wegener
Coleman	Humphrey	Olthoff	Solon	Willet

Those who voted in the negative were:

Ashbach	Dunn	Keefe, J.	Olson, J. L.	Sillers
Bang	Fitzsimons	Kirchner	O'Neill	Ueland
Berg	Hansen, Baldy	Kleinbaum	Patton	
Bernhagen	Hansen, Mel	Knutson	Pillsbury	
Brataas	Hanson, R.	Kowalczyk	Renneke	
Brown	Josefson	Larson	Schrom	

The motion did not prevail.

S. F. No. 855 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 855

A bill for an act relating to metropolitan government; authorizing council regulations establishing standards and guidelines for determining matters of metropolitan significance to be adopted without specific legislative approval; providing for a joint committee to study governmental structure; amending Laws 1975, Chapter 13, Section 18, Subdivision 2.

April 5, 1976

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. 855 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. 855, be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [COMMITTEE TO STUDY GOVERNMENTAL STRUCTURE.] *A joint committee, consisting of members of the house local and urban affairs committee, the senate metropolitan and urban affairs committee, and the governmental operations committees of house and senate, is established to study governmental structure in the seven county metropolitan area.*

The study shall include responsibility of city and county government, and the role and function of these units of government in relation to the metropolitan council.

The joint committee shall make a report to the 1977 session of the legislature.

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 473.173, is amended to read:

473.173 [COUNCIL REVIEW; METROPOLITAN SIGNIFICANCE.] Subdivision 1. The council shall review all proposed matters of metropolitan significance to be undertaken by any private organization, independent commission, board or agency, local governmental unit, or any state agency in accordance with the regulations adopted pursuant to this section and the provisions of any other relevant statute.

Subd. 2. ~~Within 12 months following April 12, 1974 By September 1, 1976~~, the council shall adopt ~~and put into effect~~ regulations ~~pursuant to the administrative procedures act, chapter 15, establishing standards and~~, guidelines ~~and procedures~~ for determining whether any proposed matter is of metropolitan significance, and establishing a procedure for the review of all proposed matters required to be considered and reviewed by the council and final determination on such matters in accordance with the powers and requirements set forth in this section. ~~These regulations shall take effect on July 1, 1975.~~ The purpose of these regulations shall be to promote the orderly and economic development, public and private, of the metropolitan area. ~~The metropolitan council shall submit the regulations adopted pursuant to this section to the session of the legislature in 1975 for approval. The council shall establish an advisory committee, consisting of elected officials of local governmental units and representing all council districts equally, to provide advice and make recommendations in the preparation of those regulations and may thereafter review and make recommendations to the council concerning the metropolitan significance of any proposed matter considered by the council. The regulations adopted shall provide for a public hearing prior to the determination that an action is of metropolitan significance.~~

Subd. 3. In developing the above regulations establishing standards and guidelines for determining metropolitan significance the council and the advisory metropolitan land use committee, as defined in Laws 1976, Chapter 127, Section 2, shall give consideration to all factors deemed relevant ~~to that determination~~ including but not limited to the following:

(1) The impact a proposed matter will have on the orderly, economic development, public and private, of the metropolitan area and its consistency with the metropolitan development guide;

(2) The relationship a proposed matter will have to the policy statement goals, standards, programs and other applicable provisions of the development guide;

(3) The impact a proposed matter will have on policy plans adopted by the council and on the development programs and functions performed and to be performed by the a metropolitan commission;

(4) Functions of municipal governments in respect to control of land use as provided for under the municipal planning act ;

~~(5) Such other factors as are deemed relevant.~~

Subd. 4. The regulations establishing a procedure for the review

of proposed matters shall include, among other provisions, the following without limitation, provisions to effectuate and comply with the following powers and requirements :

(1) No applicant shall be required to submit a proposed matter for review more than once unless it is materially altered.

(1a) A public hearing shall be held prior to the final determination with regard to a proposed matter.

(2) The council shall be empowered to suspend action on a proposed matter during the period of review and for a period not to exceed 12 months following the issuance of its recommendation or final determination. *In its final determination, the council may prescribe appropriate conditions with regard to a proposed matter which, if incorporated or complied with, would cause the council to remove the suspension.*

(3) The council's recommendation or determination concerning a proposed matter, including the determination as to its metropolitan significance, shall be issued within 90 days following its receipt of an adequately supported and documented a proposal accompanied by adequate supporting information. *To avoid duplication, the review may be suspended for not more than 90 days to await completion of review of a matter by another public agency .*

(4) The council shall be required to review a proposed matter upon request of an affected local governmental unit or metropolitan commission. The regulations shall include a procedure for review of a proposed matter upon petition by a specified number of residents of the metropolitan area 18 years of age or older .

(5) The council shall be empowered to review all proposed matters of metropolitan significance regardless of whether the council has received a request from an affected body to conduct that review.

~~(6)~~ The council shall review all proposed matters determined to be of metropolitan significance as to their consistency with the comprehensive development guide and, if appropriate, an applicable policy plan and effect upon metropolitan system plans as defined in Laws 1976, Chapter 127, Section 2 and their adverse effects on other local governmental units.

~~(7)~~ Any major alteration or amendment to the regulations adopted by the council shall be developed and promulgated by the council in the same manner as the original regulations.

~~(8)~~ (7) Previously approved policy plans and development programs and areas of operational authority of the metropolitan commissions shall not be subject to review under this section, except as specifically provided in section 473.171.

Subd. 5. *The regulations and any major alteration or amendment thereto shall be developed and promulgated by the council in accordance with the provisions of this section and, to the extent not inconsistent or at variance with this section, in accordance with the administrative procedures act, Minnesota Statutes, Chapter 15, and regulations pursuant to thereto. Once the development of all of*

the regulations has been completed by the council and the committee, and no later than 30 days prior to the date specified for their adoption, the council shall hold a public hearing for the purpose of considering the developed regulations and receiving comments and recommendations thereon. Notice of the hearing, containing the developed regulations and such other comments as are deemed appropriate shall be published in a newspaper or appropriate newspapers circulated throughout of general circulation in the metropolitan area and mailed to all persons who have registered for that purpose under Minnesota Statutes, Chapter 15, appropriate state and regional agencies and all local governmental units which may be affected by these regulations cities, counties, towns, school districts, and watershed districts within the metropolitan area no later than 30 days prior to the hearing. In adopting or amending the regulations the enactment of this section shall be deemed to establish or show the need for and to provide evidence in support of the regulations or amendments as required in Minnesota Statutes, Chapter 15, and regulations pursuant thereto, but the council shall prepare for distribution a written summary describing the basis for the composition of the draft regulations or amendments submitted for hearing and shall afford to all interested persons an opportunity at the hearing to question and make suggestions concerning their composition. Following the hearing, the council may revise the proposed regulations, giving consideration to all comments received, and thereafter the council shall finally adopt these regulations.

Subd. 6. The council and the advisory metropolitan land use committee shall review and assess the regulations following their effective date and at least every two years thereafter. On or before January 15 of each year, the council shall report to the legislature concerning metropolitan significance. No major alteration or amendments to standards for determining the necessity for a comprehensive review shall be put into effect by the council until 90 days have elapsed following the report to the legislature in which the alteration or amendment was proposed and recommended by the council.

Sec. 3. Minnesota Statutes, 1975 Supplement, Chapter 473, is amended by adding a section to read:

[473.164] [PAYMENT OF METROPOLITAN COUNCIL COSTS.]
Subdivision 1. The metropolitan parks and open space commission, the metropolitan transit commission, the metropolitan waste control commission, and the metropolitan airports commission shall annually reimburse the council for costs incurred by the council in the discharge of its responsibilities relating to the commission. The costs may be charged against any revenue sources of the commission as determined by the commission.

Subd. 2. On or before May 1 of each year, the council shall transmit to each commission an estimate of the costs which the council will incur in the discharge of its responsibilities related to the commission in the next budget year including, without limitation, costs in connection with the preparation, review, implementation and defense of plans, programs and budgets of the commission. Each commission shall include the estimates in its budget for the next budget year and may transmit its comments concerning the estimated amount to the council during the

budget review process. Prior to December 15 of each year, the amount budgeted by each commission for the next budget year may be changed following approval by the council. During each budget year, the commission shall transfer budgeted funds to the council in advance when requested by the council.

Subd. 3. At the conclusion of each budget year, the council, in cooperation with each commission, shall adopt a final statement of costs incurred by the council for each commission. Where costs incurred in the budget year have exceeded the amount budgeted, each commission shall transfer to the council the additional moneys needed to pay the amount of the costs in excess of the amount budgeted, and shall include a sum in its next budget. Any excess of budgeted costs over actual costs may be retained by the council and applied to the payment of budgeted costs in the next year. Costs incurred during 1976 shall be reimbursed to the council by each commission on or before December 31, 1976 following receipt and in accordance with a statement of costs transmitted by the council.

Sec. 4. This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.

Sec. 5. This act is effective the day following final enactment."

Further, strike the title and insert:

"A bill for an act relating to metropolitan government; standards and guidelines for determining matters of metropolitan significance; allocation of costs among agencies; establishing a committee to study governmental structure; amending Minnesota Statutes, 1975 Supplement, Section 474.173 and Chapter 473, by adding a section."

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

Senate Conferees: (Signed) John C. Chenoweth, Hubert H. Humphrey III, J. Robert Stassen

House Conferees: (Signed) James R. Casserly, Tom K. Berg, William H. Schreiber

Mr. Chenoweth moved that the foregoing recommendations and Conference Committee Report on S. F. No. 855 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. 855: A bill for an act relating to metropolitan government; authorizing council regulations establishing standards and guidelines for determining matters of metropolitan significance to be adopted without specific legislative approval; providing for a joint committee to study governmental structure; amending Laws 1975, Chapter 13, Section 18, 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 42 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	Merriam	Solon
Arnold	Gearty	Kirchner	Milton	Spear
Berg	Hansen, Baldy	Kleinbaum	Moe	Stassen
Brataas	Hansen, Mel	Knutson	Olhoft	Stokowski
Chenoweth	Hanson, R.	Kowalczyk	Olson, J. L.	Stumpf
Chmielewski	Hughes	Larson	O'Neill	Ueland
Coleman	Humphrey	Laufenburger	Patton	
Doty	Josefson	Lewis	Perpich, A. J.	
Dunn	Keefe, J.	McCutcheon	Purfeerst	

Those who voted in the negative were:

Ashbach	Brown	Pillsbury	Schmitz	Sillers
Bernhagen	Frederick	Renneke	Schrom	Willet

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 980, a Special Order to be heard immediately.

H. F. No. 980: A bill for an act relating to taxation; providing for taxation of certain types of air commerce; amending Minnesota Statutes 1974, Sections 270.071, Subdivision 6; and 270.072, Subdivisions 2 and 3.

Mr. Perpich, A. J. moved to amend H. F. No. 980 as follows:

Page 1, before line 7, insert:

"Section 1. Minnesota Statutes 1974, Chapter 256, is amended by adding a section to read:

[256.897] [SUPPLEMENTAL HOUSING ALLOWANCE.] *Subdivision 1. The commissioner of public welfare may, with the approval of the federal department of health, education and welfare, provide an annual supplemental housing allowance for recipients of the aid to families with dependent children program who would otherwise qualify for the credit set forth in Minnesota Statutes, Sections 290A.01 to 290A.22.*

*Subd. 2. The amount of the supplemental housing allowance, if any, shall be calculated in the same manner as the income adjusted home-
stead credit set forth at Minnesota Statutes, Sections 290A.01 to 290A.-
22. Recipients may apply for this supplement in the same manner
as claims submitted to the department of revenue under Minnesota
Statutes, Sections 290A.01 to 290A.22. The supplemental allowance
shall be paid by local welfare agencies.*

*Subd. 3. The supplemental housing allowance shall be financed
from funds appropriated to the department of revenue pursuant to
chapter 290A. The commissioner of public welfare and the commis-
sioner of revenue shall cooperate with the federal department of health,*

education and welfare in any reasonable manner as may be necessary to qualify for reimbursement under the aid to families with dependent children program for costs incurred in the provision of the supplemental housing allowance."

Renumber the remaining sections

Page 2, strike lines 26 and 27 and insert

"Sec. 5. Minnesota Statutes 1974, Section 270.13, is amended to read:

270.13 [RECORD OF PROCEEDINGS CHANGING ASSESSED VALUATION; DUTIES OF COUNTY AUDITOR.] A record of all proceedings of the commissioner of revenue affecting any change in the assessed valuation of any property, as revised by the state board of equalization, shall be kept by the commissioner of revenue and a copy thereof, duly certified, shall be mailed *each year* to the auditor of each county wherein such property is situated, on or before ~~October~~ *November 15 or 30 days after submission of the abstract required by section 270.11, subdivision 2, whichever is later each year.* This record shall specify the amounts or amount, or both, added to or deducted from the valuation of the real property of each of the several towns and cities, and of the real property not in towns or cities, also the percent or amount of both, added to or deducted from the several classes of personal property in each of the towns and cities, and also the amount added to or deducted from the assessments of individuals, copartnerships, associations, or corporations. The county auditor shall add to or deduct from such tract or lot, or portion thereof, of any real property in his county the required percent or amount, or both, on the valuation thereof as it stood after equalized by the county board, adding in each case a fractional sum of 50 cents or more, and deducting in each case any fractional sum of less than 50 cents, so that no valuation of any separate tract or lot shall contain any fraction of a dollar; and add to, or deduct from, the several classes of personal property in his county the required percent or amount, or both, on the valuation thereof as it stood after equalized by the county board, adding or deducting in manner aforesaid any fractional sum so that no valuation of any separate class of personal property shall contain a fraction of a dollar, and add to or deduct from assessments of individuals, copartnerships, associations, or corporations, as they stood after equalization by the county board, the required amounts to agree with the assessments as returned by the commissioner of revenue.

Sec. 6. Minnesota Statutes, 1975 Supplement, Section 270.16, Subdivision 2, is amended to read:

Subd. 2. When an assessor has failed to *properly appraise* ~~or has improperly appraised~~ at least one quarter of the parcels of property in a district or county ~~for two consecutive years as provided in section 273.01~~, 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 in accordance with law.~~

Sec. 7. Minnesota Statutes 1974, Chapter 273, is amended by adding a section to read:

[273.132] [STATE PAID AGRICULTURAL CREDIT.] *The county auditor shall reduce the tax on all property receiving the homestead credit pursuant to Minnesota Statutes, Section 273.13, Subdivision 6, by an amount equal to the tax levy that would be produced by applying a rate of 12 mills on the property. The county auditor shall reduce the tax 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, by an amount that would be produced by applying a rate of ten mills on the property. The amounts so computed by the county auditor shall be submitted to the commissioner of revenue as part of the abstracts of tax lists required to be filed with the commissioner under the provisions of section 275.29. Any prior year adjustments shall also be certified in the abstracts of tax lists. The commissioner of revenue shall review such certifications to determine their accuracy. He may make such changes in the certification as he may deem necessary or return a certification to the county auditor for corrections.*

Payment shall be made according to the procedure provided in section 273.13, subdivision 15a, for the purpose of replacing revenue lost as a result of the reduction of property taxes provided in this section. There is appropriated from the general fund in the state treasury to the commissioner of revenue the amount necessary to make these payments.

Sec. 8. Minnesota Statutes, 1975 Supplement, Section 274.14, is amended to read:

274.14 [LENGTH OF SESSION; RECORD.] The county board of equalization or the special board of equalization appointed by it may continue in session and adjourn from time to time commencing on July 1 and ending on or before July 15, when it shall adjourn and no action taken subsequent to July 15 shall be valid unless a longer session period is approved by the commissioner of revenue. The commissioner may extend the session period to July 31 but no action taken by the county board of review after the extended termination date shall be valid. The county auditor shall keep an accurate record of the proceedings and orders of the board, which record shall be published in the same manner as other proceedings of county commissioners. A copy of such published record shall be transmitted to the commissioner of revenue, with the abstract of assessment required by section 274.16.

Sec. 9. Minnesota Statutes, 1975 Supplement, 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, 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 property tax statements for class 2a property shall contain the same information that is required on the tax statements for real property.* 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 124.53, subdivision 3.~~ *Such* The 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 124.53, subdivision 3~~ 7 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. 10. Minnesota Statutes 1974, Section 276.05, is amended to read:

276.05 [ADDRESSES OF PAYER GIVEN ON TAX RECEIPTS.] *At his option the county treasurer may issue receipts showing payment of the tax except that upon the payment of any tax in currency or if the payer requests a receipt, the county treasurer shall give to the person paying a receipt therefor, showing the name and post-office address of the person, the amount and date of payment, the land, lot, or other property on which the tax was levied, according to its description on the tax list or in some other sufficient manner, and the year or years for which the tax was levied. If for current taxes on real estate, the receipt shall have written or stamped across its face, "taxes for" (giving the year in figures), or "first half of taxes for" (giving the year in figures), or "last half of taxes for" (giving the year in figures), as the case may be. If land has been sold for taxes either to a purchaser, or to the state, and the time for redemption from such sale has not expired, the receipt for such taxes shall have written or stamped across the face, "sold for taxes." The treasurer shall make duplicates of all receipts and return all such*

duplicates at the end of each month to the county auditor, who shall file and preserve them in his office, charging the treasurer with the amount thereof.

Sec. 11. Minnesota Statutes 1974, Section 276.06, is amended to read:

276.06 [TAX STATEMENTS TO STATE APPORTIONMENT OF TAXES.] The treasurer of each county shall ~~may~~ cause to be printed, stamped, or written on the back of all current tax receipts ~~statements~~, or on a separate sheet or card to be furnished with the ~~receipts statements~~, a statement showing the number of mills of the current tax apportioned to the state, county, city, town, or school district.

Sec. 12. Minnesota Statutes, 1975 Supplement, Section 290.012, Subdivision 4, is amended to read:

Subd. 4. "Income" means the sum of (a) gross income as defined in section 299.01, subdivision 20, (b) net income from sources outside the state, (c) alimony, (d) support money, and (e) relief, 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 290.0615. It does not include gifts from nongovernmental sources, or surplus food or other relief in kind supplied by a governmental agent income of the claimant and spouse as defined in section 290A.03, subdivision 3.

Sec. 13. Minnesota Statutes 1974, Section 290.066, Subdivision 1, is amended to read:

290.066 [SPECIAL PROPERTY TAX CREDIT.] Subdivision 1. A person entitled to an amount equal to the qualified property tax credit allowed by section 273.012 shall file a claim with the department of revenue on or before June 30 the date provided in chapter 290A for filing a claim for property tax relief. The department of revenue shall make available suitable forms with instructions for the claimant, including a form which may be included with or as a part of the individual income tax blank. The claim shall be in such form as the commissioner may prescribe.

Sec. 14. Minnesota Statutes, 1975 Supplement, Section 290.21, Subdivision 4, is amended to read:

Subd. 4. [DIVIDEND CREDIT.] (a) 85 percent of dividends received by a corporation during the taxable year from another corporation, when the corporate stock with respect to which dividends are paid does not constitute the stock in trade of the taxpayer or would not be included in the inventory of the taxpayer, or does not constitute property held by the taxpayer pri-

marily for sale to customers in the ordinary course of his trade or business, or when the trade or business of the taxpayer does not consist principally of the holding of the stocks and the collection of the income and gains therefrom. ~~The credit shall be allowed only in the proportion that the recipient corporation's taxable net income that is assignable or allocable to the state bears to the entire net income of the corporation.~~ The remaining 15 percent shall be allowed if the recipient owns 80 percent or more of all the voting stock of such other corporation, and the dividends were paid from income arising out of business done in this state by the corporation paying such dividends; but if the income out of which the dividends are declared was derived from business done within and without this state, then so much of the remainder shall be allowed as a credit as the amount of the taxable net income of the corporation paying the dividends assignable or allocable to this state bears to the entire net income of the corporation, such rate being determined by the returns under this chapter of the corporation paying such dividends for the taxable year preceding the distribution thereof; the burden shall be on the taxpayer of showing that the amount of remainder claimed as a credit has been received from income arising out of business done in this state,

(b) if the trade or business of the taxpayer consists principally of the holding of the stocks and the collection of the income and gains therefrom, dividends received by a corporation during the taxable year from another corporation, if the recipient owns 80 percent or more of all the voting stock of such other corporation, from income arising out of business done in this state by the corporation paying such dividends; but, if the income out of which the dividends are declared was derived from business done within and without this state, then so much of the dividends shall be allowed as credit as the amount of the taxable net income of the corporation paying the dividends assignable or allocable to this state bears to the entire net income of the corporation, such rate being determined by the returns under this chapter of the corporation paying such dividends for the taxable year preceding the distribution thereof. The burden shall be on the taxpayer of showing that the amount of dividends claimed as a credit has been received from income arising out of business done in this state.

(c) The dividend credit provided in this subdivision shall be allowed only with respect to dividends that are included in a corporation's Minnesota taxable net income for the taxable year.

Sec. 15. Minnesota Statutes, 1975 Supplement, Section 290A.03, Subdivision 13, is amended to read:

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 section 273.13, subdivisions 6 and 7, but after deductions made pursuant to section 7 of this act and section 273.135, in 1976 or any calendar year thereafter. For homesteads which are mobile homes as defined in 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.

In the case of a claim relating to "property taxes payable", the claimant must have owned and occupied the homestead on January 2 of the year in which the tax is payable.

Sec. 16. Minnesota Statutes, 1975 Supplement, Section 290A.06, is amended to read:

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. 17. Minnesota Statutes, 1975 Supplement, Section 290A.14, is amended to read:

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 Laws 1975, Chapter 437, Article 1 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. *The statement shall also indicate if there are delinquent property taxes on the property in the preceding year.*

Sec. 18. Minnesota Statutes, 1975 Supplement, Chapter 290A, is amended by adding a section to read:

[290A.22] [SUPPLEMENTAL HOUSING ALLOWANCE FOR AFDC RECIPIENTS.] *Recipients of the aid to families with dependent children program who receive a supplemental housing allowance under section 256.897 are not eligible for the tax credit set forth under sections 290A.01 to 290A.21. The commissioner of revenue shall assist the commissioner of public welfare in the administration of the supplemental housing allowance, and shall provide the commissioner of public welfare with such records and information as are necessary to administer the housing allowance.*

Sec. 19. Laws 1975, Chapter 349, Section 32, is amended to read:

Sec. 32. Sections 9, 13, 17 and 26 are effective the day following final enactment. *Sections 18, 19, and 20 are effective the day following final enactment of this chapter.* The remainder of the act is effective for all taxable years beginning after December 31, 1974.

Sec. 20. [REPEALER.] *Minnesota Statutes, 1975 Supplement, Section 124.03 is repealed.*

Sec. 21. [EFFECTIVE DATE.] *Sections 5, 6, 8, 10, 11, 13, 17 and 19 are effective the day following final enactment. Sections 12 and 15 are effective for taxable years beginning after December 31, 1975. Sections 7, 9 and 20 are effective for taxes payable in 1977 and subsequent years. Section 16 shall be effective for claims filed in 1977 and subsequent years. Section 14 is a declaration of law existing prior to enactment of Laws 1975, Chapter 349, Section 17, and is not a change in such preexisting law. Sections 1 and 18 are effective for taxable years beginning after December 31, 1974. Sections 2, 3 and 4 are effective for taxable years beginning after December 31, 1976.*

Further, amend the title as follows:

Page 1, line 2, after "taxation;" insert "taxes measured by net income; assessment of ad valorem taxes;"

Page 1, line 5, before "270.072" strike "and"

Page 1, line 5, after "3" insert "270.13; 276.05; 276.06; 290.066, Subdivision 1; and Chapters 256 and 273, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 270.16, Subdivision 2; 274.14; 276.04; 290.012, Subdivision 4; 290.21, Subdivision 4; 290A.03, Subdivision 13; 290A.06; 290A.14; and Chapter 290A, by adding a section; and Laws 1975, Chapter 349, Section 32; repealing Minnesota Statutes, 1975 Supplement, Section 124.03"

The motion prevailed. So the amendment was adopted.

H. F. No. 980 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 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Milton	Schrom
Arnold	Doty	Keefe, J.	Moe	Sillers
Ashbach	Dunn	Keefe, S.	North	Solon
Bang	Fitzsimons	Kirchner	Olhoft	Spear
Berg	Frederick	Kleinbaum	Olson, H. D.	Stassen
Bernhagen	Gearty	Knutson	Olson, J. L.	Stokowski
Brataas	Hansen, Baldy	Kowalczyk	Perpich, A. J.	Stumpf
Brown	Hansen, Mel	Larson	Pillsbury	Ueland
Chenoweth	Hanson, R.	Laufenburger	Purfeerst	Willet
Chmielewski	Hughes	McCutcheon	Renneke	
Coleman	Humphrey	Merriam	Schmitz	

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Humphrey moved that H. F. No. 1326 be taken from the table. The motion prevailed.

H. F. No. 1326: A bill for an act relating to garnishment and execution; amending Minnesota Statutes 1974, Sections 550.04; 550.142; 550.37, Subdivisions 4, 13, 14, 18, 19, and by adding a subdivision; 571.41, Subdivisions 1 and 2, and by adding subdivisions; 571.55, Subdivisions 1 and 2; 571.61, Subdivision 1; 571.67; and Chapters 550, by adding a section; and 571, by adding sections; repealing Minnesota Statutes 1974, Sections 571.47; 571.48; and 571.49.

Mr. Humphrey moved to amend the amendment placed on H. F. No. 1326 by the Committee on Judiciary, adopted by the Senate March 16, 1976, as follows:

Strike Section 6

Renumber the sections in sequence and correct any internal references in the bill

Amend the title as follows

Line 3 of the title, after "Subdivisions" strike "4,"

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

Mr. Kowalczyk moved to amend the amendment placed on H. F. No. 1326 by the Committee on Judiciary, adopted by the Senate March 16, 1976, as follows:

Sec. 15, Subd. 5, line 11, strike "*current*" and insert "*last known*"

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

Mr. Kirchner moved to amend the amendment placed on H. F. No. 1326 by the Committee on Judiciary, adopted by the Senate March 16, 1975, as follows:

Section 11, Subdivision 20, after "*debtor.*" insert:

"No bank or other financial institution shall be liable for damages for complying with process duly issued out of any court for the collection of a debt even if the funds affected by said process are subsequently determined to have been exempt."

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

H. F. No. 1326 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 34 and nays 20, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Laufenburger	Olson, H. D.	Solon
Borden	Hansen, Mel	Lewis	O'Neill	Spear
Brown	Hughes	Merriam	Perpich, A. J.	Stassen
Chmielewski	Humphrey	Milton	Pillsbury	Stokowski
Coleman	Josefson	Moe	Purfeerst	Stumpf
Doty	Keefe, S.	North	Schaaf	Wegener
Fitzsimons	Kowalczyk	Olhoft	Schmitz	

Those who voted in the negative were:

Anderson	Blatz	Hanson, R.	Ogdahl	Schrom
Ashbach	Conzemius	Kirchner	Olson, J. L.	Sillers
Bang	Dunn	Knutson	Patton	Ueland
Bernhagen	Frederick	McCutcheon	Renneke	Willet

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

The question recurred on H. F. No. 2144.

SPECIAL ORDER

H. F. No. 2144: A bill for an act relating to the state transportation system; creating the Minnesota state transportation fund; appropriating money therefrom for construction and reconstruction of bridges and bridge approaches; authorizing the issuance of state bonds therefor pursuant to article XI of the constitution.

SUSPENSION OF RULES

Mr. Laufenburger moved that the rules of the Senate be so far suspended as to allow reconsideration of the vote whereby the

Frederick amendment was adopted by the Senate on March 31, 1976.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 54 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Ogdahl	Schrom
Arnold	Fitzsimons	Kirchner	Olhoft	Sillers
Ashbach	Frederick	Kleinbaum	Olson, H. D.	Solon
Bang	Gearty	Knutson	Olson, J. L.	Spear
Berg	Hansen, Baldy	Kowalczyk	O'Neill	Stassen
Bernhagen	Hansen, Mel	Laufenburger	Patton	Stokowski
Borden	Hanson, R.	Lewis	Perpich, A. J.	Stumpf
Brataas	Hughes	Merriam	Pillsbury	Ueland
Chmielewski	Humphrey	Milton	Purfeerst	Wegener
Coleman	Josefson	Moe	Renneke	Willet
Doty	Keefe, J.	North	Schmitz	

Messrs. Brown and McCutcheon voted in the negative.

The motion prevailed.

RECONSIDERATION

Mr. Frederick moved that the vote whereby the Frederick amendment to H. F. No. 2144 was adopted by the Senate on March 31, 1976, be now reconsidered. The motion prevailed.

Mr. Frederick withdrew his amendment.

Mr. Laufenburger moved to amend H. F. No. 2144, as follows:

Page 2, line 28, strike "highways" and insert "transportation"

Page 2, line 29, strike "director of planning" and insert "commissioner"

Page 3, line 5, strike "highways" and insert "transportation"

Page 3, line 6, strike "director of planning" and insert "commissioner"

Page 3, line 11, strike "state"

Page 3, line 12, strike "planning agency" and insert "department of transportation"

Page 3, line 29, strike "state planning" and insert "department of transportation"

Page 3, line 30, strike "agency"

Page 4, line 10, strike "highways" and insert "transportation"

Page 4, line 18, strike "highways" and insert "transportation"

Pages 8 and 9, strike section 3 in its entirety and insert new sections to read:

"Sec. 3. [BOND AUTHORIZATIONS.] Subdivision 1. [BOND

AUTHORIZATIONS.] The commissioner of finance is authorized upon the request of the commissioner of transportation to sell and issue Minnesota state transportation bonds for the purposes provided in section 2, subdivision 1, in the aggregate principal amount of \$25,000,000, in the manner and upon the conditions prescribed in section 2 and in article XI of the constitution; provided that no bonds may be sold in any year unless the money appropriated by section 4, subdivision 2, clause (a), has been expended; provided further that no principal amount more than \$12,500,000 shall be issued in any fiscal year. The proceeds of the bonds, except as provided in section 2, subdivision 5, are appropriated to the Minnesota state transportation fund for expenditure in accordance with section 1 and section 4, clause (a).

Subd. 2. The commissioner of finance is authorized upon the request of the commissioner of transportation to sell and issue Minnesota state transportation bonds for the purposes provided in section 2, subdivision 1, in the aggregate principal amount of \$25,000,000, in the manner and upon the conditions prescribed in section 2 and in article XI of the constitution; provided that no bonds shall be sold in any year unless the money appropriated by section 4, subdivision 2, clause (b), has been expended; provided further that no principal amount more than \$12,500,000 shall be issued in any fiscal year. The proceeds of the bonds, except as provided in section 2, subdivision 5, are appropriated to the Minnesota state transportation fund for expenditure in accordance with this section and section 1 and section 4, clause (b).

Sec. 4. [APPROPRIATIONS.] Subdivision 1. The following sums, or so much thereof as is determined to be needed, are appropriated from the Minnesota state transportation fund to the department of transportation for the following purposes:

(a) \$50,000,000 for the construction and reconstruction of key bridges and bridge approaches on the trunk highway system, including interstate routes;

(b) For disbursement in the form of grants to political subdivisions by the commissioner of transportation for the construction and reconstruction of key bridges on the following road systems:

- (1) County highway systems\$27,000,000
- (2) Municipal street systems\$ 8,000,000
- (3) Township road systems\$15,000,000.

Subd. 2. The following sums shall be appropriated from the general fund in each of the fiscal years ending June 30, 1977 and 1978, to the department of transportation for deposit in the Minnesota state transportation fund:

(a) \$12,500,000 for expenditure in accordance with subdivision 1, clause (a); and

(b) \$12,500,000 for expenditure in accordance with subdivision 1, clause (b).

Renumber the sections in sequence

Page 9, line 6, strike "Section 3 is" and insert "Sections 3 and 4 are"

Amend the title as follows:

Page 1, line 7, after "constitution" insert ";; appropriating money"

The motion prevailed. So the amendment was adopted.

H. F. No. 2144 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 12, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Olson, J. L.	Solon
Arnold	Dunn	Kleinbaum	O'Neill	Stassen
Ashbach	Fitzsimons	Knutson	Patton	Stokowski
Bang	Frederick	Kowalczyk	Perpich, A. J.	Ueland
Berg	Gearty	Larson	Pillsbury	Wegener
Bernhagen	Hansen, Baldy	Laufenburger	Purfeerst	Willet
Borden	Hansen, Mel	Moe	Renneke	
Brataas	Hanson, R.	Ogdahl	Schmitz	
Brown	Humphrey	Olhoft	Schrom	
Chmielewski	Josefson	Olson, H. D.	Sillers	

Those who voted in the negative were:

Blatz	Keefe, S.	Merriam	North	Spear
Chenoweth	Lewis	Milton	Schaa	Stumpf
Coleman	McCutcheon			

So the bill, as amended, passed 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. 2678, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 2678: A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; authorizing issuance of state building bonds; appropriating money; amending Minnesota Statutes 1974, Sections 16.16, Subdivision 2; 16A.28; 137.02, Subdivision 3; repealing Laws 1973, Chapter 778, Section 20.

House File No. 2678 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 6, 1976

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2678

A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; authorizing issuance of state building bonds; appropriating money; amending Minnesota Statutes 1974, Sections 16.16, Subdivision 2; 16A.28; 137.02, Subdivision 3; repealing Laws 1973, Chapter 778, Section 20.

April 5, 1976

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. 2678 report that we have agreed upon the items in dispute and recommend as follows:

Strike everything after the enacting clause and insert:

"Section 1. [PUBLIC LAND AND BUILDINGS; BUILDING FUND APPROPRIATIONS.] There is appropriated from the state building fund in the state treasury to the state agencies indicated the sums set forth in the column designated "APPROPRIATIONS", to be expended for the acquisition and betterment of public land and buildings and other public improvements of a capital nature, as more specifically described in the following sections of this act.

APPROPRIATIONS

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Sec. 2. [CAPITOL COMPLEX.] Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Rehabilitation and remodeling of 1246 University avenue building for the bureau of criminal apprehension 1,165,000

To include planning complete rehabilitation and modernization of the exterior, basement, laboratories, and other analytical investigatory, classroom, and office spaces.

The appropriation in this clause is available only upon guaranteed federal participation of 50 percent of the total cost of planning, rehabilitation, and remodeling of the building for the bureau of criminal apprehension.

The entire federal share need not be made immediately available, but shall be totally available upon completion of the project.

Subd. 3. Improvements to 117 University avenue building 809,000

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(a) Rehabilitation and remodeling of interior, climate control system, roof, windows and exterior face 800,000

(b) Modification of oil storage tank 9,000

Sec. 3. To the commissioner of administration for the veterans home.

Subdivision 1. Construct and equip a nursing care facility of approximately 250 beds plus dining facilities for the total home. Cost to include planning and demolition of buildings 1, 2, and laundry building.

State share 1,925,000

Subd. 2. Fire protection, air conditioning, and bathroom modernization, nursing care unit.

State share 66,150

Subd. 3. Fire protection, building 16, and centralized call system for home.

State share 40,000

Sec. 4. [STATE UNIVERSITIES.]

Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Construction of building

Center for the arts—Moorhead 2,414,000

Subd. 3. Remodeling of facilities 1,502,470

(a) Hickory Hall—Bemidji 1,077,470

(b) Stewart Hall—St. Cloud 275,000

(c) Somsen Hall—Winona 150,000

Subd. 4. Preliminary plans, remodeling of

Deputy and Sanford Hall—Bemidji 120,000

Subd. 5. Mankato Campus Consolidation 3,500,000

(a) Notwithstanding any law to the contrary, all money appropriated by this act and all previous acts from the Minnesota state building fund to the commissioner of administration for construction and equipment of state university buildings, not to exceed \$1,800,000 is available for the purposes of this subdivision and is in addition to the appropriation contained in this subdivision.

(1) Remodeling valley physical education building to house Wilson lab school.

(2) Demolition of old main annex.

(3) Construct and equip a general purpose building.

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- (4) Maintenance service building.
- (5) Remodel Wilson lab school for art and physical education.
- (6) Remodel Trafton Hall.
- (7) Physical education addition.

(b) It is the intent of the legislature that the Mankato independent school district no. 77 enter into a long term commitment through a lease agreement with the Mankato state university to reimburse the state for remodeling of valley campus physical education building not to exceed \$756,000 to be used for housing the Wilson laboratory school.

In the event that a commitment is not forthcoming from independent school district no. 77 and an agreement is not completed by June 1, 1976, the above appropriation of \$756,000 shall not be expended and the state university board is instructed to proceed with the consolidation of all programs on the upper campus.

(c) Not more than \$300,000 of the appropriations made in this subdivision may be used to develop a consolidation plan including architectural and working drawings for the Highland Campus and the plans for a maintenance services building. The balance of the appropriation shall be available at such time as:

(1) The commissioner has developed a plan for utilization or disposal of not less than 60 percent of the lower campus, and,

(2) The consolidation plan and utilization plan have been submitted to the house appropriations committee and the senate finance committee and the committees have made their recommendations thereon. The recommendations shall be submitted to the commissioner within 60 days of receipt of the consolidation and utilization plans and shall be advisory only. Failure or refusal to make a recommendation within 60 days shall be deemed a negative recommendation.

(d) The commissioner of administration may expend this appropriation to remodel or demolish buildings on the lower campus of the Mankato State University

250,000

These funds are available for remodeling buildings that are to be leased. Leases for the buildings shall include charges adequate to amortize the remodeling costs in a reasonable period of time.

(e) Notwithstanding any other law to the contrary, the commissioner of administration may, without any other approval, lease buildings on the lower cam-

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pus of Mankato State University to any public or private person or group for periods not to exceed 10 years.

(f) Notwithstanding any other law to the contrary, the commissioner of administration may sell any portion of the lower campus of Mankato State University. The commissioner may undertake sale to other governmental units by negotiation. Sales to any other purchasers shall be through competitive bidding under such terms and conditions as the commissioner deems appropriate. Any proposed sale shall be submitted to the house appropriations committee and the senate finance committee and the sale shall not be final until the committees have made their recommendations thereon. The recommendations shall be submitted to the commissioner within 60 days of receipt of the proposed sale and shall be advisory only. Failure or refusal to make a recommendation within 60 days shall be deemed a negative recommendation.

Subd. 6. To the chancellor of the state university system for construction of maintenance facilities.

800,000

Notwithstanding provisions of any law to the contrary, the chancellor of the state university system may select nonconventional construction techniques in order to remain within budgetary constraints.

Sec. 5. [COMMUNITY COLLEGES.]

Subdivision 1. To the commissioner of administration to plan, construct and equip facilities at the following community colleges

3,345,570

(a) Preliminary plans for metropolitan community college 50,000

(b) Inver Hills 368,000

(c) Lakewood 2,497,870

(d) Rainy River 253,000

(e) North Hennepin 153,700

(f) Hibbing 23,000

Subd. 2. To the chancellor of the community college system for construction of storage facilities.

400,000

Notwithstanding provisions of any law to the contrary, the chancellor of the community college system may select nonconventional construction techniques in order to remain within budgetary constraints.

Subd. 3. The commissioner of administration is hereby authorized to convey by quitclaim deed to special school district no. 1, city of Minneapolis the following described state real property, to wit: All of lots

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1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of Block 1, of the Washington Yale addition to the city of Minneapolis, all according to the respective recorded plats or maps thereof, Hennepin county, Minnesota.

In consideration of said transfer, special school district no. 1, Minneapolis, Minnesota shall reimburse the state of Minnesota an amount equal to the purchase price of the real property, demolition and all other expenses incurred by the state in the purchase of said property. The commissioner of administration is hereby authorized to expend all or a portion of said funds for the acquisition of land, demolition and site preparation for the expansion of metropolitan community college and the construction of a parking ramp in conjunction with special school district no. 1, Minneapolis, Minnesota.

Sec. 6. [UNIVERSITY OF MINNESOTA.]

Subdivision 1. To the regents of the university of Minnesota for the purposes specified in this section.

Subd. 2. At the university of Minnesota, twin city campus

(a) Complete St. Paul library learning resource center including equipment	4,897,489
(b) Complete home economics building	1,435,500
(c) Remodeling and rehabilitation	500,000
(d) Upgrade for the physically handicapped—university wide	400,000
(e) O.S.H.A. projects university wide	500,000
(f) Boiler and baghouse—St. Paul	1,996,000
(g) Pollution control and heating plant modification—Minneapolis	1,000,000
(h) St. Anthony storm sewer assessment	383,000
(i) Primary electric system, St. Paul	521,950
(j) Greenhouse and headhouse—St. Paul	350,000
(k) Basic sciences remodeling	4,937,150
(l) Remodeling and Reassignment—Plans	300,000

To be expended for the purpose of producing plans for remodeling existing and future structures for pharmacy and nursing programs. The plans for remodeling shall be presented to the Legislature by February 1, 1977.

Subd. 3. At the University of Minnesota, Duluth campus

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(a) Construct and equip basic sciences building		1,422,400
(b) Campus utilities, water distribution system improvement, and road and campus improvements		500,000
Subd. 4. At the University of Minnesota Morris campus		
Development roadway		155,000
Subd. 5. At the technical college, Crookston		
(a) Food service building, working drawings		100,000
(b) Learning resources center addition		1,118,150
Subd. 6. At the technical college, Waseca		
(a) Renovation of school facilities		220,000
(b) Addition and renovation of plant services area .		150,000
Subd. 7. At the North Central Experiment Station, Grand Rapids—Construct greenhouse and headhouse		
		150,000
Subd. 8. At the southern experiment station Waseca Office, laboratory, and meeting facility		
		300,000
Subd. 9. The University of Minnesota shall conduct a study to explore the feasibility of remodeling an existing building or buildings or constructing new facilities to accommodate the programs of the department of vocational and technical education on the Twin Cities campus. A report containing the results and recommendations including the location, cost estimate, and square footage of the alternatives examined shall be submitted to the legislature by January 15, 1977.		

Subd. 10. All construction authorized and appropriations provided in this section shall be subject to the terms and provisions of Minnesota Statutes, Sections 16.823 to 16.827.

Sec. 7. [PUBLIC WELFARE.]

Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Construction of buildings	3,500,000
(a) Willmar State Hospital	2,000,000
(b) Anoka State Hospital	1,500,000
Subd. 3. Life Safety	5,500,000

A priority rating of buildings shall be conducted taking into account program plans, age and location of the buildings. The merits and cost of installing sprinkling equipment shall be considered in lieu of other

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life safety code requirements. Within the plan developed, sprinkling systems shall be installed where practical.

Subd. 4. Major Remodeling and Renovation 3,500,000

Subd. 5. Air conditioning 800,000

Subd. 6. Carpeting 300,000

Sec. 8. [CORRECTIONS.]

Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Security modifications, new construction and major remodeling 1,700,000

The commissioner of corrections shall make application and seek nonstate money for modifications to the Minnesota metropolitan training center. The commissioner of corrections shall consider optional security measures in modifications to the Minnesota metropolitan training center.

Sec. 9. [EXPENSES OF BOND SALE.]

To the commissioner of finance for bond sale expenses pursuant to Minnesota Statutes, Section 16A.64, Subdivision 4 50,000

Sec. 10. [ADMINISTRATION.]

To the commissioner of administration for administration of the building program authorized by this act, including the employment of personnel 150,000

The commissioner may expend this money for micro-filming of plans for all state buildings.

Sec. 11. [STATE BUILDING CONTINGENT.]

To the commissioner of administration for the state building contingent account 500,000

This appropriation may be spent for plans, studies and surveys, and for alterations, betterments, construction, reconstruction, improvements, or rehabilitation of any state owned building or structure, if it appears to the commissioner that the expenditure is necessary in the public interest in order to avoid injury or damage to persons or property and money has not been otherwise appropriated for these purposes. The commissioner, however, shall not authorize any expenditures from the account until he has first consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee and has received their recommendations thereon. The recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommenda-

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tion. The unobligated balance remaining on June 30, 1978 shall cancel.

Sec. 12. [STATE BUILDING ASSISTANCE.]

To the commissioner of administration for the state building assistance account.....50,000

This appropriation may be spent for the purpose of preparing preliminary plans or other documentation that may be required for assistance in obtaining nonstate participation in state building programs.

Sec. 13. [FUEL CONVERSION PLANS.]

To the commissioner of administration for plans to convert major state institutional heating plants from gas-oil to coal200,000

Sec. 14. [BOND SALE; DEBT SERVICE.] To provide the money appropriated in this act from the state building fund the commissioner of finance upon request of the governor shall sell and issue bonds of the state in the amount of \$53,934,000 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.

Sec. 15. Minnesota Statutes 1974, Section 16.16, Subdivision 2, is amended to read:

Subd. 2. [FUNDS TO WHICH SYSTEM APPLIES.] Except as otherwise expressly provided therein, the provisions of Laws 1939, Chapter 431, relating to the allotment system and to the encumbering of funds shall apply to appropriations and funds of all kinds, including standing or annual appropriations and dedicated funds from which expenditures are to be made, from time to time, by or under the authority of any agency, but shall not apply to appropriations for the courts or the legislature, nor to payment of unemployment compensation benefits nor to the funds deposited in the state treasury for disbursement by the commissioner of highways when acting as the agent of a political subdivision pursuant to law. In the case of construction ~~contracts or other permanent improvements of a capital nature~~ and transactions for the acquisition of real estate for public purposes, where periodical allotments are impracticable, the commissioner may dispense therewith and prescribe such regulations as will insure proper application and encumbering of funds. Contingent funds appropriated for the governor or the attorney general shall not be subject to the provisions thereof relating to allotment, but shall be subject to the other provisions thereof relating to expenditure and encumbering of funds.

Sec. 16. [REVIEW OF BUILDING PLANS.] *Neither the commissioner of administration nor the board of regents of the university of Minnesota shall prepare final plans and specifications for any building authorized by this act until the using agency or department has presented the program and schematic plans to the chairman of the house appropriations committee and the chairman of the senate finance committee and the chairmen have made their recommendations thereon. The recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.*

Sec. 17. [METHODS OF ACQUISITION.] *Where money has been appropriated by this act to the commissioner of administration to acquire lands or sites for public buildings or real estate, acquisition may be by gift, purchase, or condemnation proceedings. Condemnation proceedings shall be pursuant to chapter 117.*

Sec. 18. [APPROPRIATIONS FOR CONSTRUCTION; TRANSFER.] *Upon the awarding of final contracts for the completion of any project for construction or other permanent improvement authorized by this act, the commissioner as to appropriations made to him and the regents as to appropriations made to them may transfer any unexpended balance in the project account to any other project enumerated in the same section of the appropriation act as the project about to be completed. The money transferred pursuant to this section is appropriated for the purposes for which transferred. The commissioner of administration and the regents of the university of Minnesota shall report to the chairman of the house appropriations committee and the chairman of the senate finance committee on any transfer made pursuant to this section.*

Sec. 19. [TRANSFER OF BUILDINGS.] *Notwithstanding the provisions of any other laws to the contrary, any buildings at Hastings state hospital declared surplus by the department of welfare may, with the approval of the commissioner of administration, be transferred to the control of the department of veterans affairs if the commissioner of veterans affairs determines that such buildings are appropriate and needed to carry out his responsibilities for residential care. The department of veterans affairs shall pay the pro rata costs of the operations and maintenance of any buildings so transferred.*

Sec. 20. [APPROPRIATIONS FOR CONSTRUCTION; FEDERAL MONEY; EXCEEDING AUTHORIZED COST.] *The commissioner of administration and the board of regents of the university of Minnesota shall apply for the maximum federal share for each capital improvement project for which money is appropriated by this act. Encumbrance or expenditure of money in excess of the project authorization shall be made only after the commissioner of administration and the board of regents have consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee and the chairmen have made their recommendations thereon. The recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.*

Sec. 21. Minnesota Statutes 1974, Section 137.02, Subdivision 3, is amended to read:

Subd. 3. [POWER OF EMINENT DOMAIN GRANTED.] *The Board of Regents 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 by eminent domain, the power of eminent domain may shall be exercised either in accordance with General Statutes 1894, Sections 4985 to 4991, or chapter 117.*

Sec. 22. [CANCELLATION OF BALANCES.] *Any balance of the following appropriations which remain unobligated June 30,*

1976, or become unobligated any time thereafter, shall be cancelled to the bond fund. For the purposes of this section, a requisition shall not constitute an encumbrance. Any encumbrance which remains unliquidated on June 30, 1977 shall be cancelled.

Laws 1963, Chapter 839, Section 5, Subdivisions 2 (1), 5 (1) and 6; Laws 1965, Chapter 882, Section 4, Subdivisions 3 (1), (2) and (3), 4 (2), 5 (1), 6 (1), and 7 (1); Extra Session Laws 1967, Chapter 8, Section 2, Subdivisions 12 (1) and (3), 16 (1), 17 (1), Section 4, Section 5, Section 8, Subdivision 1 (1), (2) and (4); Laws 1969, Chapter 1159, Section 2, Subdivisions 12 (1), 13 (1), 14 (1), and 15 (1), Section 7, Subdivisions 1 (6) and 2, and Section 13; Laws 1971, Chapter 963, Section 2, Subdivisions 15 (1), (2) and (4), 16 (2), (3), (4), and (5), 17 (1) and (2), 18 (1), Section 4, Section 7, Subdivisions 1 (2), (3), (4), (5) and (6), Sections 14 and 15; Laws 1973, Chapter 778, Section 3, Section 6, Subdivision 1 (1) and (9), Sections 13 and 14.

Sec. 23. [REAPPROPRIATION.] *The unobligated balance of the appropriation made by Laws 1969, Chapter 1159, Section 15 is reappropriated and added to the appropriation made by Laws 1971, Chapter 963, Section 3, for metropolitan community college.*

Sec. 24. [REPEALER.] *Laws 1973, Chapter 778, Section 20, is repealed."*

Further strike the title and insert:

"A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; authorizing issuance of state building bonds; appropriating money; amending Minnesota Statutes 1974, Sections 16.16, Subdivision 2; 137.02, Subdivision 3; repealing Laws 1973, Chapter 778, Section 20."

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

House Conferees: (Signed) Fred C. Norton, Howard E. Smith, Donald B. Samuelson, Rodney N. Searle, Neil S. Haugerud

Senate Conferees: (Signed) Norbert Arnold, Jack Davies, Gerald L. Willet, William G. Kirchner, Earl W. Renneke

Mr. Arnold moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2678 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. 2678: A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; authorizing issuance of state building bonds; appropriating money; amending Minnesota Statutes 1974, Sections 16.16, Subdivision 2; 137.02, Subdivision 3; repealing Laws 1973, Chapter 778, Section 20.

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 50 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Keefe, S.	Moe	Schmitz
Arnold	Dunn	Kirchner	Ogdahl	Schrom
Ashbach	Fitzsimons	Kleinbaum	Olson, H. D.	Sillers
Bang	Frederick	Knutson	Olson, J. L.	Solon
Berg	Gearty	Kowalczyk	O'Neill	Spear
Bernhagen	Hansen, Baldy	Larson	Patton	Stassen
Blatz	Hansen, Mel	Laufenburger	Perpich, A. J.	Stokowski
Borden	Hanson, R.	Lewis	Perpich, G.	Stumpf
Brown	Hughes	McCutcheon	Pillsbury	Ueland
Chmielewski	Josefson	Milton	Renneke	Willet

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. 2677, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 2677: A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings; appropriating money.

House File No. 2677 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted April 6, 1976

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2677

A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings; appropriating money.

April 5, 1976

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. 2677 report that we have agreed upon the items in dispute and recommend as follows:

That H. F. No. 2677 be amended as follows:

Strike everything after the enacting clause and insert

"Section 1. [PUBLIC LAND AND BUILDINGS; GENERAL FUND APPROPRIATIONS.] There is appropriated from the general fund, or other funds as designated, in the state treasury to the state agencies indicated the sums set forth in the column designated "APPROPRIATIONS", to be expended in accordance with the provisions of this act.

APPROPRIATIONS

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Sec. 2. [CAPITOL COMPLEX.]

Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Modification to buildings and grounds to provide safe use by handicapped persons.....	85,000
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Subd. 3. Modifications to buildings as required by the state fire marshal	50,000
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Subd. 4. General purpose remodeling within state buildings	125,000
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Subd. 5. Additional money for completion of emergency lighting and evacuation warning system in all major buildings in complex	110,000
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Subd. 6. Repair perimeter water leaks, state Historical and Capitol Square Buildings.....	100,000
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Subd. 7. Enclose and improve Capitol Square freight elevator	40,000
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Subd. 8. Improvements to state Historical Building

(a) Replacement interior rain leaders	55,500
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(b) Exterior stairway handrails	10,000
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(c) Replace windows	70,000
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(d) Sprinkler system—main building and research center	120,000
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Subd. 9. Improvements to Veterans Service Building.	80,000
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(a) Exterior caulking	45,000
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(b) Roof replacement	35,000
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Subd. 10. Improvements to Centennial Building air handling system	18,500
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Subd. 11. Hydraulic lift for central maintenance loading dock	9,500
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Subd. 12. Improvements to Highway Building air handling system	25,000
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Sec. 3. [STATE UNIVERSITIES.]

Subdivision 1. To the chancellor of the state university system for the purposes specified in this section.

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Subd. 2. Repair of buildings, roofs, boilers, tennis courts, track and purchase of land 1,038,000

Subd. 3. Assessments—Mankato and Southwest ... 126,511

Sec. 4. [COMMUNITY COLLEGES.]

To the chancellor of the community college system for remodeling, site work and repairs. This appropriation shall not cancel but be available until all projects have been completed 750,000

Sec. 5. [MINNESOTA HISTORICAL SOCIETY.]

Subdivision 1. Equipment for research center, humidity and temperature control for rare documents... 325,000

Subd. 2. Oliver H. Kelley farm repair 75,000

Subd. 3. Exhibit construction 100,000

Sec. 6. [COMMISSIONER OF HIGHWAYS.]

Subdivision 1. Eden Prairie equipment storage 780,000

Subd. 2. Interstate safety rest area
Enfield (I-94) 125,000

The appropriations in this section are from the trunk highway fund.

The highway department shall cancel into the trunk highway fund the unobligated balances of appropriations made for land acquisition, plant, equipment and building construction by Laws 1967, Chapter 887, Section 4; Laws 1969, Chapter 800, Section 5; and Laws 1971, Chapter 965, Section 10.

Sec. 7. [PUBLIC WELFARE.]

Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Plant Repairs and Renovation 2,200,000

\$12,300 of this appropriation is to be used for construction of a tennis court at the Minnesota School for the Deaf, and shall cancel if not expended by June 30, 1977.

Subd. 3. Furniture 1,000,000

Subd. 4. Demolition 50,000

Sec. 8. [CORRECTIONS.]

Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Plant repairs and renovation 1,300,000

Subd. 3. Preliminary planning, working drawings and plans—adult maximum security institution 800,000

The appropriation in this subdivision is immediately available upon final enactment.

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Subd. 4. Occupational Safety and Health Act and fire marshal regulation compliance 300,000

Sec. 9. [REVIEW OF BUILDING PLANS.] Neither the commissioner of administration nor the board of regents of the university of Minnesota shall prepare final plans and specifications for any building authorized by this act until the using agency or department has presented the program and schematic plans to the chairman of the house appropriations committee and the chairman of the senate finance committee and the chairmen have made their recommendations thereon. The recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 10. [METHODS OF ACQUISITION.] Where money has been appropriated by this act to the commissioner of administration to acquire lands or sites for public buildings or real estate, acquisition may be by gift, purchase, or condemnation proceedings. Condemnation proceedings shall be pursuant to chapter 117.

Sec. 11. [APPROPRIATIONS FOR CONSTRUCTION; TRANSFER.] Upon the awarding of final contracts for the completion of any project for construction or other permanent improvement authorized by this act, the commissioner as to appropriations made to him and the regents as to appropriations made to them may transfer any unexpended balance in the project account to any other project enumerated in the same section of the appropriation act as the project about to be completed. The money transferred pursuant to this section is appropriated for the purposes for which transferred. The commissioner of administration and the regents of the university of Minnesota shall report to the chairman of the house appropriations committee and the chairman of the senate finance committee on any transfer made pursuant to this section.

Sec. 12. [APPROPRIATIONS FOR CONSTRUCTION; FEDERAL MONEY; EXCEEDING AUTHORIZED COST.] The commissioner of administration and the board of regents of the university of Minnesota shall apply for the maximum federal share for each capital improvement project for which money is appropriated by this act. Encumbrance or expenditure of money in excess of the project authorization shall be made only after the commissioner of administration and the board of regents have consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee and the chairmen have made their recommendations thereon. The recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 13. [BALANCES AVAILABLE.] The unobligated balances in only the following welfare department building accounts may be used for remodeling for life safety and licensure requirements as provided in Laws of Minnesota 1975, Chapter 434, Section 2, Subdivision 17; Extra Session Laws 1961, Chapter 72, Section 2, Subdivision 7; Laws 1965, Chapter 882, Section 2, Subdivision 4 (1); Extra Session Laws 1967, Chapter 8, Section 2, Subdivisions 3 (1), 8 (1) and (2), and

9 (1); Laws 1969, Chapter 1155, Section 2, Subdivisions 2 (1), 5 (1), 9 (1), 11 (1), 14 (1); Laws 1969, Chapter 1159, Section 2, Subdivisions 2 (1), 4 (1), 6 (2), 9 (1); Laws 1971, Chapter 963, Section 2, Subdivisions 2 (1) and (3), 3 (1) and (2), 4 (1), 5 (1) and (2), 6 (1) and (2), 7 (1), 8 (1), 9 (1), (2) and (3), 10 (1) and (2), 13, 14 (1), (2) and (3); Laws 1971, Chapter 964, Section 2, Subdivisions 2 (1), 3 (1), 4 (1), 5 (1), 6 (3), 8 (1), 10 (1), 11 (1), 12 (2), (3) and (4), 14 (1), 16 (1), (2), (3), (6), 17 (1); Laws 1973, Chapter 777, Section 2, Subdivision 2 (1); Laws 1973, Chapter 778, Section 2, Subdivision 2 (1) and (3).

Any unobligated balances of the above accounts remaining after June 30, 1979 shall cancel to the appropriate fund.

Sec. 14. [CONVEYANCE OF UTILITY EASEMENT.] The governor, upon the recommendation of the commissioner of administration, may convey, by proper instrument, in a form approved by the attorney general, a perpetual easement, including the right of access, to the city of Mankato in certain real estate situated in Blue Earth county, Minnesota, a 30 foot permanent easement and an 80 foot construction easement, the centerline of which is described as follows:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 19, township 108 North, Range 26 West; thence East on the South line of the Northeast Quarter of the Southeast Quarter of said Section 19 a distance of 323 feet to the point of beginning; thence North and parallel with the West line of the Northeast Quarter of the Southeast Quarter of said Section 19 a distance of 440 feet, thence West and parallel with the South line of the Northeast Quarter of the Southeast Quarter a distance of 290 feet and there terminating.

Said tract containing approximately .50 acres for permanent easement and .84 acres for construction easement.

The conveyance of said easement shall be made to the said city of Mankato upon such consideration as may be agreed upon for the purpose of right of way for utility purposes upon, over and across said property above described, together with any other incidental or necessary use connected with the purpose aforesaid.

Sec. 15. [EFFECTIVE DATE.] Section 14 of this act is effective upon its approval by the governing body of the city of Mankato, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Sec. 16. [CANCELLATIONS.] Any balance of the following appropriations which remain unobligated June 30, 1976, or become unobligated any time thereafter, shall be cancelled to the general fund. For the purposes of this section, a requisition shall not constitute an encumbrance. Any encumbrance which remains unliquidated on June 30, 1977 shall be cancelled.

Extra Session Laws 1961, Chapter 60, Section 2, Subdivision 26; Extra Session Laws 1967, Chapter 13, Section 2, Subdivisions 20, 21, 24, 26, 28, 29 (1) and (2), 30 (2), 31 (2), 32, 33 (2), 34 (1) and 35 (1); Laws 1969, Chapter 1136, Section 4, Subdivision 1; Laws 1969, Chapter 1154, Section 32, Subdivision 2; Laws 1969, Chapter

1155, Section 2, Subdivisions 17 (1) and (3), 19 (1), (2), (6), (7), (8) and (9), 20 (2) and (5), 25 (2), (3) and (8), 26 (1) and (2), and 27 (1); Laws 1971, Chapter 964, Section 2, Subdivisions 18 (1), (2) and (5), 19 (1) and (2), 20 (2), (3), (4), (5), (7), (9) and (10), 21 (1) and (3), 22 (1), (2) and (3), 23 (1), 24 (1) and (2), and 25 (2); Laws 1973, Chapter 777, Section 2, Subdivisions 3 (2) and (3), 4 (3), 5 (1), 6 (1) and (2), and 7 (3) and (5)."

Further strike the title and insert:

"A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings; authorizing conveyance by the state of an easement for utility purposes over certain state lands in Blue Earth county; appropriating money."

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

House Conferees: (Signed) Fred C. Norton, Howard E. Smith, Donald B. Samuelson, Rodney N. Searle, Neil S. Haugerud

Senate Conferees: (Signed) Norbert Arnold, Jack Davies, Gerald L. Willet, William G. Kirchner, Earl W. Renneke

Mr. Arnold moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2677 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. 2677: A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings; authorizing conveyance by the state of an easement for utility purposes over certain state lands in Blue Earth county; appropriating money.

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 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Knutson	Olson, J. L.	Solon
Arnold	Frederick	Kowalczyk	O'Neill	Spear
Ashbach	Gearty	Larson	Patton	Stassen
Bang	Hansen, Baldy	Laufenburger	Perpich, A. J.	Stokowski
Berg	Hansen, Mel	Lewis	Perpich, G.	Stumpf
Bernhagen	Hanson, R.	McCutcheon	Pillsbury	Ueland
Blatz	Hughes	Milton	Purfeerst	Willet
Borden	Keefe, J.	Moe	Renneke	
Brown	Keefe, S.	North	Schmitz	
Chmielewski	Kirchner	Ogdahl	Schrom	
Dunn	Kleinbaum	Olson, H. D.	Sillers	

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

MOTIONS AND RESOLUTIONS—CONTINUED**SUSPENSION OF RULES**

Mr. Stokowski moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee Report on S. F. No. 2177. The motion prevailed.

S. F. No. 2177 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2177

A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; providing for a medical adviser in disability cases; inclusions and exclusions under the Minnesota state retirement system; mandatory retirement age for correctional officers; miscellaneous amendments to the elective state officers retirement plan and the unclassified employees retirement plan; providing for privacy of individual retirement data; providing for release of necessary data to governmental agencies; requiring an annual report to the legislature; excluding overtime payments for pension purposes; service credit for teachers on parental or maternity leave; elections to receive a combined service annuity; amending Minnesota Statutes 1974, Sections 352.01, Subdivisions 2A and 2B; 352C.02, Subdivisions 2, 3, and by adding a subdivision; 352C.04, Subdivisions 1 and 2a; 352C.05; 352C.09, Subdivision 1; 353.01, Subdivisions 2b, 16, and 30; 353.03, Subdivision 1, and by adding a subdivision; 353.27, Subdivision 7; 353.30, Subdivision 3; 353.33, Subdivision 11, and by adding subdivisions; 353.34, Subdivision 6; 353.35; 353.656, Subdivision 6; Chapter 352C, by adding a section; Chapter 354, by adding a section; Chapter 356, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 43.051, Subdivision 3; 352D.02, Subdivision 1; 353.01, Subdivision 24; 353.03, Subdivision 2a; 353.15; and 353.29, Subdivision 7; and repealing Minnesota Statutes 1974, Section 352C.04, Subdivisions 2 and 2b.

April 3, 1976

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. 2177 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. 2177 be further amended as follows:

Page 2, line 15, strike "of one year"

Page 2, line 16, delete "1977" and insert "1980"

Page 2, line 18 to 23, delete the underscored language and reinstate the stricken language

Page 2, delete lines 30 to 35

Page 3, delete lines 1 to 29

Page 13, delete lines 5 to 9, and insert:

"(5) The chairman, chief administrator, and not to exceed nine positions at the division director or administrative deputy level of the metropolitan waste control commission as designated by the commission, and the chairman, executive director, and not to exceed nine positions at the division director or administrative deputy level of the metropolitan council as designated by the council; provided that upon initial designation of all positions provided for in this clause, no further designations or redesignations shall be made without approval of the board of directors of the Minnesota state retirement system."

Page 16, line 23, delete the underscored language and reinstate the stricken language

Page 16, following line 30 insert: *"Payments under this clause shall include interest at the rate of six percent per annum from the date of the termination of the leave of absence or temporary layoff to the date payment is made."*

Page 18, following line 6, insert:

"Sec. 17. Minnesota Statutes 1974, Chapter 353, is amended by adding a section to read:

[353.0185] [RETIREMENT; PUBLIC EMPLOYEES RETIREMENT ASSOCIATION; MINNESOTA MUNICIPAL UTILITIES ASSOCIATION EMPLOYEES.] Subdivision 1. *From and after July 1, 1976, employees of the Minnesota Municipal Utilities Association, hereinafter referred to as the association, shall become coordinated members of the public employees retirement association unless specifically exempt under section 353.01, subdivision 2b, and the association shall be deemed to be a governmental subdivision for purposes of this chapter.*

Subd. 2. A person who becomes a member of the public employees retirement association pursuant to subdivision 1 may purchase prior service credit with respect to full time employment with the association subsequent to October 19, 1975 by (a) paying to the public employees retirement association prior to August 1, 1976 an employee contribution in an amount equal to four percent of his or her salary at the time the prior service was rendered, as certified by the association, plus interest at the rate of six percent per annum; (b) the member at the same time shall pay additionally an amount equal to five and one half percent of salary at the time the prior service was rendered, plus interest at the rate of six percent per annum; provided the association may, in its sole discretion, for all employees included hereunder, pay the public employees retirement association the obligation under (b)."

Page 19, delete lines 30 and 31 and insert: *"the date of the board election held in the year 1977. A board election shall be held prior to October 1, 1977."*

Page 19, delete line 32

Page 20, delete lines 1 to 15

Page 26, following line 13, insert:

“Sec. 31. Minnesota Statutes, 1975 Supplement, Section 354.44, Subdivision 1a, is amended to read:

Subd. 1a. [MANDATORY RETIREMENT.] Notwithstanding the provisions of sections 43.30 or 197.45 to 197.48, a member shall terminate employment on August 31, 1976, or at the end of the academic year in which he reaches the age of 65, whichever is later. For purposes of this subdivision, an academic year shall be deemed to end August 31. A member who terminates employment at any time during the academic year at the end of which such person is required to terminate employment pursuant to this subdivision shall, for the purpose of determining eligibility for a proportionate retirement annuity, be considered to have been required to terminate employment at age 65 or earlier pursuant to this subdivision. *Nothing contained in this subdivision shall preclude a district from employing a retired teacher as a substitute teacher; provided, no teacher required to terminate employment by this subdivision shall resume membership in the retirement association by virtue of employment as a substitute teacher; provided further that upon having earned \$3,000 in any academic year from employment as a substitute teacher, any person over the age of 65 years shall terminate employment for the remainder of that academic year.*

Sec. 32. Minnesota Statutes, 1975 Supplement, Section 354A.21, is amended to read:

354A.21 [MANDATORY RETIREMENT; PROPORTIONATE ANNUITY.] Notwithstanding the provisions of sections 197.45 to 197.48 or 354A.05, a teacher subject to the provisions of this chapter shall terminate employment on August 31, 1976, or at the end of the academic year in which such teacher reaches the age of 65, whichever is later. For purposes of this section, an academic year shall be deemed to end August 31. A teacher who terminates employment at any time during the academic year at the end of which such person is required to terminate employment pursuant to this section and who has less than the minimum required number of years of service to otherwise qualify for a retirement annuity shall be entitled upon application to a proportionate retirement annuity based on service prior to termination. *Nothing contained in this subdivision shall preclude a district from employing a retired teacher as a substitute teacher; provided, no teacher required to terminate employment by this section shall resume membership in the retirement association by virtue of employment as a substitute teacher; provided further that upon having earned \$3,000 in any academic year from employment as a substitute teacher, any person over the age of 65 years shall terminate employment for the remainder of that academic year.”*

Page 26, delete lines 16 to 30

Page 27, delete lines 1 to 9 and insert:

"[356.34] [LIMITATION ON AVERAGE SALARY FOR BENEFITS.] *Subdivision 1. Effective for any disability benefit or retirement annuity commencing after June 30, 1977 from a fund enumerated in subdivision 2, which benefit or annuity is based on a final average salary, no year of salary used in determining the final average salary as defined by the laws governing the fund shall exceed the salary paid in the previous year by more than 15 percent.*

Subd. 2. The provisions of this section shall apply to the following retirement funds:

(1) state employees retirement fund, established pursuant to chapter 352;

(2) correctional employees retirement program, established pursuant to chapter 352;

(3) highway patrolmen's retirement fund, established pursuant to chapter 352B;

(4) public employees retirement fund, established pursuant to chapter 353;

(5) public employees police and fire fund, established pursuant to chapter 353;

(6) teachers retirement fund, established pursuant to chapter 354."

Page 28, line 8, following the period insert: "*With respect to such persons who are over 65 years of age and whose public service terminated between May 1, 1975 and the effective date of this act, proportionate annuity payments may be made retroactive to January 1, 1976 or the date of termination of public service, whichever is later.*"

Page 28, line 14, delete "3" and insert "2"

Renumber the sections in sequence

Further, amend the title:

Page 1, line 11, delete "providing for release"

Page 1, delete lines 12 to 14 and insert "limitation on average salary for benefits;"

Page 1, line 18, delete "Subdivisions 2A and" and insert "Subdivision"

Page 1, lines 22 and 23, delete ", and by adding a subdivision"

Page 1, line 27, after the semicolon insert "Chapter 353, by adding a section;"

Page 1, line 32, delete the first "and" and following "Subdivision 7;" insert "354.44, Subdivision 1a; and 354A.21;"

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

Senate Conferees: (Signed) Eugene E. Stokowski, John C. Chenoweth, Harmon T. Ogdahl

House Conferees: (Signed) David Beauchamp, John S. Biersdorf, Al Patton

Mr. Stokowski moved that the foregoing recommendations and Conference Committee Report on S. F. No. 2177 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. 2177: A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; providing for a medical adviser in disability cases; inclusions and exclusions under the Minnesota state retirement system; mandatory retirement age for correctional officers; miscellaneous amendments to the elective state officers retirement plan and the unclassified employees retirement plan; providing for privacy of individual retirement data; providing for release of necessary data to governmental agencies; requiring an annual report to the legislature; excluding overtime payments for pension purposes; service credit for teachers on parental or maternity leave; elections to receive a combined service annuity; amending Minnesota Statutes 1974, Sections 352.01, Subdivisions 2A and 2B; 352C.02, Subdivisions 2, 3, and by adding a subdivision; 352C.04, Subdivisions 1 and 2a; 352C.05; 352C.09, Subdivision 1; 353.01, Subdivisions 2b, 16, and 30; 353.03, Subdivision 1, and by adding a subdivision; 353.27, Subdivision 7; 353.30, Subdivision 3; 353.33, Subdivision 11, and by adding subdivisions; 353.34, Subdivision 6; 353.35; 353.-656, Subdivision 6; Chapter 352C, by adding a section; Chapter 354, by adding a section; Chapter 356, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 43.051, Subdivision 3; 352D.02, Subdivision 1; 353.01, Subdivision 24; 353.03, Subdivision 2a; 353.15; and 353.29, Subdivision 7; and repealing Minnesota Statutes 1974, Section 352C.04, Subdivisions 2 and 2b.

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 50 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	North	Schmitz
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Bang	Frederick	Knutson	Olson, J. L.	Sillers
Berg	Gearty	Kowalczyk	O'Neill	Solon
Bernhagen	Hansen, Baldy	Larson	Patton	Spear
Blatz	Hanson, R.	Laufenburger	Perpich, A. J.	Stassen
Brown	Hughes	Lewis	Perpich, G.	Stokowski
Chenoweth	Humphrey	McCutcheon	Pillsbury	Stumpf
Chmielewski	Keefe, J.	Milton	Renneke	Wegener
Conzemius	Keefe, S.	Moe	Schaaf	Willet

Messrs. Hansen, Mel and Josefson 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. North moved that H. F. No. 2281 be taken from the table. The motion prevailed.

H. F. No. 2281: A bill for an act relating to cultural, recreational and welfare activities; changing the metropolitan parks and open space commission to the metropolitan parks, recreation and open space commission and prescribing its powers and duties; authorizing the metropolitan council to issue bonds and levy taxes therefor; authorizing the council to impose an admissions tax; authorizing the council to impose a tax on certain sales in the metropolitan area; requiring the completion of an environmental impact statement and pollution control agency permits prior to construction of a new sports facility; establishing a panel to select a site; authorizing a liquor license for the commission; requiring a certificate of need for regional recreational facilities; providing for the distribution of moneys to cultural and artistic organizations; authorizing capital improvements to the Minnesota veterans home; appropriating money; amending Minnesota Statutes 1974, Sections 297A.14; 297A.25, Subdivision 1; Chapters 139, by adding sections; 473, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 139.08, Subdivision 5; 139.10, Subdivisions 1 and 2, and by adding a subdivision; 297A.01, Subdivision 3; 473.121, Subdivisions 7 and 14; 473.147; 473.301; 473.302; and 473.303, Subdivision 1; repealing Minnesota Statutes 1974, Section 340.11, Subdivision 11a.

Mr. North moved to amend H. F. No. 2281, the unofficial engrossment, as follows:

Page 7, line 5, strike “, ARTS”

Page 10, line 5, strike “*culture and arts*, ”

Page 10, line 14, strike “, *arts*”

Page 11, line 7, after “473.163,” insert “473.173,”

Page 13, line 16, strike “, *arts*”

Page 24, line 26, after “*operation*” insert “*of the facility*”

Page 31, line 6, strike “*appropriated*” and insert “*provided*”

Page 31, line 12, begin a new paragraph with the word “*The*”

Page 31, after line 12, in a column at the right, insert “*Percent*”

Page 31, line 13, under “*Percent*” in the column at the right, insert “25”

Page 31, line 13, after “*for*” strike “25”

Page 31, line 14, begin a new paragraph with the word “*The*”

Page 31, line 15, after “*Council*” strike “21” and insert “21” in the column at the right

Page 31, lines 16 and 17, strike “*Philharmonic Society*” and insert “*Chamber Orchestra*”

Page 31, line 18, strike "*Philharmonic Society*" and insert "*Chamber Orchestra*"

Page 31, lines 20 to 26, move the figures to the right in the column under "*Percent*"

Page 31, line 26, strike "*commission*" and insert "*board*"

Page 33, line 32, strike "*24*" and insert "*18*"

Page 34, line 4, strike "*Sec. 19*" and insert "*Sec. 20*"

Page 36, line 32, strike "*commission*" and insert "*council*"

Page 36, line 32, strike "*6*" and insert "*473.123*"

Page 37, line 14, strike "*commission*" and insert "*council*"

Page 37, lines 20 and 26, after "*metropolitan*" strike "*commission*" and insert "*council*"

Page 37, line 31, strike "*commission*" and insert "*council*"

Page 38, line 14, strike "*parks and recreation commission*" and insert "*council*"

Page 38, line 17, after "*metropolitan*" strike "*commission*" and insert "*council*"

Page 38, line 31, strike "*act*" and insert "*section*"

Page 39, line 19, strike "*APPROPRIATION*" and insert "*DISTRIBUTION*"

Page 39, lines 19 and 20, strike "*is appropriated*" and insert "*shall be distributed*"

Page 39, line 32, strike "*is appropriated*" and insert "*shall be distributed*"

Page 40, line 3, strike "*appropriation*" and insert "*distribution*"

Page 49, line 11, strike "*APPROPRIATION*" and insert "*DISTRIBUTION*"

Page 49, lines 11 and 12, strike "*is appropriated*" and insert "*shall be distributed*"

Page 49, after line 27, insert:

"Sec. 29. [APPROPRIATION.] *There shall be appropriated from the general fund in the state treasury a sum sufficient for the administrative duties, payments, and distributions authorized or required by this act, except for the taxes authorized in section 11.*"

Renumber the sections in sequence

Amend the title as follows:

Line 2, after "to" insert "taxation; providing for"

The motion prevailed. So the amendment was adopted.

Mr. North then moved to amend H. F. No. 2281, the unofficial engrossment, as follows:

Page 49, strike all of section 28

Renumber the sections in sequence

Amend the title as follows:

Line 2, strike the comma and insert "and" and strike "and welfare"

Lines 17 and 18, strike "authorizing capital improvements to the Minnesota veterans home;"

The motion prevailed. So the amendment was adopted.

Mr. North then moved to amend H. F. No. 2281, the unofficial engrossment, as follows:

Page 8, line 30, after the period insert:

"The commission shall not accept gifts, grants, or loans valued at more than \$10,000, without the prior approval of the council. The council shall consider the short and long range impact of the gifts on (a) commission revenues, (b) commission operating expenditures, and (c) the financial solvency of each existing publicly financed indoor public assembly facility in the metropolitan area having a simultaneous capacity of at least 8,000 seats and 15,000 square feet of exhibit space."

Page 10, line 7, strike "a nine" and insert "an eleven"

Page 10, line 9, after the semicolon insert "two members from outstate Minnesota;"

Page 16, line 17, strike "(a)"

Page 16, line 23, strike "through loss of revenues"

Page 16, line 24, strike the remainder of the line after "default,"

Page 16, strike line 25 before "the commission's" and insert "such damages to include"

Page 16, line 27, after "activities," insert "and other revenue,"

Page 16, line 29, before "date" insert "termination" and strike the remainder of the line after "date" and insert "of the lease; provided that these damages shall be reduced by any revenues received on an annual basis from another major league club in the same sport which enters into a lease agreement for use of the stadium; and"

Page 16, strike lines 30 to 31

Page 17, line 15, after "and" insert "(iv) the agreements shall include binding undertakings by the professional baseball and football organizations and their present or future stockholders prohibiting the use of any league franchises and player contracts in the same sports, which they now or in the future may own, enter into, or otherwise control, whether directly or indirectly, except in connection with football, baseball, or other sports activities at the sports facility herein contemplated; and (v) agreements shall be executed with the professional sports organizations which

have agreed to use the sports facility which provide the maximum possible guarantees by the organizations for payment of any deficits; and the commission has reported to the legislature its determination regarding the matters specified in this subdivision 30 days prior to the issuance of the bonds."

Page 17, strike lines 16 to 18 and insert:

"Any of the proceeds of the bonds in excess of \$2,000,000 shall be placed in an interest bearing escrow account until such time as the council determines that the conditions listed in subdivision 4 have been met."

Page 18, line 19, after "circulation" insert "and parking" and after "at" insert "and around"

Page 19, line 32, strike "and"

Page 20, line 5, strike the period and insert "and"

(m) The council has reported to the legislature its findings and determinations with respect to the matters in this subdivision."

Page 28, line 17, strike "all"

Page 28, line 19, strike "Within"

Page 39, line 21, strike "\$1,300,000" and insert "\$1,500,000"

Page 39, line 25, strike "\$300,000" and insert "\$350,000"

Page 40, line 2, strike "\$1,500,000" and insert "\$1,300,000"

Correct all internal references

The motion prevailed. So the amendment was adopted.

Mr. North then moved to amend H. F. No. 2281, the unofficial engrossment, as follows:

Page 19, after line 4, insert:

"(i) Total expenditures through 1982, including interest, by all units of government for the sports facility and for directly related road access improvements and bridges and similar supporting facilities will not exceed \$50,000,000 plus the amount of funds needed to meet the obligations under section 8, subdivision 2; provided that road access improvements and bridges already under construction, contracted for, or approved for construction on the effective date of this act shall not be included in the total expenditures estimated by the council;"

Reletter the clauses in sequence and correct all internal references in the bill

The motion prevailed. So the amendment was adopted.

Mr. Schaaf moved to amend H. F. No. 2281, the unofficial engrossment, as follows:

Page 17, line 26, strike "designated by the site" and insert "within three quarters of a mile of the intersection of 12th avenue south and second street south in the city of Minneapolis;"

Page 17, strike all of line 27

Page 19, strike all of line 13 after "*and*"

Page 19, line 14, strike "*under section 14,*"

Page 19, strike lines 30 to 32

Reletter the clauses in sequence

Page 26, line 7, strike "*each*" and insert "*the*"

Page 26, line 8, strike "*specified in section 14, subdivision 1,*"

Page 26, line 9, strike "*Each*" and insert "*The*"

Page 26, line 24, strike "*each*" and insert "*the*"

Page 26, strike all of line 25 before "*within*"

Pages 27 and 28, strike all of section 14

Renumber the sections in sequence and correct all internal references in the bill

Amend the title as follows:

Line 13, strike "establishing a panel to select a site;"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 13 and nays 41, as follows:

Those who voted in the affirmative were:

Anderson	Chenoweth	McCutcheon	Schaaf	Stokowski
Berg	Gearty	Merriam	Schrom	Stumpf
Borden	Hansen, Baldy	Olhoft		

Those who voted in the negative were:

Ashbach	Fitzsimons	Kirchner	Ogdahl	Schmitz
Bang	Frederick	Kleinbaum	Olson, J. L.	Spear
Bernhagen	Hansen, Mel	Knutson	O'Neill	Stassen
Blatz	Hanson, R.	Kowalczyk	Patton	Ueland
Brataas	Hughes	Larson	Perpich, A. J.	Willet
Brown	Humphrey	Laufenburger	Perpich, G.	
Chmielewski	Josefson	Lewis	Pillsbury	
Dunn	Keefe, J.	Milton	Purfeerst	
	Keefe, S.	North	Renneke	

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

Mr. North then moved to amend H. F. No. 2281, the unofficial engrossment, as follows:

Page 24, line 16, after "*at*" insert "*municipal liquor stores and*"

Page 24, line 17a, strike "*The tax authorized in sections*"

Page 24, strike lines 17b to 17d

Page 24, line 17e, strike "*the commission.*"

Page 24, line 20, strike "*and as*" and insert "*, but not*"

Page 24, line 20, after "of" and before "the" insert a comma

Page 24, line 25, after "commission." insert *"If in any year the commission experiences a cash deficit or the council estimates that the tax and other revenues to be received in the current or following year will not be sufficient to avoid a cash deficit, the council may and shall increase the rate of such tax to such percent, not exceeding two percent, of the sales price as it estimates will be sufficient to remove any present and prevent any future deficit."*

Pages 40 to 49, strike sections 25 to 27

Renumber the sections in sequence and correct all applicable internal references in the bill

Amend the title as follows:

Line 2, after "to" insert "taxation;"

Lines 19 and 20, strike "Sections 297A.14; 297A.25, Subdivision 1;"

Lines 23 and 24, strike "297A.01, Subdivision 3;"

Mr. Keefe, J. moved a substitute amendment to the North amendment to H. F. No. 2281, the unofficial engrossment, as follows:

Page 24, line 12, strike "[ON-SALE LIQUOR TAX.] *The council is*"

Page 24, strike lines 13 to 17e and insert: "[SALES TAX ON ADVERTISING.] *Notwithstanding the provisions of Minnesota Statutes 1974, Section 297A.25, Subdivision 1, or any other law to the contrary, the council is authorized to impose a two percent tax on the gross receipts from all sales within the metropolitan area, granting for a consideration the use of time for advertising purposes by a television or radio station; and upon the gross receipts from all sales within the metropolitan area, granting for a consideration the use of space in a publication, as defined in section 297A.25, subdivision 1, clause (i) for advertising purposes. The tax shall be*"

Page 24, line 20, strike "and as" and insert ", but not"

Page 24, line 20, after "of" and before "the" insert a comma

Pages 40 to 49, strike sections 25 to 27

Renumber the sections in sequence and correct all applicable internal references in the bill

Amend the title as follows:

Line 2, after "to" insert "taxation;"

Lines 19 and 20, strike "Sections 297A.14; 297A.25, Subdivision 1;"

Lines 23 and 24, strike "297A.01, Subdivision 3;"

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

And the roll being called, there were yeas 10 and nays 46, as follows:

Those who voted in the affirmative were:

Blatz	Chenoweth	Keefe, J.	McCutcheon	Schaaf
Brown	Davies	Knutson	Olhoft	Ueland

Those who voted in the negative were:

Anderson	Fitzsimons	Kirchner	Olson, J. L.	Sillers
Ashbach	Frederick	Kleinbaum	O'Neill	Solon
Berg	Gearty	Kowalczyk	Patton	Spear
Bernhagen	Hansen, Baldy	Lewis	Perpich, A. J.	Stumpf
Borden	Hansen, Mel	Merriam	Perpich, G.	Wegener
Brataas	Hanson, R.	Milton	Pillsbury	Willet
Chmielewski	Hughes	Moe	Purfeerst	
Coleman	Humphrey	North	Renneke	
Conzenius	Josefson	Ogdahl	Schmitz	
Dunn	Keefe, S.	Olson, H. D.	Schrom	

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

The question recurred on the North amendment.

The motion prevailed. So the amendment was adopted.

H. F. No. 2281 was then progressed.

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 refuses to concur in the Senate amendments to House File No. 2144:

H. F. No. 2144: A bill for an act relating to the state transportation system; creating the Minnesota state transportation fund; appropriating money therefrom for construction and reconstruction of bridges and bridge approaches; authorizing the issuance of state bonds therefor pursuant to article XI of the constitution.

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

Lemke, Patton and Schreiber have been appointed as such committee on the part of the House.

House File No. 2144 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 April 6, 1976

Mr. Laufenburger moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2144, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with

a like Conference Committee appointed on the part of the House. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Olhoft moved that the Senate Conferees on H. F. No. 2233 be discharged and a new Conference Committee be appointed. The motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 8:30 o'clock p.m. The motion prevailed.

The hour of 8:30 o'clock p.m. having arrived, the President called the Senate to order.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on:

H. F. No. 2233, pursuant to the request of the House:

Messrs. Olhoft, Borden and Josefson.

H. F. No. 2144, pursuant to the request of the House:

Messrs. Laufenburger, Frederick and Anderson.

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

The question recurred on H. F. No. 2281.

Mr. Conzemius moved to amend H. F. No. 2281, the unofficial engrossment, as follows:

Page 49, after line 27, insert:

"Sec. 26. When the governor submits his budget to the legislature in January, 1977, he shall include a statement containing the most recent estimate of the amount of "opening balance" which is projected for the general fund on July 1, 1977. The estimate of the opening balance shall be certified by the commissioner of finance. The estimate shall be made by the commissioner of finance according to modern forecasting procedures using the most recent data available.

In the event that the projected opening balance exceeds \$150,000,000; \$50,000,000 of that amount shall be used for purposes of section 27.

Sec. 27. Minnesota Statutes 1974, Section 290.06, is amended by adding a subdivision to read:

Subd. 3e. [CREDITS AGAINST TAX.] Notwithstanding the provisions of subdivision 3a for taxable years which begin after December 31, 1975, the taxes due under the computation in accordance with section 290.06 shall be credited with the following amounts:

(1) *In the case of an unmarried individual, and, except as provided in paragraph 6, in the case of the estate of a decedent, \$34, and in the case of a trust, \$5;*

(2) *In the case of a married individual, living with husband or wife, and in the case of a head of a household, \$68. If such husband and wife make separate returns the personal exemption may be taken by either or divided between them;*

(3) *In the case of an individual, \$34 for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer. One taxpayer only shall be allowed this credit with respect to any given dependent. In the case of the head of a household, a credit for one dependent shall be disallowed. A payment to a divorced or separated wife, other than a payment of the kind referred to in section 290.072, subdivision 3, shall not be considered a payment by the husband for the support of any dependent.*

(4) (a) *In the case of an unmarried individual who has attained the age of 65 before the close of his taxable year, an additional \$21;*

(b) *In the case of an unmarried individual who is blind at the close of the taxable year, an additional \$21;*

(c) *In the case of a married individual, living with husband or wife, an additional \$21 for each spouse who has attained the age of 65 before the close of the individual's taxable year, and an additional \$25 for each spouse who is blind at the close of the individual's taxable year. If such husband and wife make separate returns, these credits may be taken by either or divided between them;*

(d) *For the purposes of sub-paragraphs (b) and (c) of paragraph (4), an individual is blind if his central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his visual acuity is greater than 20/200 but 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.*

(5) *In the case of an insurance company, it shall receive a credit on the tax computed as above equal in amount to any taxes based on premiums paid by it during the period for which the tax under Extra Session Laws 1967, Chapter 32, is imposed by virtue of any law of this state, other than the surcharge on premiums imposed by Extra Session Laws 1933, Chapter 53, as amended;*

(6) *If the status of a taxpayer, insofar as it affects the credits allowed under paragraphs 1, 2 and 3 shall change during the taxable year, or if the taxpayer shall either become or cease to be a resident of the state during such taxable year, such credit shall be apportioned, in accordance with the number of months before and after such change. For the purpose of such apportionment, a fractional part of a month shall be disregarded unless more than one-half of the month, in which case it shall be considered as a month. In case of death during a taxable year, a credit shall be allowed to the decedent, in proportion to the number of months*

before his death, and to his estate, in proportion to the number of months after his death, and in any event a minimum credit of \$5 shall be allowed to the decedent and his estate, respectively;

(7) In the case of a non-resident individual, credits under paragraphs 1, 2, 3 and 4 shall be apportioned in the proportion of the gross income from sources in Minnesota to the gross income from all sources, and in any event a minimum credit of \$5 shall be allowed."

Renumber the sections in sequence and correct all internal references in the bill

Amend the title as follows:

Line 18, after the semicolon, insert "requiring a statement from the governor to the legislature estimating the amount of opening balance; increasing the credit against income tax;"

Line 19, after "1974", insert "Section 290.06, by adding a subdivision;"

Mr. Brown moved a substitute amendment to the Conzemius amendment to H. F. No. 2281, the unofficial engrossment, as follows:

Page 49, after line 27, insert the following:

"Sec. 29. Minnesota Statutes 1974, Section 290.06, Subdivision 2c, is amended to read:

Subd. 2c. [SCHEDULE OF RATES FOR INDIVIDUALS, ESTATES AND TRUSTS.] (a) For taxable years beginning after December 31, 1971, the income taxes imposed by chapter 290 upon individuals, estates and trusts, other than those taxable as corporations, shall be computed by applying to their taxable net income in excess of the applicable credits allowed by section 290.21, the following schedule of rates:

- (1) On the first \$500, ~~one and six tenths~~ percent;
- (2) On the second \$500, ~~two and two tenths~~ percent;
- (3) On the ~~next \$1,000~~ *third \$500*, ~~three and five tenths~~ percent;
- (4) On the ~~next \$1,000~~ *fourth \$500*, ~~five and eight tenths~~ *four* percent;
- (5) On the next \$1,000, ~~seven and three tenths~~ *five* percent;
- (6) On the next \$1,000, ~~eight and eight tenths~~ *six* percent;
- (7) On the next ~~\$2,000~~ *\$1,000*, ~~ten and two tenths~~ *seven* percent;
- (8) On the next ~~\$2,000~~ *\$1,000*, ~~eleven and five tenths~~ *eight* percent;
- (9) On the next ~~\$3,500~~ *\$1,000*, ~~twelve and eight tenths~~ *nine* percent;

(10) On all over \$12,500, and not over \$20,000 the next \$1,000 ,
~~fourteen~~ ten percent;

(11) On the next \$1,000, eleven percent;

(12) On the next \$1,000, twelve percent;

(13) On the next \$2,500, thirteen percent;

(14) On the next \$2,500, fourteen percent;

~~(11)~~ (15) On the remainder, fifteen percent.

(b) In lieu of a tax computed according to the rates set forth in clause (a) of this subdivision, the tax of any individual taxpayer whose adjusted gross income for the taxable year is less than \$10,000, at his election shall be computed in accordance with tables prepared and issued by the commissioner of revenue. Such tables shall be prepared upon the same basis as the tables contained in Minnesota Statutes 1961, Section 290.06, taking into account, however, the increase in rates provided by clause (a) of this section.

Sec. 30. Minnesota Statutes 1974, Section 290.06, Subdivision 3c, is amended to read:

Subd. 3c. [CREDITS AGAINST TAX.] Notwithstanding the provisions of subdivision 3a for taxable years which begin after December 31, 1971, the taxes due under the computation in accordance with section 290.06 shall be credited with the following amounts:

(1) In the case of an unmarried individual, and, except as provided in paragraph 6, in the case of the estate of a decedent, ~~\$21~~ \$25, and in the case of a trust, \$5;

(2) In the case of a married individual, living with husband or wife, and in the case of a head of a household, \$42. If such husband and wife make separate returns the personal exemption may be taken by either or divided between them;

(3) In the case of an individual, ~~\$21~~ \$25 for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer. One taxpayer only shall be allowed this credit with respect to any given dependent. In the case of the head of a household, a credit for one dependent shall be disallowed. A payment to a divorced or separated wife, other than a payment of the kind referred to in section 290.072, subdivision 3, shall not be considered a payment by the husband for the support of any dependent.

(4) (a) In the case of an unmarried individual who has attained the age of 65 before the close of his taxable year, an additional ~~\$21~~ \$25;

(b) In the case of an unmarried individual who is blind at the close of the taxable year, an additional ~~\$21~~ \$25;

(c) In the case of a married individual, living with husband or wife, an additional ~~\$21~~ \$25 for each spouse who has attained the age of 65 before the close of the individual's taxable year, and an additional \$25 for each spouse who is blind at the close of the individual's taxable year. If such husband and wife make separate returns, these credits may be taken by either or divided between them;

(d) For the purposes of sub-paragraphs (b) and (c) of paragraph (4), an individual is blind if his central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his visual acuity is greater than 20/200 but 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.

(5) In the case of an insurance company, it shall receive a credit on the tax computed as above equal in amount to any taxes based on premiums paid by it during the period for which the tax under Extra Session Laws 1967, Chapter 32, is imposed by virtue of any law of this state, other than the surcharge on premiums imposed by Extra Session Laws 1933, Chapter 53, as amended;

(6) If the status of a taxpayer, insofar as it affects the credits allowed under paragraphs 1, 2 and 3 shall change during the taxable year, or if the taxpayer shall either become or cease to be a resident of the state during such taxable year, such credit shall be apportioned, in accordance with the number of months before and after such change. For the purpose of such apportionment, a fractional part of a month shall be disregarded unless more than one-half of the month, in which case it shall be considered as a month. In case of death during a taxable year, a credit shall be allowed to the decedent, in proportion to the number of months before his death, and to his estate, in proportion to the number of months after his death, and in any event a minimum credit of \$5 shall be allowed to the decedent and his estate, respectively;

(7) In the case of a non-resident individual, credits under paragraphs 1, 2, 3 and 4 shall be apportioned in the proportion of the gross income from sources in Minnesota to the gross income from all sources, and in any event a minimum credit of \$5 shall be allowed.

Sec. 31. Sections 29 and 30 are effective for taxable years commencing after December 31, 1976."

Renumber the sections in sequence

Correct the internal references in the bill

Amend the title as follows:

Line 19, after "Sections" insert "290.06, Subdivision 2c;"

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

And the roll being called, there were yeas 28 and nays 30, as follows:

Those who voted in the affirmative were:

Ashbach	Chenoweth	Josefson	Milton	Sillers
Berg	Davies	Keefe, J.	Ogdahl	Stassen
Bernhagen	Dunn	Kirchner	O'Neill	Stumpf
Blatz	Frederick	Knutson	Patton	Ueland
Brataas	Hansen, Mel	Kowalczyk	Renneke	
Brown	Hanson, R.	McCutcheon	Schrom	

Those who voted in the negative were:

Anderson	Gearty	Laufenburger	Olson, J. L.	Schmitz
Arnold	Hansen, Baldy	Lewis	Perpich, A. J.	Solon
Borden	Hughes	Merriam	Perpich, G.	Spear
Coleman	Humphrey	Moe	Pillsbury	Stokowski
Conzemius	Keefe, S.	North	Purfeerst	Wegener
Fitzsimons	Kleinbaum	Olson, H. D.	Schaaf	Willet

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

The question recurred on the Conzemius amendment.

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

And the roll being called, there were yeas 36 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Larson	Perpich, A. J.	Stumpf
Arnold	Coleman	Lewis	Perpich, G.	Ueland
Ashbach	Conzemius	McCutcheon	Purfeerst	Wegener
Bang	Gearty	Milton	Schaaf	Willet
Borden	Hughes	Moe	Schmitz	
Brataas	Humphrey	North	Sillers	
Brown	Kleinbaum	Olhoft	Stassen	
Chenoweth	Kowalczyk	Patton	Stokowski	

Those who voted in the negative were:

Bernhagen	Frederick	Keefe, S.	Olson, H. D.	Schrom
Blatz	Hansen, Baldy	Kirchner	Olson, J. L.	Solon
Davies	Hanson, R.	Knutson	O'Neill	Spear
Dunn	Josefson	Merriam	Pillsbury	
Fitzsimons	Keefe, J.	Ogdahl	Renneke	

The motion prevailed. So the amendment was adopted.

Mr. Chmielewski moved to amend H. F. No. 2281, the unofficial engrossment, as follows:

Page 49, after line 27, insert:

"Sec. . [RAILROADS; CONTRACTS FOR PASSENGER SERVICE; APPROPRIATION.] *There is appropriated to the public service commission from the general fund the sum of \$300,000, or so much thereof as may be required, for the purpose of contracting with the National Railroad Passenger Corporation for the continuation of railroad passenger service within the state pursuant to Minnesota Statutes, Sections 216A.10 to 216A.13, during the biennium ending June 30, 1977.*"

Renumber the sections in sequence

Correct all internal references

Amend the title in line 16, after the semicolon, by inserting "appropriating money for continuation of certain rail passenger service;"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 19 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Humphrey	Merriam	Schrom
Bang	Chmielewski	Kleinbaum	Moe	Solon
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stumpf
Borden	Hughes	McCutcheon	Schaaf	

Those who voted in the negative were:

Arnold	Conzemius	Keefe, S.	Ogdahl	Pillsbury
Ashbach	Davies	Kirchner	Olhoft	Purfeerst
Berg	Dunn	Knutson	Olson, H. D.	Schmitz
Bernhagen	Frederick	Kowalczyk	O'Neill	Sillers
Brataas	Gearty	Lewis	Patton	Stokowski
Chenoweth	Hansen, Mel	Milton	Perpich, A. J.	Ueland
Coleman	Josefson	North	Perpich, G.	

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

H. F. No. 2281 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,

Mr. North moved that those not voting be excused from voting. The motion did not prevail.

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

And the roll being called, there were yeas 35 and nays 27, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Josefson	Moe	Pillsbury
Ashbach	Fitzsimons	Keefe, S.	North	Purfeerst
Bernhagen	Frederick	Kirchner	Ogdahl	Sillers
Brataas	Gearty	Kleinbaum	Olson, H. D.	Solon
Chmielewski	Hansen, Mel	Laufenburger	O'Neill	Stassen
Coleman	Hughes	Lewis	Perpich, A. J.	Stokowski
Conzemius	Humphrey	Merriam	Perpich, G.	Ueland

Those who voted in the negative were:

Arnold	Chenoweth	Kowalczyk	Patton	Stumpf
Bang	Davies	Larson	Renneke	Wegener
Berg	Hansen, Baldy	McCutcheon	Schaaf	Willett
Blatz	Hanson, R.	Milton	Schmitz	
Borden	Keefe, J.	Olhoft	Schrom	
Brown	Knutson	Olson, J. L.	Spear	

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Humphrey moved that the names of Messrs. Schaaf and Olson, A. G. be added as co-authors to S. F. No. 2165. The motion prevailed.

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

S. F. No. 1675: A bill for an act relating to public indebtedness; revising and clarifying provisions as to manner of sale and execution of obligations; designation of paying agents; cremation of obligations; payment of grant anticipation certificates; use of investment income from proceeds; administration of debt service funds; refunding; method of payment and interest rate on special assessments and obligations payable from special assessments; amending Minnesota Statutes 1974, Sections 48.15, by adding a subdivision; 124.05, Subdivisions 3 and 4; 138.17, Subdivision 1; 429.061, Subdivision 2; 429.091, Subdivisions 1, 3, and 4; 471.56, Subdivisions 1 and 3; 475.51, Subdivision 6, and adding a subdivision; 475.52, Subdivision 1; 475.55; 475.553, Subdivisions 1, 2, 3, and 5; 475.60, Subdivisions 2 and 3; 475.61, Subdivision 5; 475.65; 475.66; 475.67, Subdivisions 7 and 12; and repealing Minnesota Statutes 1974, Section 475.553, Subdivision 4, and Minnesota Statutes, 1975 Supplement, Section 471.561.

Senate File No. 1675 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 1976

CONCURRENCE AND REPASSAGE

Mr. Gearty moved that the Senate concur in the amendments by the House to S. F. No. 1675 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1675 was read the third time, as amended by the House, and placed on its repassage.

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

And the roll being called, there were yeas 43 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Josefson	Merriam	Pillsbury
Arnold	Davies	Keefe, J.	Milton	Renneke
Bang	Dunn	Kirchner	Moe	Schaaf
Bernhagen	Frederick	Kleinbaum	Ogdahl	Schmitz
Blatz	Gearty	Knutson	Olson, H. D.	Sillers
Borden	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stumpf
Brataas	Hansen, Mel	Larson	O'Neill	Willet
Brown	Hughes	Laufenburger	Patton	
Chmielewski	Humphrey	Lewis	Perpich, G.	

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 House File No. 2374, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 2374: A bill for an act relating to highway traffic regulation; requiring courts to report to the commissioner of public safety a stay of imposition of sentence granted under provisions of law relating to driving while under the influence of drugs or alcoholic beverages; amending Minnesota Statutes 1974, Sections 169.121, Subdivision 6; and 609.135, Subdivision 3.

House File No. 2374 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 6, 1976

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2374

A bill for an act relating to highway traffic regulation; requiring courts to report to the commissioner of public safety a stay of imposition of sentence granted under provisions of law relating to driving while under the influence of drugs or alcoholic beverages; amending Minnesota Statutes 1974, Sections 169.121, Subdivision 6; and 609.135, Subdivision 3.

April 5, 1976

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. 2374 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and H. F. No. 2374 be amended as follows:

Page 1, delete lines 12 to 21 and insert "is amended by adding a subdivision to read:

Subd. 7. Any person whose license has been revoked pursuant to section 2 of this act shall not be subject to the mandatory revocation provision of subdivision 3 of this section.

Sec. 2. Minnesota Statutes 1974, Chapter 169, is amended by adding a section to read:

[169.124] [REPORTING OF CHEMICAL TESTS; NOTICE OF REVOCATION; HEARING.] *Subdivision 1. [CHEMICAL TEST REPORTS.] When a peace officer, as defined in section 169.123, subdivision 1, has administered a chemical test of a per-*

son's breath, other than a preliminary screening test, pursuant to section 169.123, he shall report the results of that test to the commissioner of public safety if the test result indicates a blood alcohol content of .10 percent or more by weight of alcohol. When such peace officer requests and directs the administration and interpretation of a blood or urine test pursuant to section 169.123, the person interpreting such a test at the request of the peace officer shall be fully trained in the interpretation of such tests pursuant to standards of the commissioner of public safety and shall report the results of the test to the commissioner of public safety if the test result indicates a blood alcohol content level of .10 percent or more by weight of alcohol.

Subd. 2. [NOTICE OF REVOCATION; REQUEST FOR HEARING.] The commissioner of public safety shall revoke for a period of 90 days the driver's license, permit or nonresident operating privileges of any person whose blood contains .10 percent or more by weight of alcohol upon the receipt of a record of the blood, breath or urine test administered by or at the direction of a peace officer pursuant to section 169.123. No revocation shall be made until the commissioner of public safety notifies the person by certified or registered mail of the intention to revoke and allows the person a 20 day period after the date of receiving the notice to request of the commissioner of public safety in writing, a hearing as herein provided. If a request for hearing is filed, no revocation hereunder shall be made until final judicial determination.

Subd. 3. [HEARING.] The hearing shall be before a municipal or county judge, learned in the law, in the county where the alleged offense occurred, unless there is agreement that the hearing may be held in some other county. The hearing shall be heard as early as practicable but not to exceed 30 days from the receipt of request for hearing unless the court grants a continuance of the hearing. The hearing shall be without the right of trial by jury. The scope of the hearing shall include whether the peace officer has reasonable and probable grounds to believe the person was driving or operating a motor vehicle while under the influence of an alcoholic beverage; whether the person was lawfully placed under arrest, if applicable; whether the person took the test; whether he was advised of his right to have additional tests made by a person of his own choosing; and the validity and reliability of the testing method used and the accuracy of the evaluation of the test results. The municipal or county court shall order that the revocation be sustained or rescinded and refer such order to the commissioner of public safety for his further action.

Subd. 4. [REVIEW BY DISTRICT COURT.] Any person whose license or permit to drive, or nonresident operating privilege has been revoked may within 30 days of receipt of the revocation notice from the commissioner file a petition for hearing of the matter in district court in the county where the hearing pursuant to subdivision 3 was held unless there is agreement that the hearing may be held in some other county. The matter shall be heard

by the court pursuant to the provisions of Minnesota Statutes, Section 171.19. Notice to other states shall be provided in section 169.123, subdivision 8.

Subd. 5. [LIMITED LICENSE.] *In any case where a license has been revoked under this section, the commissioner may issue a limited license to the driver. The commissioner in issuing a limited license may impose the conditions and limitations which in his judgment are necessary to the interests of the public safety and welfare including re-examination of the driver's qualifications, attendance at a driver improvement clinic, or attendance at counseling sessions. The license may be limited to the operation of particular vehicles and to particular classes and times of operation. The limited license issued by the commissioner shall clearly indicate the limitations imposed and the driver operating under a limited license shall have the license in his possession at all times when operating as a driver. In determining whether to issue a limited license, the commissioner shall consider the number and the seriousness of prior convictions and the entire driving record of the driver.*

Subd. 6. [REINSTATED LICENSE.] *If the commissioner receives notice of the driver's attendance at a driver improvement clinic, attendance at counseling sessions, or participation in treatment for an alcohol problem the commissioner may, after 60 days of the revocation period have elapsed, reinstate the driver's license for the remainder of the revocation period. The commissioner shall not reinstate a license under this subdivision to a driver who has had a license revoked under sections 169.121, 169.123 or this act on a prior occasion during the preceding three year period for another incident."*

Page 2, delete lines 4 and 5

Renumber sections in order

Page 2, after line 5, insert

"Sec. 4. [APPROPRIATION.] *There is appropriated from the general fund to the department of public safety the sum of \$159,300 for the purpose of this act."*

Further, amend the title as follows:

Page 1, line 4, delete "granted" and insert "for motor vehicle offenses; providing for the revocation of a driver's license or permit by the commissioner of public safety upon receipt of chemical test that person's blood contains .10 percent or more by weight of alcohol; providing procedural safeguards; providing for issuance of a limited license; providing for reinstatement of a revoked license; prescribing penalties; and appropriating money"

Page 1, delete lines 5 and 6

Page 1, line 7, delete "beverages"

Page 1, line 8, delete "Subdivision 6" and insert "by adding a subdivision"

Page 1, line 8, delete "and"

Page 1, line 9, after "3" insert "; and Chapter 169, by adding a section"

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

House Conferees: (Signed) Bill Luther, Neil B. Dieterich, Richard J. Parish

Senate Conferees: (Signed) Alec G. Olson, David D. Schaaf

Mr. Humphrey moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2374 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. 2374: A bill for an act relating to highway traffic regulation; requiring courts to report to the commissioner of public safety a stay of imposition of sentence for motor vehicle offenses; providing for the revocation of a driver's license or permit by the commissioner of public safety upon receipt of chemical test that person's blood contains .10 percent or more by weight of alcohol; providing procedural safeguards; providing for issuance of a limited license; providing for reinstatement of a revoked license; prescribing penalties; and appropriating money; amending Minnesota Statutes 1974, Sections 169.121, by adding a subdivision; and 609.135, Subdivision 3; and Chapter 169, 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 41 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	Olson, J. L.	Stassen
Arnold	Davies	Kleinbaum	Patton	Stokowski
Berg	Dunn	Kowalczyk	Perpich, G.	Stumpf
Bernhagen	Fitzsimons	Laufenburger	Pillsbury	Wegener
Borden	Gearty	Merriam	Purfeerst	Willet
Brataas	Hansen, Mel	Milton	Renneke	
Brown	Hughes	Moe	Schaaf	
Chmielewski	Humphrey	North	Solon	
Coleman	Josefson	Olhoft	Spear	

Those who voted in the negative were:

Ashbach	Hanson, R.	Larson	O'Neill	Schrom
Blatz	Kirchner	Ogdahl	Schmitz	Ueland
Hansen, Baldy	Knutson			

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. 2144, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 2144: A bill for an act relating to the state transportation system; creating the Minnesota state transportation fund; appropriating money therefrom for construction and reconstruction of bridges and bridge approaches; authorizing the issuance of state bonds therefor pursuant to article XI of the constitution.

House File No. 2144 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 6, 1976

SUSPENSION OF RULES

Mr. Laufenburger moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee Report on H. F. No. 2144. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2144

A bill for an act relating to the state transportation system; creating the Minnesota state transportation fund; appropriating money therefrom for construction and reconstruction of bridges and bridge approaches; authorizing the issuance of state bonds therefor pursuant to article XI of the constitution.

April 6, 1976

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. 2144 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. 2144 be further amended as follows:

Page 2, line 28, strike "highways" and insert "transportation"

Page 2, line 29, strike "director of planning" and insert "commissioner"

Page 3, line 5, strike "highways" and insert "transportation"

Page 3, line 6, strike "director of planning" and insert "commissioner"

Page 3, line 11, strike "state"

Page 3, line 12, strike "planning agency" and insert "department of transportation"

Page 3, line 29, strike "state planning" and insert "department of transportation"

Page 3, line 30, strike "agency"

Page 4, line 10, strike "highways" and insert "transportation"

Page 4, line 18, strike "highways" and insert "transportation"

Pages 8 and 9, strike section 3 in its entirety and insert:

"Sec. 3. [BOND AUTHORIZATIONS.] Subdivision 1. The commissioner of finance is authorized upon the request of the commissioner of transportation to sell and issue Minnesota state transportation bonds for the purposes provided in section 2, subdivision 1, in the aggregate principal amount of \$12,500,000, in the manner and upon the conditions prescribed in section 2 and in article XI of the constitution; provided that no bonds may be sold in any year unless the money appropriated by section 4, subdivision 2, clause (a), has been expended. The proceeds of the bonds, except as provided in section 2, subdivision 5, are appropriated to the Minnesota state transportation fund for expenditure in accordance with section 1 and section 4, subdivision 1, clause (a).

Subd. 2. The commissioner of finance is authorized upon the request of the commissioner of transportation to sell and issue Minnesota state transportation bonds for the purposes provided in section 2, subdivision 1, in the aggregate principal amount of \$12,500,000, in the manner and upon the conditions prescribed in section 2 and in article XI of the constitution; provided that no bonds shall be sold in any year unless the money appropriated by section 4, subdivision 2, clause (b), has been expended. The proceeds of the bonds, except as provided in section 2, subdivision 5, are appropriated to the Minnesota state transportation fund for expenditure in accordance with this section and section 1 and section 4, subdivision 1, clause (b).

Sec. 4. [APPROPRIATION.] Subdivision 1. The following sums, or so much thereof as is determined to be needed, are appropriated from the Minnesota state transportation fund to the department of transportation for the following purposes:

(a) \$25,000,000 for the construction and reconstruction of key bridges and bridge approaches on the trunk highway system, including interstate routes;

(b) For disbursement in the form of grants to political subdivisions by the commissioner of transportation for the construction and reconstruction of key bridges on the following road systems:

- (1) County highway systems.....\$13,500,000
- (2) Municipal street systems.....\$4,000,000
- (3) Township road systems.....\$7,500,000.

Subd. 2. The following sums shall be appropriated from the general fund in the fiscal year ending June 30, 1977, to the department of transportation for deposit in the Minnesota state transportation fund:

(a) \$12,500,000 for expenditure in accordance with subdivision 1, clause (a); and

(b) \$12,500,000 for expenditure in accordance with subdivision 1, clause (b)."

Renumber remaining section

Page 9, line 6, strike "Section 3 is" and insert "Sections 3 and 4 are"

Further, amend the title as follows:

Page 1, line 7, after "constitution" insert "; appropriating money"

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

House Conferees: (Signed) Richard R. Lemke, Al Patton, William H. Schreiber

Senate Conferees: (Signed) Roger Laufenburger, Mel Frederick, Jerald C. Anderson

Mr. Laufenburger moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2144 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. 2144: A bill for an act relating to the state transportation system; creating the Minnesota state transportation fund; appropriating money therefrom for construction and reconstruction of bridges and bridge approaches; authorizing the issuance of state bonds therefor pursuant to article XI of the constitution; appropriating money.

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 46 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Kirchner	Olhoft	Schrom
Arnold	Dunn	Kleinbaum	Olson, H. D.	Solon
Ashbach	Fitzsimons	Knutson	Olson, J. L.	Stassen
Bang	Frederick	Kowalczyk	O'Neill	Stokowski
Berg	Hansen, Baldy	Larson	Patton	Ueland
Bernhagen	Hansen, Mel	Laufenburger	Perpich, A. J.	Willet
Borden	Hanson, R.	Lewis	Pillsbury	
Brataas	Hughes	Milton	Purfeerst	
Brown	Humphrey	Moe	Renneke	
Chmielewski	Josefson	Ogdahl	Schmitz	

Those who voted in the negative were:

Blatz	Keefe, S.	North	Spear	Stumpf
Davies	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. 2043, and repassed said bill in accordance with the report of the Committee, so adopted:

H. F. No. 2043: A bill for an act relating to elections; providing for uniform reporting dates for campaign disclosure forms; providing for disclosure of campaign contributions and expenditures of political committees and candidates for local office; amending Minnesota Statutes 1974, Chapters 123, 373, and 471, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 210A.01, Subdivisions 1, 5, 6, 8, 9, and by adding subdivisions; 210A.05, Subdivision 1; 210A.16; 210A.23; 210A.24; 210A.25; 210A.26; 210A.27, Subdivision 1; 210A.29; 210A.32; 210A.33; Chapter 210A, by adding sections; repealing Minnesota Statutes, 1975 Supplement, Sections 123.015; 210A.01, Subdivisions 4 and 7; 210A.22; 210A.28; and 210A.31.

House File No. 2043 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 6, 1976

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2043

A bill for an act relating to elections; providing for uniform reporting dates for campaign disclosure forms; providing for disclosure of campaign contributions and expenditures of political committees and candidates for local office; amending Minnesota Statutes 1974, Chapters 123, 373, and 471, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 210A.01, Subdivisions 1, 5, 6, 8, 9, and by adding subdivisions; 210A.05, Subdivision 1; 210A.16; 210A.23; 210A.24; 210A.25; 210A.26; 210A.27, Subdivision 1; 210A.29; 210A.32; 210A.33; Chapter 210A, by adding sections; repealing Minnesota Statutes, 1975 Supplement, Sections 123.015; 210A.01, Subdivisions 4 and 7; 210A.22; 210A.28; and 210A.31.

April 3, 1976

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. 2043 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. 2043 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Chapter 123, is amended by adding a section to read:

[123.016] [CODES OF ETHICS.] *The board of any school district however organized may adopt and enforce by resolution a code of ethics not inconsistent with state law for its elected and appointed officials and employees.*

Sec. 2. Minnesota Statutes, 1975 Supplement, 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 201.021.~~ The county auditor shall be chief registrar of voters and the chief custodian of the official registration records in each county.

Sec. 3. Minnesota Statutes, 1975 Supplement, Chapter 204A, is amended by adding a section to read:

[204A.171] [ELECTION LAW CONFERENCES.] *The secretary of state shall conduct conferences for county auditors before each state primary election for the purpose of giving instructions on the administration of election laws.*

The county auditor or his designee is authorized to conduct in-service training for municipal clerks and chairmen of election boards.

Sec. 4. Minnesota Statutes, 1975 Supplement, Section 210A.01, Subdivision 1, is amended to read:

210A.01 [ELECTIONS; FAIR CAMPAIGN PRACTICES ACT; DEFINITIONS.] Subdivision 1. *Unless otherwise provided herein, the words used in sections 210A.01 to 210A.44 chapter 210A have the meanings prescribed to them in chapter 200; and the words defined in this section are applicable for the purpose of construing sections 210A.01 to 210A.44 this chapter.*

Sec. 5. Minnesota Statutes, 1975 Supplement, Section 210A.01, Subdivision 3, is amended to read:

Subd. 3. *Except as otherwise provided in this chapter, "candidate" means every person for whom it is contemplated or desired that votes may be cast at any election or primary, and who either tacitly or expressly consents to be so considered, except candidates for president and vice president of the United States. In sections 210A.22 to 210A.28, 210A.32 and 210A.33, "candidate" does not mean a person for whom it is contemplated or desired that votes may be cast at any election or primary, and who either tacitly or expressly consents to be so considered for governor, state officer, state senator or membership in the house of representatives.*

Sec. 6. Minnesota Statutes, 1975 Supplement, Section 210A.01, is amended by adding a subdivision to read:

Subd. 3a. *For the purposes of this chapter "election" includes any school district election unless the context clearly indicates otherwise.*

Sec. 7. Minnesota Statutes, 1975 Supplement, Section 210A.01, Subdivision 5, is amended to read:

Subd. 5. "Filing office", when used with reference to any candidate, shall be construed to mean *means* the officer who is authorized by law to issue a certificate of nomination or election to such candidate if he be successful. If there be no officer authorized to issue such certificate of nomination or election, then such term shall be construed to mean the clerk of the town or city in which such candidate resides with whom the candidate files his affidavit of candidacy.

Sec. 8. Minnesota Statutes, 1975 Supplement, Section 210A.01, Subdivision 6, is amended to read:

Subd. 6. "~~Personal~~ *Principal* campaign committee" means *any the single political* committee appointed designated by a candidate for any election.

Sec. 9. Minnesota Statutes, 1975 Supplement, Section 210A.01, Subdivision 8, is amended to read:

Subd. 8. Every two or more persons elected or appointed by any political party or association for the purpose, wholly or partly, of raising, collecting, or disbursing money, or directing the raising, collecting or disbursing thereof, for nomination or election purposes, and every two or more persons who shall cooperate in the raising, collecting, or disbursing of money used, or to be used for or against the election to public office of any person or any class or number of persons, or for or against the adoption of any law, ordinance, or constitutional amendment, shall be deemed a "political committee" within the meaning of sections 210A.01 to 210A.44. "*Political committee*" means any political party, association, or person other than an individual, which supports or opposes any question on the ballot or influences the nomination or election of a candidate.

Sec. 10. Minnesota Statutes, 1975 Supplement, Section 210A.01, is amended by adding a subdivision to read:

Subd. 10. "*Expenditure*" means: (a) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made for the purpose of influencing the nomination for election or election of any candidate to office; or

(b) A transfer of funds between political committees or political funds. "*Expenditure*" does not include services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee, or political fund.

Sec. 11. Minnesota Statutes, 1975 Supplement, Section 210A.01, is amended by adding a subdivision to read:

Subd. 11. "*Contribution*" means: (a) A gift, subscription, loan, advance, the providing of supplies, materials or equipment, or deposit of money or anything else of value made to influence the nomination for election or election of a candidate to office;

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

(c) The payment of compensation for the personal services of another person which are rendered to a candidate or political committee to influence the nomination for election or election of a

candidate to office by any person other than that candidate or political committee.

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

Sec. 12. Minnesota Statutes, 1975 Supplement, Chapter 210A, is amended by adding a section to read:

[210A.025] [PAPER COLOR FOR SAMPLE BALLOTS.] *Except that sample ballots may be printed in newspapers as news matter, it is a misdemeanor to print sample ballots on paper of the same color as any official ballots.*

Sec. 13. Minnesota Statutes, 1975 Supplement, Section 210A.05, Subdivision 1, is amended to read:

210A.05 [PAID ADVERTISEMENTS IN NEWS.] Subdivision 1. No publisher of a newspaper, periodical, or magazine shall insert either in the advertising columns of such newspaper, magazine, or periodical, or elsewhere therein, any matter paid or to be paid for which is intended or tends to influence directly or indirectly any voting at any primary or general election unless at the head or the foot of the matter is printed in six point capital letters the words "Paid Advertisement," and unless there is a statement at the head or the foot of the matter of the amount paid or to be paid therefor, or a statement that the same is to be paid at regular advertising rates, the name of the candidate in whose behalf the matter is inserted and of any other person or the names of the officer and the committee authorizing the publication.

Sec. 14. Minnesota Statutes, 1975 Supplement, Section 210A.09, is amended to read:

210A.09 [SHALL NOT INDUCE PERSON TO BECOME A CANDIDATE OR REFRAIN THEREFROM.] *Subdivision 1. No person shall pay, or promise to reward another in any manner or form for the purpose of inducing him to be or refrain from or cease being a candidate, and no person shall solicit or receive any payment, promise, or reward from another for such purpose.*

Subd. 2. Any person elected to a public office shall be permitted time off from his regular employment to attend meetings of his public office. No retaliatory action may be taken by the employer for absences necessary for the employee to attend the meetings. Such time off may be without pay, with pay, or made up with other hours, as agreed between the employee and employer.

Sec. 15. Minnesota Statutes, 1975 Supplement, Section 210A.16, is amended to read:

210A.16 [LEGAL EXPENDITURES.] *Subdivision 1. The expenditure of money or other thing of value by any candidate, personal principal campaign committee, party committee, or other political committee for political purposes other than those pro-*

vided in this section is prohibited. The following are permitted expenditures:

- (a) Salaries, wages, and fees;
- (b) Communications, mailing, transportation, and travel;
- (c) Campaign advertising;
- (d) Printing;
- (e) Office and other space and necessary equipment, furnishings, and supplies incidental thereto;
- (f) Other expenses, not included in the above, which are reasonably related to the conduct of election campaigns.

Subd. 2. No funds contributed to a candidate, principal campaign committee or political committee shall be commingled with any personal funds of the candidate or officers or members of the principal campaign committee or the political committee.

Sec. 16. Minnesota Statutes, 1975 Supplement, Section 210A.21, is amended to read:

210A.21 [CERTAIN SOLICITATIONS PROHIBITED.] No person shall solicit, receive, or accept any money, property, or other thing of value, or any promise or pledge thereof, constituting a ~~disbursement~~ *an expenditure or contribution* prohibited by sections 210A.01 to 210A.44.

Sec. 17. Minnesota Statutes, 1975 Supplement, Chapter 210A, is amended by adding a section to read:

[210A.211] [EXPENDITURES OF CANDIDATE TAX DEDUCTIBLE.] *Expenditures authorized by this chapter by a candidate in his own behalf may be deducted as expenses for production of income or a business expense under section 290.09, subdivision 2, in an amount not to exceed \$500.*

Sec. 18. Minnesota Statutes, 1975 Supplement, Chapter 210A, is amended by adding a section to read:

[210A.215] [PRINTED MATERIALS.] *No elected, administrative, or executive officer of any school district, city, county, town, or other political subdivision shall cause to be printed or authorize the printing of official reports and publications printed with public funds and intended for general public circulation, which contain pictures of elected officials or names of public officials or any other device which tends to attribute the publication to an individual or individuals instead of the government unit from which it emanates.*

Sec. 19. [210A.220] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 19 to 31 of this act, the following terms have the meanings given them unless the context clearly indicates otherwise.*

Subd. 2. "Candidate" means every person who seeks nomination or election to any county office, any city office in a city with a

population of 20,000 or more, and any school district office in any school district with a population of 20,000 or more as determined by, or estimated by the chief administrative officer of a school district from the last decennial census.

Subd. 3. "Business with which he is associated" means any association in connection with which the individual is compensated in excess of \$50 excluding reimbursement for actual expenses in any month as a director, officer, owner, member, partner, employer, or employee, or is a holder of securities worth \$2,500 or more at fair market value.

Sec. 20. [210A.221] [POLITICAL COMMITTEES.] Every political committee shall have a chairman and a treasurer. The treasurer of a political committee shall be responsible for filing the campaign statements required in this act.

Sec. 21. [210A.222] [PRINCIPAL CAMPAIGN COMMITTEES.] Subdivision 1. Each candidate shall designate a principal campaign committee which shall receive contributions and make expenditures on his behalf.

Subd. 2. Any candidate may serve as the chairman and treasurer of his principal campaign committee.

Subd. 3. A candidate shall file with his filing office a written statement designating his principal campaign committee no later than seven days after the committee has received any contributions or made any expenditures in excess of \$200. The statement shall include the name and address of the chairman and treasurer.

Subd. 4. In civil actions and proceedings brought under this chapter, the acts of every member of a principal campaign committee are presumed to be with the knowledge and approval of the candidate until it has been clearly proved that he did not know of and approve the act, and that, in the exercise of reasonable care and diligence, he could not have known of and had the opportunity to disapprove the act.

Sec. 22. [210A.223] [EXPENDITURES.] Subdivision 1. Any individual, who makes an expenditure in excess of \$200 on behalf of any candidate, including himself, other than by contribution to a political committee, shall file the campaign statements required in this act.

Subd. 2. Except as provided in subdivision 1, a candidate may make expenditures only through his principal campaign committee.

Sec. 23. [210A.224] [STATEMENTS OF POLITICAL COMMITTEES.] Subdivision 1. Campaign statements of any political committee shall be filed with the filing office:

(a) Ten days before any primary or election and 30 days after the election in which a candidate being supported stands for election or a question being supported or opposed appears on the ballot; and

(b) January 31 of each year until the committee has terminated.

A committee may file a termination statement when the total of the committee's assets and obligations does not exceed \$100.

Subd. 2. The campaign statements shall cover the period from the last day covered by the previous statement to seven days prior to the filing date.

Subd. 3. The campaign statements shall be filed with the appropriate filing office, or for a committee which is organized to support or oppose a constitutional amendment, with the secretary of state.

Subd. 4. Each campaign statement shall itemize:

(a) The amount of cash on hand at the beginning of the reporting period.

(b) The name, address and employer or, if self-employed, occupation of each person or committee which made a contribution in an aggregate amount in excess of \$50 during the calendar year; and the date and amount of the contribution.

(c) The total amount of all contributions received by the committee.

(d) The name and address of each person to whom any expenditure was made in an aggregate amount in excess of \$100 during the calendar year; and the date and amount of the expenditure.

(e) The total amount of all expenditures made by the committee.

(f) The name, address and employer, or if self-employed, occupation of any person to whom the committee owes a debt or obligation in excess of \$100; and the date incurred and amount of the debt or obligation.

Subd. 5. The treasurer of each political committee shall keep records of the financial transactions of the committee in sufficient detail to insure that each contribution in an aggregate amount in excess of \$50 and each expenditure, debt or obligation in an aggregate amount in excess of \$100 shall be reported.

Sec. 24. [210.231] [CHANGES AND CORRECTIONS.] Any material changes in information previously submitted or any substantial corrections to a statement required by this act shall be included in the next required statement or reported in writing within 30 days following the date of the event prompting the change. Any person who wilfully fails to report a material change or substantial correction is guilty of a misdemeanor.

Sec. 25. [210A.232] [CIRCUMVENTION PROHIBITED.] Any attempt by a person to circumvent the disclosure provisions of this act by redirecting funds through, or contributing funds on behalf of, another person, is guilty of a gross misdemeanor.

Sec. 26. Minnesota Statutes, 1975 Supplement, Section 210A.24. is amended to read:

210A.24 [BILLS, WHEN RENDERED AND PAID.] Every person who shall have any ~~has a bill, charge, or claim upon or against any personal campaign or party political committee or any candidate, for any disbursement expenditure made, services service rendered, or thing of value furnished, for political purposes, or incurred in any manner in relation to any primary or election,~~ shall render in writing to such ~~the candidate or treasurer of the political committee or candidate~~ such the bill, charge, or claim within ten ~~60~~ days after the day of the primary or election in connection with which such bill, charge, or claim was incurred material or service is provided. No candidate and no personal campaign or party committee shall pay any Failure to timely render the bill, charge, or claim so incurred prior to any primary or election, which is not so presented within ten days after such primary or election is a misdemeanor.

Sec. 27. Minnesota Statutes, 1975 Supplement, Chapter 210A, is amended by adding a section to read:

[210A.255] [CERTAIN ASSOCIATIONS, INDIVIDUALS EXEMPTED.] Any association which or individual who has been granted exemption from the reporting requirements of section 10A.20 shall be exempted from the reporting requirements of this chapter.

Sec. 28. Minnesota Statutes, 1975 Supplement, Chapter 210A, is amended by adding a section to read:

[210A.261] [STATEMENTS OF ECONOMIC INTEREST.] Every candidate except a candidate for school district office in any school district with a population of less than 100,000 or a candidate for city or county office in a city or county with a population of less than 50,000 shall file a statement of economic interest with his respective filing office within 14 days after filing an affidavit of candidacy or petition to appear on the ballot. The statement of economic interest shall contain the following:

(a) his name, address, occupation and principal place of business;

(b) the name of each business with which he is associated, and the nature of the association; and

(c) a listing of all real property within the state, excluding homestead property, in which he has a fee simple interest, a contract for deed or an option to buy, whether direct or indirect, and which interest is valued in excess of \$2,500. The filing shall indicate the street address and the municipality, or if there is no street address, the section, township, range and approximate acreage, and the county wherein the property is located.

Each candidate specified in this section elected to office shall file a supplementary statement of economic interest on April 15 of each year he is in office.

Sec. 29. Minnesota Statutes, 1975 Supplement, Section 210A.27, Subdivision 1, is amended to read:

210A.27 [STATEMENT OF EXPENSE, BLANKS; DIGEST OF LAWS.] Subdivision 1. *Blanks Forms* for all statements required by sections 210A.01 to 210A.44 *this chapter* shall be prepared by the secretary of state and . Copies thereof of the forms shall be furnished through the county auditor or otherwise, as the secretary of state may deem expedient, to the secretary of every committee, and to every candidate upon filing of nomination papers, and to all other persons required by law to file such statements who may apply therefor to filing officers, candidates and treasurers. The secretary of state shall have emergency rule making authority as provided in chapter 15 for the purpose of providing forms for elections held in 1976 after the effective date of this act .

Sec. 30. Minnesota Statutes, 1975 Supplement, Section 210A.29, is amended to read:

210A.29 [FILING STATEMENTS; PENALTY.] Every treasurer or other person who receives any money to be applied to any of the election purposes for which expenditures are permitted by law, Any individual who knowingly fails to file any the statement and account respecting the same required by sections 210A.01 to 210A.44 *this chapter* within the time prescribed, seven days after receiving notice from the filing office shall be guilty of a misdemeanor.

Sec. 31. Minnesota Statutes, 1975 Supplement, Section 210A.32, is amended to read:

210A.32 [DUTIES OF FILING OFFICERS.] Subdivision 1. The officer with whom the expense account filing office where a statement of any candidate for public office or committee is required to be filed by the provisions of sections 210A.01 to 210A.44 *this chapter* , shall notify such candidate or committee the person responsible for filing the statement of the failure to comply with such the law , immediately upon the expiration of the time fixed by any law of this state for filing of the same, and shall notify the county attorney of the county where such candidate resides or in which the headquarters of the committee is located, of the fact of the failure to file such expense account and the county attorney shall thereupon notify such candidate or the secretary of the committee of such delinquency and date for such statement. If the person fails to comply with the provisions of sections 210A.01 to 210A.44 *this chapter* shall not be complied with within ten seven days after the mailing of such the notice, the filing office shall notify the county attorney of the county of residence of the person responsible for filing the statement. The county attorney shall thereupon prosecute such candidate or the officer of the committee person required by law to file such the statement.

Subd. 2. Notwithstanding the provisions of section 138.163, the filing office where statements are filed shall destroy all statements five years after the year in which they were filed. Failure to destroy such statements shall constitute misfeasance.

Sec. 32. Minnesota Statutes, 1975 Supplement, Chapter 210A, is amended by adding a section to read:

[210A.435] [LOCAL ELECTIONS.] *Notwithstanding any provision of Minnesota Statutes, Section 410.21 or other law or ordinance, the provisions of this chapter apply to all municipal, county and school district elections, except where any provision of this chapter specifically exempts any municipality or school district election.*

Sec. 33. Minnesota Statutes, 1975 Supplement, Section 290.09, Subdivision 2, is amended to read:

Subd. 2. [TRADE OR BUSINESS EXPENSES; EXPENSES FOR PRODUCTION OF INCOME.] (a) In General. There shall be allowed as a deduction all the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including

(1) A reasonable allowance for salaries or other compensation for personal services actually rendered;

(2) Traveling expenses (including the entire amount expended for meals and lodging) while away from home in the pursuit of a trade or business; and

(3) Rentals or other payments required to be made as a condition to the continued use or possession, for purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity. For purposes of the preceding sentence, the place of residence of a member of congress within the state shall be considered his home, but amounts expended by such members within each taxable year for living expenses shall not be deductible for income tax purposes in excess of \$3,000.

(b) Expenses for Production of Income. In the case of an individual, there shall be allowed as a deduction all the ordinary and necessary expenses paid or incurred during the taxable year.

(1) For the production or collection of income;

(2) For the management, conservation, or maintenance of property held for the production of income; or

(3) In connection with the determination, collection, or refund of any tax.

(c) Campaign expenditures in an amount not to exceed the limits set out in section ~~210A.22~~ 17 of this act, not subsequently reimbursed, which have been personally paid by a candidate for public office if the candidate has complied with the expenditure limitations set out in section ~~210A.22~~ 17 of this act :

(No deduction shall be allowed under this clause for any contribution or gift which would be allowable as a credit under section 290.21 were it not for the percentage limitations set forth in such section) ;

(d) All expense money paid by the legislature to legislators.

Sec. 34. Minnesota Statutes 1974, Chapter 375, is amended by adding a section to read:

[375.191] [CODES OF ETHICS.] *Each organized county may adopt and enforce by ordinance or resolution a code of ethics, not inconsistent with any state law, for its elected officials and employees.*

Sec. 35. Minnesota Statutes 1974, Chapter 471, is amended by adding a section to read:

[471.625] [MUNICIPALITIES; ADOPT CODES OF ETHICS.] *Notwithstanding any law to the contrary, any city however organized may adopt and enforce by ordinance or resolution a code of ethics not inconsistent with state law for its employees and elected officials.*

Sec. 36. Laws 1976, Chapter 108, Section 1, Subdivision 8, is amended to read:

Subd. 8. The total amount of any expenditure or contribution or any one project permitted by subdivisions 5 and 7 which exceeds \$100, together with the date, purpose and the names and addresses of the persons receiving the ~~contribution~~ contributions or expenditures, shall be reported to the secretary of state. The reports shall be filed on a form provided by the secretary of state on the ~~dates required for political committees under the provisions of section 210A.26, subdivision 1~~ *October 1 of each year.* Failure to comply shall be subject to the penalties related to campaign finance reporting under the provisions of this chapter.

Sec. 37. [REPEALER.] *Minnesota Statutes, 1975 Supplement, Sections 123.015; 210.22; 210A.01, Subdivisions 4, 7, 8, and 9; 210A.22; 210A.23; 210A.25; 210A.26; 210A.28; 210A.30; 210A.31; 210A.33; and 211.10 are repealed.*

Sec. 38. [EFFECTIVE DATE.] *This act is effective July 1, 1976.*"

Further strike the title and insert:

"A bill for an act relating to elections; providing for uniform reporting date for and disclosure of campaign contributions and expenditures of political committees and candidates; providing for statements of economic interest for candidates and persons elected to public office; providing for registration of voters for all counties; defining certain terms; providing uniform filing date for corporations spending money for certain election purposes; providing exemption from disclosure requirements for certain persons and political committees; providing restrictions on the use of names and pictures of public officials in government publications; prohibiting sample ballots of the same color as official ballots; giving the secretary of state and county auditors certain duties with respect to elections; permitting elected officials time off from their regular employment to attend meetings of their offices; permitting codes of ethics for counties, cities, and school districts; providing penalties; amending Minnesota Statutes 1974, Chapters 123, 375 and 471, by adding sections; Minnesota Statutes, 1975 Supplement, Chapters 204A and 210A, by adding sections; Sections 201.021; and 210A.01, Subdi-

visions 1, 3, 5, 6 and 8, and by adding subdivisions; 210A.05, Subdivision 1; 210A.09; 210A.16; 210A.21; 210A.24; 210A.27, Subdivision 1; 210A.29; 210A.32; and 290.09, Subdivision 2; and Laws 1976, Chapter 108, Section 1, Subdivision 8; repealing Minnesota Statutes, 1975 Supplement, Sections 123.015; 210.22; 210A.01, Subdivisions 4, 7, 8, and 9; 210A.22; 210A.23; 210A.25; 210A.26; 210A.28; 210A.30; 210A.31; 210A.33; and 211.10."

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

House Conferees: (Signed) Bruce F. Vento, John J. Sarna, John S. Biersdorf.

Senate Conferees: (Signed) Steve Keefe, J. Robert Stassen.

Mr. Keefe, S. moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2043 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion did not prevail.

RECONSIDERATION

Mr. Davies moved that the vote whereby the Conference Committee Report on H. F. No. 2043 was not adopted on April 6, 1976, be now reconsidered.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 26 and nays 31, as follows:

Those who voted in the affirmative were:

Arnold	Hughes	Moe	Schrom	Wegener
Borden	Humphrey	North	Solon	Willet
Chmielewski	Keefe, S.	Olhoff	Spear	
Coleman	Kleinbaum	Olson, H. D.	Stassen	
Davies	Merriam	Perpich, G.	Stokowski	
Gearty	Milton	Schaaf	Stumpf	

Those who voted in the negative were:

Anderson	Brown	Hanson, R.	Ogdahl	Schmitz
Ashbach	Conzemius	Josefson	Olson, J. L.	Sillers
Bang	Dunn	Keefe, J.	O'Neill	Ueland
Berg	Fitzsimons	Kirchner	Patton	
Bernhagen	Frederick	Knutson	Pillsbury	
Blatz	Hansen, Baldy	Kowalczyk	Purfeerst	
Brataas	Hansen, Mel	Larson	Renneke	

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

H. F. No. 746: A bill for an act relating to commerce; requiring prices on certain retail food packages.

House File No. 746 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 6, 1976

CONFERENCE COMMITTEE REPORT ON H. F. NO. 746

A bill for an act relating to commerce; requiring prices on certain retail food packages.

April 5, 1976

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. 746 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. 746 be further amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [PRICE MARKING.] In any store using an electronic scanner to read the price of items presented for check-out, every canned, bottled, boxed or bagged item of food sold or offered for sale at retail shall have the selling price in Arabic numerals clearly affixed to each item by a stamp, tag, label or other conspicuous marking device when presented for check-out. If the product is canned, bottled, boxed or bagged, but sold only in quantities of more than one in the containers in which the product came from the manufacturer or distributor, the price may be marked on the outer container rather than on each individual item.

Sec. 2. [EXCEPTIONS.] Section 1 shall not apply to food items intended to be consumed on or about the retail premises, nor to confectionary items which have a total retail price of 25 cents or less; nor to items actually sold through vending machines nor to items offered at a sale price that is below the normal price at which the item is usually sold in that store if the item is offered at the sale price for a period of four days or less. In any store the provisions of this section shall not apply to any item which was not generally item-priced in that store on April 1, 1976. In any store that was not in existence on April 1, 1976, the provisions of this section shall not apply to any item which was not generally item-priced in similar grocery stores without electronic scanners in that market area on April 1, 1976."

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

House Conferees: (Signed) Joel Jacobs, Shirley A. Hokanson, Leo Adams

Senate Conferees: (Signed) Sam G. Solon, Roger Laufenburger

Mr. Solon moved that the foregoing recommendations and Conference Committee Report on H. F. No. 746 be now adopted, and that the bill be repassed as amended by the Conference Committee.

Mr. Keefe, J. moved that the Conference Committee Report on H. F. No. 746 be rejected.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 24 and nays 31, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hanson, R.	Knutson	Pillsbury
Bang	Dunn	Hughes	Larson	Renneke
Berg	Fitzsimons	Josefson	North	Sillers
Bernhagen	Frederick	Keefe, J.	Olson, J. L.	Ueland
Brataas	Hansen, Mel	Kirchner	Patton	

Those who voted in the negative were:

Arnold	Humphrey	Milton	Schaaf	Stumpf
Borden	Keefe, S.	Moe	Schmitz	Wegener
Chmielewski	Kleinbaum	Ogdahl	Schrom	Willet
Coleman	Kowalczyk	Olhoff	Solon	
Conzemius	Laufenburger	Olson, H. D.	Spear	
Gearty	Lewis	O'Neill	Stassen	
Hansen, Baldy	Merriam	Purfeerst	Stokowski	

The motion did not prevail.

The question recurred on the motion of Mr. Solon to adopt the recommendation and Conference Committee Report on H. F. No. 746. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 746: A bill for an act relating to commerce; requiring prices on certain retail food packages.

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 26 and nays 28, as follows:

Those who voted in the affirmative were:

Borden	Humphrey	Milton	Schaaf	Stumpf
Chmielewski	Keefe, S.	Moe	Schrom	Willet
Coleman	Kleinbaum	Ogdahl	Solon	
Gearty	Kowalczyk	Olhoff	Spear	
Hansen, Baldy	Laufenburger	O'Neill	Stassen	
Hughes	Merriam	Purfeerst	Stokowski	

Those who voted in the negative were:

Arnold	Brataas	Hanson, R.	North	Schmitz
Ashbach	Brown	Josefson	Olson, H. D.	Sillers
Bang	Dunn	Keefe, J.	Olson, J. L.	Ueland
Berg	Fitzsimons	Knutson	Patton	Wegener
Bernhagen	Frederick	Larson	Pillsbury	
Blatz	Hansen, Mel	Lewis	Renneke	

So the bill as amended by the Conference Committee, failed to pass.

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. 2233, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 2233: A bill for an act relating to human services; permitting Otter Tail county to designate a human services board; amending Minnesota Statutes 1974, Section 402.01, Subdivision 1.

House File No. 2233 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted April 6, 1976

SUSPENSION OF RULES

Mr. Olhoft moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee Report on H. F. No. 2233. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2233

A bill for an act relating to human services; permitting Otter Tail county to designate a human services board; amending Minnesota Statutes 1974, Section 402.01, Subdivision 1.

April 6, 1976

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. 2233 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and H. F. No. 2233 be amended as follows:

Page 2, after line 4, insert:

"Sec. 4. Subdivision 1. Notwithstanding the population requirements of Minnesota Statutes, Section 402.01, Subdivision 1, any two contiguous counties of the counties of Aitkin, Carlton, Itasca, or Koochiching may, by resolution of their county boards of commissioners, designate a human services board having the composition, powers and duties provided in Minnesota Statutes, Sections 402.01 to 402.10.

Subd. 2. This section shall be effective for each county named in subdivision 1 upon its approval by the board of county commissioners of the county and upon compliance with Minnesota Statutes, Section 645.021."

Further, amend the title as follows:

Page 1, line 3, delete "county" and insert ", Aitkin, Carlton, Itasca, and Koochiching counties"

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

House Conferees: (Signed) Gene Wenstrom, James I. Rice, Wayne O. Schumacher

Senate Conferees: (Signed) Wayne Olhoft, J. A. Josefson, Winston Borden

Mr. Olhoft moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2233 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. 2233: A bill for an act relating to human services; permitting Otter Tail, Aitkin, Carlton, Itasca, and Koochiching counties to designate a human services board; amending Minnesota Statutes 1974, Section 402.01, 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 38 and nays 17, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Josefson	Milton	Solon
Arnold	Conzemius	Keefe, S.	Moe	Spear
Berg	Fitzsimons	Kleinbaum	Olhoft	Stokowski
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Stumpf
Blatz	Hansen, Baldy	Larson	Purfeerst	Wegener
Borden	Hanson, R.	Laufenburger	Schaaf	Willet
Brown	Hughes	Lewis	Schmitz	
Chmielewski	Humphrey	Merriam	Schrom	

Those who voted in the negative were:

Ashbach	Keefe, J.	Ogdahl	Patton	Sillers
Bang	Kirchner	Olson, J. L.	Pillsbury	Stassen
Brataas	Knutson	O'Neill	Renneke	Ueland
Hansen, Mel	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. 2489, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 2489: A bill for an act relating to highway traffic regulations; special permits for oversize and overweight vehicles; authorizing an annual permit for refuse compactor vehicles and prescribing maximum loads thereon; providing a fee therefor; redefining farm trucks; amending Minnesota Statutes 1971, Section 168.011, Subdivision 17, as amended; and Minnesota Statutes 1974, Section 169.86, Subdivision 5; repealing Minnesota Statutes 1974, Section 169.831.

House File No. 2489 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 6, 1976

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2489

A bill for an act relating to highway traffic regulations; special permits for oversize and overweight vehicles; authorizing an annual permit for refuse compactor vehicles and prescribing maximum loads thereon; providing a fee therefor; redefining farm trucks; amending Minnesota Statutes 1971, Section 168.011, Subdivision 17, as amended; and Minnesota Statutes 1974, Section 169.86, Subdivision 5; repealing Minnesota Statutes 1974, Section 169.831.

April 5, 1976

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. 2489 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. 2489 be further amended as follows:

Page 1, line 24, delete "\$25" and insert "\$50"

Page 3, after line 15 insert:

"Sec. 3. Notwithstanding any law to the contrary, a refuse compactor vehicle taxed and licensed as an urban truck pursuant to section 168.013 may operate within the towns of Oak Grove and Burns in Anoka county. This section expires January 1, 1977.

Sec. 4. There is appropriated from the highway user tax distribution fund to the commissioner of public safety, the sum of \$290, 000 for the manufacture of graphic design license plates. This appropriation is in addition to the appropriation pursuant to Laws 1975, Chapter 204, Section 31, and shall be available until June 30, 1977.

Sec. 5. Minnesota Statutes 1974, Section 168.12, is amended by adding a subdivision to read:

Subd. 5. [ADDITIONAL FEE.] In addition to any fee otherwise authorized or any tax otherwise imposed upon any motor vehicle, the payment of which is required as a condition to the issuance of any number license plate or plates, the commissioner of public safety may impose

a fee of up to 25 cents but not to exceed the actual cost of manufacture and distribution of any graphic design license plate or plates upon the issuance of said plate or plates, provided that these plates shall only be issued for vehicles registered pursuant to section 168.017 and recreational vehicles registered pursuant to section 168.013, subdivision 1g."

Renumber the remaining sections

Further amend the title:

Page 1, line 2, delete "highway traffic regulations" and insert "motor vehicles"

Page 1, line 6, after "trucks;" insert "providing for graphic design license plates; appropriating money;"

Page 1, line 9, delete "Section" and insert "Sections 168.12, by adding a subdivision;"

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

House Conferees: (Signed) William H. Schreiber, Gordon O. Voss, Harry A. Sieben

Senate Conferees: (Signed) Florian Chmielewski, Mel Frederick, Jerald C. Anderson

Mr. Chmielewski moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2489 be now adopted, and that the bill be repassed as amended by the Conference Committee.

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a. m., Wednesday, April 7, 1976.

The question being taken on the adoption of the motion,

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

And the roll being called, there were yeas 14 and nays 35, as follows:

Those who voted in the affirmative were:

Arnold	Hansen, Baldy	Merriam	Pillsbury	Spear
Coleman	Keefe, J.	Moe	Purfeerst	Stumpf
Conzemius	Lewis	Olson, J. L.	Schmitz	

Those who voted in the negative were:

Anderson	Brown	Humphrey	Larson	Schaat
Ashbach	Chmielewski	Josefson	Laufenburger	Sillers
Bang	Dunn	Keefe, S.	Milton	Solon
Bernhagen	Fitzsimons	Kirchner	Olhoft	Stassen
Blatz	Frederick	Kleinbaum	O'Neill	Stokowski
Borden	Gearty	Knutson	Patton	Ueland
Brataas	Hansen, Mel	Kowalczyk	Renneke	Wegener

The motion did not prevail.

The question recurred on the motion of Mr. Chmielewski to adopt the Conference Committee Report on H. F. No. 2489. The motion prevailed.

So the recommendations and Conference Committee Report were adopted.

H. F. No. 2489: A bill for an act relating to motor vehicles; special permits for oversize and overweight vehicles; authorizing an annual permit for refuse compactor vehicles and prescribing maximum loads thereon; providing a fee therefor; redefining farm trucks; providing for graphic design license plates; appropriating money; amending Minnesota Statutes 1971, Section 168.011, Subdivision 17, as amended; and Minnesota Statutes 1974, Sections 168.12, by adding a subdivision; 169.86, Subdivision 5; repealing Minnesota Statutes 1974, Section 169.831.

Was 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 15, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Josefson	Moe	Schrom
Berg	Fitzsimons	Kleinbaum	Olson, J. L.	Sillers
Bernhagen	Frederick	Knutson	O'Neill	Solon
Blatz	Gearty	Kowalczyk	Patton	Stassen
Borden	Hansen, Baldy	Larson	Purfeerst	Stokowski
Brataas	Hanson, R.	Laufenburger	Renneke	Ueland
Brown	Hughes	Lewis	Schaaf	Wegener
Chmielewski	Humphrey	Milton	Schmitz	

Those who voted in the negative were:

Ashbach	Conzemius	Keefe, S.	North	Pillsbury
Bang	Hansen, Mel	Kirchner	Ogdahl	Spear
Coleman	Keefe, J.	Merriam	Olhoft	Stumpf

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a. m., Wednesday, April 7, 1976. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate