

TWENTY-THIRD DAY

St. Paul, Minnesota, Monday, March 14, 1977

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Joan Johnson.

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

Bang	Gearty	Lewis	Peterson	Staples
Benedict	Gunderson	Luther	Pillsbury	Stokowski
Bernhagen	Hanson	McCutcheon	Purfeerst	Strand
Borden	Hughes	Merriam	Renneke	Stumpf
Brataas	Johnson	Milton	Schaaf	Tennessen
Chenoweth	Keefe, J.	Moe	Schmitz	Ueland, A.
Coleman	Kirchner	Nelson	Schrom	Ulland, J.
Davies	Kleinbaum	Nichols	Setzepfandt	Vega
Dieterich	Knoll	Ogdahl	Sieloff	Wegener
Dunn	Knutson	Olhoft	Sikorski	Willett
Engler	Laufenburger	Penny	Solon	
Frederick	Lessard	Perpich	Spear	

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. Anderson; Ashbach; Chmielewski; Humphrey; Jensen; Keefe, S.; Menning; Olson and Sillers were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Sieloff, Davies and Lessard introduced—

S. F. No. 718: A bill for an act relating to courts; jurors; ballots for selection; authorizing an alternative method of identification of jurors; amending Minnesota Statutes 1976, Section 593.07.

Referred to the Committee on Judiciary.

Messrs. Sieloff, Davies and Lessard introduced—

S. F. No. 719: A bill for an act relating to courts; repealing the law that requires court clerks to make costs and disbursements reports to the county attorney in criminal cases; repealing Minnesota Statutes 1976, Section 485.09.

Referred to the Committee on Judiciary.

Messrs. Sieloff, Davies and Lessard introduced —

S. F. No. 720: A bill for an act relating to fees; repealing the filing fee in certain juvenile court proceedings; repealing Minnesota Statutes 1976, Section 260.106, Subdivisions 1 and 2.

Referred to the Committee on Judiciary.

Messrs. Sieloff, Davies and Lessard introduced—

S. F. No. 721: A bill for an act relating to veterinarians; license filing fee; amending Minnesota Statutes 1976, Section 156.09.

Referred to the Committee on Judiciary. Mr. Lewis questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Sieloff, Davies and Lessard introduced—

S. F. No. 722: A bill for an act relating to courts; providing that petit jurors in probate court be selected in the same manner as petit jurors are selected in district court; amending Minnesota Statutes 1976, Section 525.013, by adding a subdivision; repealing Minnesota Statutes 1976, Section 525.013, Subdivisions 2 and 3.

Referred to the Committee on Judiciary.

Messrs. Jensen, Setzepfandt, Ashbach, Merriam and Engler introduced—

S. F. No. 723: A bill for an act relating to occupational safety and health; providing that no penalty be assessed if a violation is corrected within ten days of receipt of notice of the violation; amending Minnesota Statutes 1976, Section 182.661, Subdivision 1.

Referred to the Committee on Employment.

Messrs. Dieterich; Knoll; Coleman; Keefe, S. and Pillsbury introduced—

S. F. No. 724: A bill for an act relating to crimes; repealing the crimes of fornication and consensual sodomy; repealing Minnesota Statutes 1976, Sections 609.293, Subdivision 5 and 609.34.

Referred to the Committee on Judiciary.

Messrs. Milton; Lewis; Keefe, J. and Keefe, S. introduced—

S. F. No. 725: A bill for an act relating to public welfare; medical assistance for the needy; limiting allowable charges for nonmedical assistance residents of nursing homes receiving medical assistance payments; amending Minnesota Statutes 1976, Section 256B.48, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Borden, Schaaf, McCutcheon, Hanson and Strand introduced—

S. F. No. 726: A bill for an act relating to crimes; prohibiting the keeping of gambling records or devices; providing for minimum sentences for certain gambling felonies; providing for confiscation of gambling devices; amending Minnesota Statutes 1976, Sections 609.11; 609.76; and Chapter 609, by adding a section.

Referred to the Committee on Judiciary.

Messrs. Borden, Schaaf, McCutcheon, Hanson and Strand introduced—

S. F. No. 727: A bill for an act relating to intoxicating and non-intoxicating liquor; suspension of licenses for gambling violations; amending Minnesota Statutes 1976, Section 340.135.

Referred to the Committee on Judiciary.

Messrs. Borden, Schaaf, McCutcheon, Hanson and Strand introduced—

S. F. No. 728: A bill for an act relating to crimes; requiring public utilities to discontinue the furnishing of facilities used for the transmittal of gambling information.

Referred to the Committee on Judiciary.

Mr. Chmielewski introduced—

S. F. No. 729: A resolution applying to Congress to call a constitutional convention to provide for protection of all human life.

Referred to the Committee on Judiciary. Mr. Lewis questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Setzepfandt, Moe, Olson, Renneke and Wegener introduced—

S. F. No. 730: A bill for an act relating to drainage; transferring the administration of judicial ditches to county boards; raising the interest rate limitation on ditch lien statements; improving the power of county boards to repair drainage systems; increasing the repair limit per year; amending Minnesota Statutes 1976, Sec-

tions 106.015, Subdivision 5; 106.371, Subdivision 2; and 106.471, Subdivisions 1, 2, and 4.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Keefe, S.; Sikorski and Ueland, A. introduced—

S. F. No. 731: A bill for an act relating to state finance; authorizing payments pursuant to grievance resolutions; amending Minnesota Statutes 1976, Section 16A.17, Subdivision 7.

Referred to the Committee on Employment. Mr. Schaaf questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Kirchner, Purfeerst, Bang, Lewis and Milton introduced—

S. F. No. 732: A bill for an act relating to state government; creating the Minnesota sports facilities commission; prescribing its powers and duties; authorizing the metropolitan council to issue bonds and levy taxes therefor; authorizing the commission to impose an admissions tax; imposing a wholesale liquor tax in the metropolitan area; requiring the completion of an environmental impact statement prior to construction of a new sports facility.

Referred to the Committee on Governmental Operations.

Messrs. Solon and Perpich introduced—

S. F. No. 733: A bill for an act relating to health; licensing certain facilities; amending Minnesota Statutes 1976, Section 144.50.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Dunn, Wegener, Engler, Gunderson and Olhoft introduced—

S. F. No. 734: A bill for an act relating to counties; providing for business days and hours for county offices and emergency closings; amending Minnesota Statutes 1976, Section 373.052.

Referred to the Committee on Local Government.

Messrs. Olhoft, Schaaf, McCutcheon, Merriam and Chmielewski introduced—

S. F. No. 735: A bill for an act relating to taxation; changing homestead base value for homesteads owned by certain disabled persons; amending Minnesota Statutes 1976, Section 273.122, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. McCutcheon, Humphrey, Spear, Stumpf and Anderson introduced—

S. F. No. 736: A bill for an act relating to education; providing for scholarships for Spanish-surnamed American students; appropriating money.

Referred to the Committee on Education.

Messrs. Hughes; Coleman; Ueland, A.; Dieterich and Keefe, S. introduced—

S. F. No. 737: A bill for an act relating to local government; providing leaves of absence for certain governmental officers and employees elected to city or county office; amending Minnesota Statutes 1976, Section 3.088, Subdivisions 1, 2 and 5.

Referred to the Committee on Elections.

Messrs. Laufenburger, Kleinbaum, Purfeerst, Schmitz and Engler introduced—

S. F. No. 738: A bill for an act relating to the state transportation system; authorizing the issuance of state bonds pursuant to Minnesota Statutes 1976, Section 174.51 and Article XI of the Constitution for the design, construction and reconstruction of bridges and bridge approaches; appropriating money.

Referred to the Committee on Transportation.

Mr. Hughes introduced—

S. F. No. 739: A bill for an act relating to financial institutions; providing for the kind of conventional home loans to be made at a floating rate of interest; amending Minnesota Statutes 1976, Section 47.20, Subdivision 3.

Referred to the Committee on Commerce.

Messrs. Milton, Lewis, Mrs. Staples, Messrs. Vega and Kirchner introduced—

S. F. No. 740: A bill for an act relating to health; providing injunctive relief for the state board of health; authorizing appeal to the district court; authorizing subpoenas.

Referred to the Committee on Judiciary.

Mr. Milton; Mrs. Staples; Messrs. Benedict; Keefe, S. and Lewis introduced—

S. F. No. 741: A bill for an act relating to public welfare; providing for experimental food stamp programs; appropriating money; amending Minnesota Statutes 1976, Chapter 256, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Milton and Hughes introduced—

S. F. No. 742: A bill for an act relating to the White Bear Lake conservation district; increasing membership on its governing board; providing for selection of board officers; amending Laws 1971, Chapter 355, Sections 2, Subdivision 2; and 8, Subdivision 1.

Referred to the Committee on Local Government.

Messrs. Milton, Hughes, Kirchner, Perpich and Mrs. Staples introduced—

S. F. No. 743: A bill for an act relating to health; establishing a health program for pre-school children; providing for reimbursement to school districts; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Stokowski; Schaaf; Coleman; Ueland, A. and Jensen introduced—

S. F. No. 744: A bill for an act relating to elections; altering various provisions relating to ballots, judges, summary statements, canvasses and returns; amending Minnesota Statutes 1976, Sections 204A.18, Subdivision 1; 204A.39, by adding a subdivision; 204A.45, Subdivision 2; 204A.46; 204A.47; 204A.48; 204A.51, Subdivisions 2 and 3; and 204A.52, Subdivision 1; repealing Minnesota Statutes 1976, Section 204A.32, Subdivision 4.

Referred to the Committee on Elections.

Messrs. Merriam and Stokowski introduced—

S. F. No. 745: A bill for an act relating to recreational activities; creating the metropolitan sports facilities commission and prescribing its powers and duties; requiring the television broadcast within the metropolitan area of certain games; authorizing the metropolitan council to issue revenue bonds; providing for the construction and operation of a multipurpose domed sports facility; authorizing a tax on certain sales of intoxicating liquor and fermented malt beverages in the metropolitan area; providing for admissions tax at certain facilities; requiring the completion of an environmental impact statement prior to construction of a sports facility; providing for a tax levy; amending Minnesota Statutes 1976, Chapter 473, by adding sections.

Referred to the Committee on Governmental Operations.

Messrs. Davies, Sieloff and Nelson introduced—

S. F. No. 746: A bill for an act relating to limited partnerships; adopting the revised uniform limited partnership act; providing

definitions; requiring agent for service of process; providing and clarifying formation procedures; specifying powers and liabilities of limited partners; changing existing provisions for financing limited partnerships; providing for distribution, withdrawal, assignment of partnership interests and dissolution; providing for registration of foreign limited partnerships; specifying choice of law rules; authorizing derivative actions by limited partners; repealing Minnesota Statutes 1976, Chapter 322.

Referred to the Committee on Judiciary.

Messrs. Schaaf, Humphrey, Stokowski, Gearty and Benedict introduced—

S. F. No. 747: A bill for an act relating to the legislature; setting the number of members; amending Minnesota Statutes 1976, Section 2.021.

Referred to the Committee on Rules and Administration.

Messrs. Luther, Sikorski, Penny and Laufenburger introduced—

S. F. No. 748: A bill for an act relating to financial institutions; requiring annual disclosure of certain information.

Referred to the Committee on Commerce.

Mrs. Staples; Messrs. Keefe, J.; Benedict; Wegener and Chmielewski introduced—

S. F. No. 749: A bill for an act relating to municipalities; authorizing creation of storm sewer reserve funds within storm sewer improvement districts; authorizing special levies in anticipation of capital improvements and bond retirement in storm sewer improvement districts; amending Minnesota Statutes 1976, Chapter 444, by adding a section.

Referred to the Committee on Local Government.

Mr. Johnson introduced—

S. F. No. 750: A bill for an act relating to retirement; membership of Range Municipalities and Civic Association in the public employees retirement association; amending Minnesota Statutes 1976, Chapter 353, by adding a section.

Referred to the Committee on Governmental Operations.

Mr. Johnson introduced—

S. F. No. 751: A bill for an act relating to snowmobiles; providing for operation on certain highways; amending Minnesota Statutes 1976, Section 84.87, Subdivision 3.

Referred to the Committee on Transportation. Mr. Johnson

questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Stokowski, McCutcheon and Ashbach introduced—

S. F. No. 752: A bill for an act relating to taxation; providing for use of cigarette tax stamping machines; appropriating money; amending Minnesota Statutes 1976, Section 297.03, Subdivision 6.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Johnson and Willet introduced—

S. F. No. 753: A bill for an act relating to motor vehicles; licensing and taxation; providing for biennial payment of the tax assessed on trailers; dimensional specifications for trailer number plates; amending Minnesota Statutes 1976, Sections 168.013, Subdivision 1d; and 168.12.

Referred to the Committee on General Legislation and Veterans Affairs.

Messrs. Johnson, Setzepfandt and Chenoweth introduced—

S. F. No. 754: A bill for an act proposing an amendment to the Minnesota Constitution, Article VI, Sections 7 and 8; to provide for the nomination of persons for the office of judge by a nonpartisan judicial commission, and the election of judges.

Referred to the Committee on Judiciary.

Messrs. Johnson, Setzepfandt and Willet introduced—

S. F. No. 755: A bill for an act relating to juvenile courts; requiring disclosure to the news media of the names of children adjudicated delinquent for violating any state or local law or ordinance for a third time; amending Minnesota Statutes 1976, Section 260.161, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Hughes, Merriam, Sikorski, Bernhagen and Sieloff introduced—

S. F. No. 756: A bill for an act relating to drivers licenses; aggravated violations; providing a penalty for operating a motor vehicle before the driver's license or driver's privilege has been reinstated following the cancellation, suspension or revocation thereof for certain offenses; amending Minnesota Statutes 1976, Section 171.245.

Referred to the Committee on Judiciary.

Messrs. Schaaf, Laufenburger, Vega, Penny and Setzepfandt introduced—

S. F. No. 757: A bill for an act relating to transportation; repealing the "Sunday holiday law"; allowing commercial vehicles to operate within 35 miles of cities of the first class on Sundays and legal holidays; repealing Minnesota Statutes 1976; Sections 221.191 and 221.211.

Referred to the Committee on Transportation.

Messrs. Schaaf, Gearty, Johnson, Borden and Ashbach introduced—

S. F. No. 758: A bill for an act relating to the offices of governor and lieutenant governor; providing for filling a vacancy in the office of lieutenant governor by appointment; changing the order of succession in event of vacancy in both the offices of the governor and lieutenant governor; providing for a special election for governor and lieutenant governor; proposing an amendment to Article V, Section 5, of the Minnesota Constitution; amending Minnesota Statutes 1976, Section 4.06.

Referred to the Committee on Elections.

Messrs. Schaaf, Borden, McCutcheon, Sikorski and Stokowski introduced—

S. F. No. 759: A bill for an act relating to public safety; clarifying the duties of the commissioner of public safety in regard to the state criminal justice telecommunications network; establishing the Minnesota justice information systems advisory council, providing for its membership and prescribing its powers and duties; amending Minnesota Statutes 1976; Sections 299C.45; 299C.46; 299C.48; and Chapter 299C, by adding a section.

Referred to the Committee on Governmental Operations. Mr. Tennessen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Knutson, Dunn, Hanson and Lessard introduced—

S. F. No. 760: A bill for an act relating to natural resources; establishing a season for taking deer and bear with muzzle loading firearms; amending Minnesota Statutes 1976, Section 100.27, Subdivisions 2 and 9.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. McCutcheon, Olhoft, Milton, Borden and Kleinbaum introduced—

S. F. No. 761: A bill for an act relating to taxation; increasing the exemption for business excise tax; exempting ink and newsprint from sales tax; providing a new method for payment of occupation taxes; shifting the payment dates for local gov-

ernment aid; amending Minnesota Statutes 1976, Sections 290.-031, Subdivision 4; 297A.14; 297A.25, Subdivision 1; 477A.01, Subdivision 4b; and Chapter 298, by adding sections.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Schaaf, Coleman, Ashbach, Borden and McCutcheon introduced—

S. F. No. 762: A bill for an act relating to the operation of state government; centralizing the management and review of all state contracts in the office of the commissioner of administration; distinguishing consultant, professional and technical contracts; amending Minnesota Statutes 1976, Sections 15.061; 161.35; and Chapter 16, by adding a section; repealing Minnesota Statutes 1976, Sections 4.19 and 16.10.

Referred to the Committee on Governmental Operations.

Messrs. Schaaf, McCutcheon and Stokowski introduced—

S. F. No. 763: A bill for an act relating to civil service; determining what names may be certified as eligible for certain promotions; amending Minnesota Statutes 1976, Section 43.18, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Chmielewski, Menning, Schrom, Bernhagen and Olhofft introduced—

S. F. No. 764: A resolution withdrawing ratification of a proposed amendment to the Constitution of the United States of America relating to equal rights for men and women under the law.

Referred to the Committee on Judiciary. Mr. Lewis questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Purfeerst, Laufenburger, Kleinbaum, Frederick and Engler introduced—

S. F. No. 765: A bill for an act relating to motor vehicle and highway noise control; requiring the commissioner of transportation to implement noise abatement measures; prohibiting construction of acoustical barriers except where required on federal aid highways; requiring the commissioner of public safety to cooperate in noise abatement measures; requiring a study and report concerning motor vehicle source noise enforcement devices and methods; increasing the complement of the state patrol; appropriating money; amending Minnesota Statutes 1976, Chapter 161, by adding a section; repealing Minnesota Statutes 1976, Section 161.125.

Referred to the Committee on Transportation.

Messrs. Davies, Johnson, McCutcheon and Keefe, J. introduced—

S. F. No. 766: A bill for an act relating to crimes; public safety and health; dangerous weapons; short-barreled shotguns; providing penalties; amending Minnesota Statutes 1976, Chapter 609, by adding a section.

Referred to the Committee on Judiciary.

Messrs. Spear, Borden, Ashbach, Solon and Keefe, S. introduced—

S. F. No. 767: A bill for an act relating to mortgages; authorizing appointment of a receiver upon foreclosure and upon a showing that a mortgagor has breached certain covenants in the mortgage; amending Minnesota Statutes 1976, Sections 559.17; and 576.01.

Referred to the Committee on Judiciary.

Messrs. Peterson, Coleman, Johnson, Stokowski and Sillers introduced—

S. F. No. 768: A bill for an act relating to taxation; providing for state income tax to be imposed on taxpayer's federal tax liability; removing agricultural electricity credit from the income tax return and providing for gasoline tax refund to be claimed on the return; amending Minnesota Statutes 1976, Sections 290.01, Subdivisions 1, 7, and by adding subdivisions; 290.03; 290.05; 290.06, by adding subdivisions; 290.07, Subdivisions 1 and 2; 290.32; 290.34, Subdivision 3; 290.37, Subdivisions 1 and 3; 290.38; 290.93, Subdivision 1; 290A.03, Subdivision 3; 296.18, Subdivisions 1, 1a, 2, and 3; 297A.25, Subdivision 1; and Chapter 290, by adding sections; repealing Minnesota Statutes 1976, Sections 290.01, Subdivisions 1a, 2, 3, 4, 5, 6, 8, 8a, 9, 10, 11, 12, 13, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26; 290.011; 290.012; 290.02; 290.032; 290.04; 290.06, Subdivisions 1, 2b, 2c, 3a, 3b, 3c, 3d, 9 and 9a; 290.0601; 290.0602; 290.0603; 290.0604; 290.0605; 290.0606; 290.0608; 290.0609; 290.061; 290.0611; 290.0612; 290.0614; 290.0615; 290.0616; 290.0618; 290.07, Subdivisions 3, 4, 5, 5a, 6 and 7; 290.071; 290.072; 290.073; 290.075; 290.076; 290.077; 290.0781; 290.079; 290.08; 290.081; 290.085; 290.086; 290.087; 290.09; 290.095; 290.10; 290.101; 290.11; 290.12; 290.13; 290.131; 290.132; 290.133; 290.134; 290.135; 290.136; 290.137; 290.138; 290.139; 290.14; 290.15; 290.16; 290.17; 290.18; 290.19; 290.20; 290.21; 290.22; 290.23; 290.24; 290.25; 290.26; 290.27; 290.28; 290.281; 290.29; 290.30; 290.31; 290.311; 290.33; 290.35; 290.36; 290.361; 290.363; 290.39, Subdivision 2; 290.41; 290.501; 290.65; 290.981; 290.982; 290.983; 290.984; 290.985; 290.986; 290.987; 290.988; 290.989; 290.99; 290.991; 290.992; and 297A.35, Subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Mr. Johnson introduced—

S. F. No. 769: A bill for an act relating to the town of White and the city of Aurora; providing for their separation.

Referred to the Committee on Local Government.

Mr. Menning, Mrs. Staples and Mr. Ashbach introduced—

S. F. No. 770: A bill for an act relating to public welfare; medical assistance for the needy; guidelines for nursing home costs; allowing certain costs not directly related to patient care; amending Minnesota Statutes 1976, Section 256B.47, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Tennessen and Gearty introduced—

S. F. No. 771: A bill for an act relating to public welfare; general assistance work programs; providing authority for local agencies to contract with nonprofit organizations for work program services; amending Minnesota Statutes 1976, Section 256D.11, Subdivision 4.

Referred to the Committee on Health, Welfare and Corrections. Mr. Laufenburger questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Vega, Lewis, Milton, Perpich and Mrs. Staples introduced—

S. F. No. 772: A bill for an act relating to public transportation; making state commuter vans available for use by blind vending operators working on state property; amending Minnesota Statutes 1976, Section 16.756.

Referred to the Committee on Transportation.

Mr. Engler introduced—

S. F. No. 773: A bill for an act relating to taxation; clarifying the definition of agricultural land subject to property tax; amending Minnesota Statutes 1976, Section 273.13, Subdivision 6.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Olson, Johnson and Ueland, A. introduced—

S. F. No. 774: A bill for an act relating to intoxicating liquor; restrictions upon places of sale; amending Minnesota Statutes 1976, Sections 340.07, Subdivision 13; and 340.353, Subdivision 1.

Referred to the Committee on Commerce.

Messrs. Schaaf, Chenoweth, Stokowski, Merriam and Kirchner introduced—

S. F. No. 775: A bill for an act relating to regulated occupations; changing the number of apprentices who may be employed in barber shops; allowing registered cosmetologists to practice in barber shops; allowing registered barbers to practice in beauty shops; amending Minnesota Statutes 1976, Sections 154.03; 154.04; and 155.19.

Referred to the Committee on Governmental Operations. Mr. Tennesen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Schaaf, Chenoweth, Stokowski, Merriam and Kirchner introduced—

S. F. No. 776: A bill for an act relating to regulated occupations; changing the size of the board of barber examiners and the board of cosmetology; amending Minnesota Statutes 1976, Sections 154.22, 155.04 and 155.05; repealing Minnesota Statutes 1976, Chapter 186.

Referred to the Committee on Governmental Operations. Mr. Tennesen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Borden introduced—

S. F. No. 777: A bill for an act relating to retirement; disability benefits for highway patrolmen; amending Minnesota Statutes 1976, Section 352B.10.

Referred to the Committee on Governmental Operations.

Messrs. Milton; Vega; Sikorski; Keefe, S. and Kirchner introduced—

S. F. No. 778: A bill for an act relating to public welfare; providing a homestead exemption in eligibility computations for certain medical assistance benefits; amending Minnesota Statutes 1976, Section 256B.06, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Davies, Borden and Keefe, J. introduced—

S. F. No. 779: A bill for an act relating to land transfers; adopting the uniform simplification of land transfers act; repealing Minnesota Statutes 1976, Sections 507.24; 507.25; 507.26; 507.34; 507.35; 514.01 to 514.17; 541.02; and 541.023.

Referred to the Committee on Judiciary.

Messrs. Davies; Keefe, J. and Borden introduced—

S. F. No. 780: A bill for an act relating to real estate; enacting the uniform land transactions act; providing a comprehensive law to govern real estate transactions; amending Minnesota Statutes 1976, Sections 507.32; 513.01; 541.01; 582.01; 582.03; repealing Minnesota Statutes 1976, Sections 507.07; 507.16; 513.04; 513.05; 559.17; 559.21; 559.213; 559.214; 581.01 to 581.11; 582.02; 582.04 to 582.10; 582.14; 582.15; and Chapter 580.

Referred to the Committee on Judiciary.

Messrs. McCutcheon; Coleman; Keefe, S. and Ogdahl introduced—

S. F. No. 781: A bill for an act relating to crimes; regulating the transfer of pistols; requiring a waiting period for pistol transfers; requiring police checks of pistol transferees; prohibiting transfers of pistols to certain persons; prescribing penalties; amending Minnesota Statutes 1976, Section 624.712, by adding a subdivision; and Chapter 624, by adding a section.

Referred to the Committee on Judiciary.

Mr. Milton introduced—

S. F. No. 782: A bill for an act relating to the city of White Bear Lake; firemen's service pensions and disability benefits; amending Laws 1971, Chapter 214, Section 1.

Referred to the Committee on Governmental Operations.

Messrs. Olson; Ulland, J.; Dunn; Hughes and Borden introduced—

S. F. No. 783: A bill for an act relating to libraries; requiring distribution of certain state publications to county and regional libraries; amending Minnesota Statutes 1976, Sections 15.051, Subdivision 4; 15.047, Subdivision 2; and 648.39, by adding a subdivision.

Referred to the Committee on General Legislation and Veterans Affairs.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 37, 259, 352, 380, 383 and 296.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 10, 1977

FIRST READING OF HOUSE BILLS

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

H. F. No. 37: A bill for an act relating to commerce; requiring individually marked prices on certain retail merchandise; providing exceptions; providing penalties.

Referred to the Committee on Commerce.

H. F. No. 259: A bill for an act relating to insurance; requiring refund of unearned premium on cancellation of certain automobile insurance policies; amending Minnesota Statutes 1976, Section 65B.14; and Chapter 65B, by adding sections.

Referred to the Committee on Commerce.

H. F. No. 352: A bill for an act relating to game and fish; prohibiting the use of certain devices in fishing; amending Minnesota Statutes 1976, Section 101.42, by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 380: A bill for an act relating to bicycles; registration; administration of the bicycle registration law; including unicycles within the definition of bicycle; clarifying provisions relating to bicycle registration; providing for the disposition of certain service fees charged in handling registrations; extending the time for the report of the commissioner of public safety to the legislature on recommendations for mandatory registration of bicycles; amending Minnesota Statutes 1976, Sections 168C.02, Subdivision 2; 168C.03; 168C.07; 168C.10; 168C.11, Subdivisions 1 and 2; 168C.12; 168C.13, Subdivision 1; and Laws 1976, Chapter 199, Section 14, Subdivision 2.

Referred to the Committee on General Legislation and Veterans Affairs.

H. F. No. 383: A bill for an act relating to agriculture; potato industry promotion; providing for an increase in the assessment levied; amending Minnesota Statutes 1976, Section 30.469.

Referred to the Committee on Rules and Administration.

H. F. No. 296: A bill for an act relating to insurance; providing for the establishment and operation of a Minnesota life and health insurance guaranty association; providing protection for policyowners, insureds, beneficiaries, and others against the failure of an insurer doing business in Minnesota; amending Minnesota Statutes 1976, Sections 60B.17, by adding a subdivision; 60B.25; 60B.26, Subdivision 2; 60B.30, by adding a subdivision; and 60B.46, Subdivision 1.

Referred to the Committee on Commerce.

REPORTS OF COMMITTEES

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

Mr. Olson from the Committee on General Legislation and Veterans Affairs, to which was referred

S. F. No. 319: A bill for an act relating to crimes; repealing the law regulating admittance to public dances and the law proscribing holding of public dances at certain hours; amending Minnesota Statutes 1976, Sections 624.42, and 624.46; repealing Minnesota Statutes 1976, Sections 624.48, 624.49 and 624.51.

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

Page 1, lines 18 to 23, reinstate the stricken language

Page 2, line 1, reinstate the stricken language

Page 2, line 1, strike "When"

Page 2, strike lines 2 to 5

Page 3, strike lines 3 and 4

Amend the title as follows:

Page 1, line 2, strike "repealing the law regulating" and insert "regulating public dances"

Page 1, strike lines 3 and 4

Page 1, line 5, strike "hours"

Page 1, line 6, strike " ; repealing Minnesota Statutes" and insert a period

Page 1, strike line 7

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

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

S. F. No. 194: A bill for an act relating to cemeteries; prohibiting trespassing on public or private cemeteries; providing penalties; amending Minnesota Statutes 1976, Section 307.08, Subdivision 1.

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

Page 1, line 8, strike "307.08" and insert "609.605"

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

Page 1, strike lines 10 to 21 and insert:

"609.605 [TRESPASSES AND OTHER ACTS.] Whoever intentionally does any of the following is guilty of a misdemeanor:

(1) Smokes in a building, area, or common carrier in which "no smoking" notices have been prominently posted, or when requested not to by the operator of the common carrier; or

(2) Trespasses or permits animals under his control to trespass upon a railroad track; or

(3) Permits domestic animals or fowls under his control to go upon the lands of another within a city; or

(4) Interferes unlawfully with any monument, sign, or pointer erected or marked to designate a point of a boundary, line or a political subdivision, or of a tract of land; or

(5) Trespasses upon the premises of another and, without claim of right, refuses to depart therefrom on demand of the lawful possessor thereof; or

(6) Occupies or enters the dwelling of another, without claim of right or consent of the owner or the consent of one who has the right to give consent, except in an emergency situation. As used in this clause, "dwelling" means the building or part of the building used by an individual as a place of residence on either a full-time or a part-time basis. The dwelling may be part of a multi-dwelling or multi-purpose building, or a mobile home as defined in section 168.011, subdivision 8; or

(7) Enters the premises of another with intent to take or injure any fruit, fruit trees, or vegetables growing thereon without the permission of the owner or occupant; or

(8) Refuses the request of the operator of a public conveyance to either pay the required fare or leave the conveyance; or

(9) Takes any animal on a public conveyance without the consent of the operator; or

(10) Without the permission of the owner, tampers with or gets into or upon a motor vehicle as defined in section 609.55, subdivision 1, or rides in or upon such motor vehicle knowing it was taken and is being driven by another without the permission of the owner; or

Page 1, line 22, strike "*Whoever*" and insert "(11)"

Page 2, line 1, strike "*other than*"

Page 2, line 2, strike "*normally*"

Page 2, line 2, strike "*open*" and insert "*posted as closed*"

Page 2, line 2, strike the second "*is*"

Page 2, line 3, strike "*guilty of a misdemeanor*"

Amend the title as follows:

Page 1, line 4, strike "307.08," and insert "609.605"

Page 1, line 5, strike "Subdivision 1"

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

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

S. F. No. 146: A bill for an act relating to health and safety; licensing and certification of ambulance services; amending Minnesota Statutes 1976, Chapter 144, by adding a section; Sections 144.801; 144.802; 144.803; 144.804; and 144.805.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 144.801, is amended to read:

144.801 [DEFINITIONS.] Subdivision 1. ~~Unless the context requires otherwise, the definitions in this section govern the construction of sections 144.801 to 144.806 For the purposes of sections 144.801 to 144.807 and section 6, the terms defined in this section have the meaning given them.~~

Subd. 2. "Land ambulance" means any vehicle designed or intended for and actually used in providing land transportation of wounded, injured, sick, invalid, or incapacitated persons, or expectant mothers.

Subd. 2 3. "Ambulance" means a vehicle or other form of transportation which is designed or intended to be used in providing "Air ambulance" means any vehicle which is designed or intended for and actually used in providing air transportation of wounded, injured, sick, invalid, or incapacitated human beings persons, or expectant mothers.

Subd. 3 4. "Ambulance service" means:

(a) Transportation for a wounded, injured, sick, invalid, or incapacitated human being, or expectant mother which is regularly provided, or offered to be provided, to the public by any person or public or private agency; and

(b) Treatment which is rendered or offered to be rendered by any person employed to provide or assist in providing the transportation referred to in clause (a); whether such treatment is rendered or offered to be rendered preliminary to, during, or after such transportation.

Subd. 3a. "Non-emergency ambulance service" means transportation in an ambulance for individuals not requiring treatment while in the ambulance. "Emergency ambulance service" means transportation and treatment which is rendered or offered to be rendered preliminary to or during transportation for wounded, injured, sick, invalid, or incapacitated persons, or expectant mothers, provided by any operator.

Subd. 5. "Non-emergency ambulance service" means transportation to or from a health care facility for examination, diagnosis, treatment, therapy, or consultation for wounded, injured, sick, invalid, or incapacitated persons, or expectant mothers, provided by any operator. This service is transportation which is regularly provided, or offered to be provided, but which does not regularly necessitate treatment of the person which is being transported. Non-emergency ambulance service does not include the provision of transportation services to persons for whom the need for oxygen, resuscitation or aspiration is not reasonably foreseeable during transportation.

Subd. 4 6. "License" means authority granted by the state board of health for the operation of a *land emergency ambulance service, land non-emergency ambulance service, air emergency ambulance service, or air non-emergency ambulance service* in the state of Minnesota.

Subd. 5 7. "Operator" means a person, firm, partnership, corporation, service club, volunteer fire department, *municipality volunteer ambulance service, political subdivision or other organization which has a license from the state board of health to provide provides land emergency ambulance service, land non-emergency ambulance service, air emergency ambulance service, or air non-emergency ambulance service.*

Subd. 8. "Base of operation" means the political subdivision in which the physical plant housing ambulances, related equipment and personnel is located.

Subd. 9. "Newly established ambulance service" means an emergency ambulance service or non-emergency ambulance service which does not possess a current license to provide the specific type of ambulance service as set forth in subdivision 6 and intended to be offered from a base of operation.

Sec. 2. Minnesota Statutes 1976, Section 144.802, is amended to read:

144.802 [LICENSING.] *Subdivision 1. No operator shall operate an a land emergency ambulance service, land non-emergency ambulance service, air emergency ambulance service or air non-emergency ambulance service within this state unless it possesses a valid license to do so issued by the state board of health. The license shall specify the location of the base of operation and the type or types of ambulance service for which the operator is licensed. The operator shall obtain a new license if it wishes to establish a new base of operation or provide a new type or types of service. Licenses shall not be transferable. If ownership of a service is transferred, a new license shall be issued upon the approval of the state board of health and a finding of conformance with all the requirements of Minnesota Statutes, Sections 144.801 to 144.806 and section 6. A public hearing shall not be required when there is a transfer of ownership. The cost of the license licenses shall be in an amount prescribed by the board pursuant to section 144.122. Licenses shall expire and be renewed as prescribed by the board pursuant to section 144.122.*

Subd. 2. The state board of health shall not issue licenses a license for the operation of a newly established ambulance service , a new type or types of ambulance service or a new base of operation for an existing ambulance service in the state unless the service meets the standards required by sections 144.801 to 144.806 and the applicant has demonstrated to the satisfaction of the state board of health at a public hearing that the public convenience and necessity require the proposed ambulance service.

Sec. 3. Minnesota Statutes 1976, Section 144.803, is amended to read:

144.803 [LICENSING; SUSPENSION AND REVOCATION.] The state board of health may, after hearing upon reasonable notice, suspend or revoke , *or refuse to renew* the license of an operator upon finding that the licensee has violated sections 144.801 to 144.806 *or section 6*. Proceedings by the state board of health pursuant to this section and review thereof shall be subject to the provisions of chapter 15.

Sec. 4. Minnesota Statutes 1976, Section 144.804, is amended to read:

144.804 [STANDARDS.] Subdivision 1. No publicly or privately owned ambulance service shall be operated in the state unless the drivers and attendants possess a current advanced American Red Cross first aid certificate *or an advanced first aid certificate issued by the United States bureau of mines or other first aid or emergency care certificate authorized by rules adopted by the state board of health pursuant to chapter 15* .

Subd. 2. Every ambulance offering emergency service shall be equipped with a stretcher and after *July August 1, 1975 1979*, a two-way radio communications system *which is in accordance with the state board of health statewide radio communications plan* and carry the minimal equipment recommended by the American College of Surgeons *or the equivalent as determined by standards adopted by the state board of health pursuant to chapter 15* .

Subd. 3. All *land* ambulances offering emergency service, whether publicly or privately owned, shall offer ambulance service 24 hours per day every day of the year and shall be staffed by a driver and *an attendant , physician or registered nurse*. An ambulance operated by a nonprofit entity and limiting its operation exclusively to providing emergency ambulance service by contract for specific events and meetings need not offer emergency service 24 hours per day every day of the year but shall meet all other legal standards for ambulance services offering emergency service. *Air ambulances shall be staffed by a pilot and an attendant, physician or registered nurse*. Whenever *an a* land emergency ambulance service shall find it impossible to arrange for an attendant to accompany the driver, the driver may proceed to answer an emergency call without an accompanying attendant, provided that the ambulance service shall make all reasonable efforts to arrange for an attendant to be present at the site of the emergency *and en-route to a health care facility* . Drivers and attendants are authorized to use only such equipment for which they are qualified by training.

All ambulances offering non-emergency service shall be equipped with oxygen and resuscitation and aspiration equipment. *After July 1, 1978 the oxygen, resuscitation and aspiration equipment must meet standards as specified by rules adopted by the state board of health pursuant to chapter 15*. No ambulance offering only non-emergency services shall be equipped with emergency warning lights or siren.

Subd. 4. Nothing in sections 144.801 to 144.806 shall prevent operation of a police emergency vehicle by one person nor affect

any statute or regulatory authority vested in the department of ~~transportation~~ *public safety* concerning automotive equipment and safety requirements.

Sec. 5. Minnesota Statutes 1976, Section 144.805, is amended to read:

144.805 [CHAUFFEURS LICENSES.] Any person driving an ambulance shall have a valid *class C* Minnesota driver's license. ~~A chauffeur's license issued under sections 168.39 to 168.44 is not required to drive an ambulance in Minnesota except that any person other than a fireman or law enforcement officer shall be required to possess a chauffeur's license to drive an ambulance based within a city of the first class.~~

Sec. 6. Minnesota Statutes 1976, Chapter 144, is amended by adding a section to read:

[144.808] [INSPECTIONS.] *The state board of health may inspect ambulance services as frequently as deemed necessary. These inspections shall be for the purpose of determining that the ambulance and equipment is clean and in proper working order and if the operator is in compliance with sections 144.801 to 144.804 and any rules that the state board of health adopts related to sections 144.801 to 144.804.*

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

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

S. F. No. 196: A bill for an act relating to welfare; establishing evening child care programs for students at certain educational institutions; appropriating money.

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

Page 1, line 16, strike "for the" and insert "under section 245.802"

Page 1, line 17, strike "evening care of children"

Page 2, line 8, after "welfare" strike "the" and insert "a"

Page 2, line 8, after "of" insert "up to"

Page 2, line 10, after "provide" insert "start up costs for"

Page 2, line 10, after the period insert "This will be a final and non-recurring appropriation."

Page 2, line 13, strike "the" and insert "a"

Page 2, line 13, after "of" insert "up to"

Page 2, line 13, after "provide" insert "start up costs for"

Page 2, line 14, after the period insert "This will be a final and non-recurring appropriation."

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

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

S. F. No. 80: A bill for an act relating to ambulance services; reimbursing volunteer ambulance attendants for training school expenses; appropriating money; amending Minnesota Statutes 1976, Chapter 144, by adding a section.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Chapter 144, is amended by adding a section to read:

[144.808] [REIMBURSEMENT TO NON-PROFIT AMBULANCE SERVICES.]

Any political subdivision, or non-profit hospital or non-profit corporation operating a licensed ambulance service shall be reimbursed by the department of health for the necessary expense of training volunteer ambulance attendants upon successful completion by the attendant of an emergency care course approved by the department. Reimbursable expense may include tuition, transportation, food, lodging, and other necessary expenditure; except that in no case shall the reimbursement for a single individual exceed \$210.

Sec. 2. There is hereby appropriated to the department of health \$..... to reimburse ambulance services pursuant to this act."

Amend the title as follows:

Page 1, line 2, after "reimbursing" insert "political subdivisions, non-profit hospitals or corporations for expenses of training"

Page 1, line 3, strike "for training school"

Page 1, line 4, strike "expenses"

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 465: A bill for an act relating to transportation; prohibiting motorcyclists with instruction permits from driving on controlled access highways; amending Minnesota Statutes 1976, Section 169.974, Subdivision 2.

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

Page 2, line 16, strike "a"

Page 2, line 16, strike "controlled"

Page 2, line 17, strike "access" and insert "any interstate"

Amend the title as follows:

Page 1, line 4, strike "controlled access" and insert "interstate"

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

Mr. Olson from the Committee on General Legislation and Veterans Affairs, to which was referred

S. F. No. 257: A bill for an act relating to snowmobiles; providing for operation on certain highways; amending Minnesota Statutes 1976, Section 84.87, Subdivision 3.

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

Mr. Olson from the Committee on General Legislation and Veterans Affairs, to which was referred

S. F. No. 312: A bill for an act relating to the historical society; establishing an interpretive center in the city of Moorhead.

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

Page 1, line 6, strike "Minnesota" and insert "Red River Valley"

Page 1, line 7, strike "in the city of Moorhead"

Page 1, line 7, strike "center" and insert "program"

Page 1, line 8, strike "Center" and insert "Program for the planning and development of an interpretive center in the city of Moorhead"

Page 1, line 9, before "center" insert "program and interpretive"

Page 1, line 10, after "centers" insert "prepared pursuant to laws 1975, Chapter 204, Section 55, Subdivision 5, clause (c)"

Amend the title as follows:

Page 1, line 3, before "an" insert "a program for"

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

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

S. F. No. 350: A bill for an act relating to elections; establishing a uniform municipal election day for election of county, city and school district officers, county and municipal judges and officers of all other political subdivisions except towns; requiring uniform and coordinated election precincts and polling places for municipalities and school districts; integrating municipal and school district election laws with laws applicable to other elections; providing state reimbursement to towns and cities for election costs; appropriating money; amending Minnesota Statutes 1976, Chapters 204A by adding a section; and 205 by adding sections; and Sections 40.05, Subdivisions 1, 3 and 4; 40.06, Subdivision 1; 123.12, Subdivisions 1 and 5; 123.33, Subdivision

1; 123.34, Subdivision 1; 123.351, Subdivisions 1 and 3; 200.02, Subdivisions 1, 8, and 24 and by adding subdivisions; 202A.52; 203A.17; 203A.32, Subdivision 3; 204A.06, Subdivision 1; 204A.11, Subdivision 3, and by adding a subdivision; 204A.40, Subdivision 2; 204A.45, Subdivision 1; 204A.47, Subdivision 2 and by adding a subdivision; 204A.48; 205.01; 205.021; 205.13; 205.14; 205.16, Subdivision 2; 207.02; 207.151; 209.02, Subdivisions 1 and 3; 398.04; and 410.21; repealing Minnesota Statutes 1976, Sections 123.015; 123.11, Subdivisions 2, 3, 4, 5 and 6; 123.32; 128.01; 128.02; 201.33; 205.02; 205.03; 205.07; 205.11; 205.18; 205.19; and 205.20.

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

Strike everything after the enacting clause and insert:

“ARTICLE I

LOCAL GOVERNMENT ELECTION DAY

Section 1. [LEGISLATIVE INTENT; CITATION.] *Subdivision 1. It is the purpose and intent of this act to increase public interest and participation in local elections and to draw the attention of the public and the news media to local government issues by the designation of a single, uniform, biennial date for all local elections in the state; to encourage more people to vote at local elections by permitting voters to cast their ballots in all local election contests, including school district, city and county elections, only once every two years and at a single, convenient polling place; to encourage more people to seek local elective offices by establishing a uniform time for filing for office; and to lower the administrative costs of local elections by eliminating separate dates and procedures for conducting local elections and providing a single, biennial election for all local offices conducted, as far as practicable, in the same manner as the statewide general election.*

Subd. 2. This act may be cited as the “Minnesota Local Government Election Day Act.”

Sec. 2. Minnesota Statutes 1976, Chapter 205, is amended by adding a section to read:

[205.015] [LOCAL GOVERNMENT ELECTION DAY.] *Subdivision 1. [ESTABLISHMENT.] The first Tuesday after the second Monday in November in each odd numbered year is designated and shall be known as the “local government election day.”*

Subd. 2. [OFFICERS ELECTED.] The regular election of the elective officers of every county, city and school district, the judges of the county and municipal courts and the elective officers of every other political subdivision of the state except towns shall be held on the local government election day next preceding the expiration of their terms.

Subd. 3. [PRIMARY.] A primary election shall be held on the first Tuesday after the second Monday of October in each

odd numbered year to select the candidates for the offices to be filled on the local government election day.

No primary shall be held to select candidates for any nonpartisan office when only two persons file for nomination for that office, or when not more than twice the number of persons to be elected file for nomination for that office.

Subd. 4. [PLACE OF ELECTION.] The election precincts and polling places for elections held on the local government election day shall be those established according to sections 204A.06 to 204A.11. Ballots shall be distributed and available so that no voter shall be required to vote in more than one polling place in order to vote in every election in which the voter is eligible to vote on the local government election day.

Subd. 5. [HOURS FOR VOTING.] The polls in each precinct in which an election is held pursuant to this section shall open at 7:00 a.m. and remain open until 8:00 p.m.; provided that the governing body of any municipality of less than 1,000 inhabitants situated entirely outside the metropolitan area as defined in section 473.02, subdivision 5, by resolution adopted prior to the giving of notice of the election may fix a time for the opening of the polls which may not be earlier than 7:00 a.m. nor later than 5 p.m. A resolution adopted pursuant to this subdivision shall be effective for all succeeding elections until revoked. A copy of the resolution shall be transmitted to the secretary of state.

Subd. 6. [TIME FOR FILING.] The time for the filing of any affidavit, application, petition or other document required to place the name of any person on the ballot for election to any office to be filled on the local government election day shall commence 42 days before the primary, regardless of whether a primary is held with respect to any office, and shall conclude 28 days before the primary.

Subd. 7. [PURPOSE.] It is the purpose and intent of this section to establish uniform dates, and in the case of subdivisions 4, 5 and 6, uniform procedures, for the election of all officers described in subdivision 2. To the extent inconsistent with this intent all general and special laws and municipal charter provisions providing otherwise are superseded. In all other respects, those laws and charter provisions shall continue in full force and effect.

ARTICLE II

ELECTION LAWS; LOCAL GOVERNMENT ELECTIONS

Section 1. Minnesota Statutes 1976, Section 205.01, is amended to read:

205.01 [DEFINITIONS.] The words used in sections 205.01 to 205.17 chapter 205 have the meanings prescribed to given them in chapter 200.

Sec. 2. Minnesota Statutes 1976, Chapter 205, is amended by adding a section to read:

[205.017] [NOTICE OF OFFICES TO BE FILLED; COUNTIES, CITIES AND SCHOOL DISTRICTS.] *No later than 15 days before the first day for filing affidavits of candidacy every county auditor, city clerk and school district clerk shall prepare, post in their respective offices and publish a notice specifying the officers whose certificates of election are issued by them who are to be voted on at the next regular election. The notice shall also state the opening and closing dates for filing affidavits and the place for filing. Immediately upon preparation, the county auditor and school district clerk shall deliver copies of the notice to the clerk of each municipality in the county or school district. The clerk of every municipality shall post in his office copies of the notices delivered to him pursuant to this section.*

Sec. 3. Minnesota Statutes 1976, Section 205.021, is amended to read:

205.021 [CITY ELECTIONS; STATUTES APPLICABLE.] *In all statutory and home rule charter cities, the regular, primary, and special elections held for choosing public officials for the city and deciding public questions relating to the city shall be held according to the statutes governing the general election and the primary preceding the general election as far as practicable, except as provided in sections 205.01 to 205.17 ; except that sections 205.01 to 205.15 are not applicable to any city the charter of which provides for the manner of holding its regular, primary, or special municipal elections . Sections 205.01 to 205.17 shall also apply to towns to the extent specified in those sections.*

Sec. 4. Minnesota Statutes 1976, Section 205.13, is amended to read:

205.13 [MUNICIPAL ELECTION; CANDIDATES; FILING.] *Subdivision 1. [AFFIDAVITS OR APPLICATIONS; CITIES.] Not more than six 42 nor less than four weeks 28 days before the primary election ; or before the municipal election if there is no primary election, any person eligible and desiring to have his name placed on the official ballot as a candidate for an office to be voted for at the regular city election shall file his affidavit of candidacy with the municipal city clerk. The affidavit shall be substantially the same form as required of candidates for state offices. An application also may be signed by not less than five voters and filed on behalf of any qualified voter in the municipality city whom they desire to be a candidate if service of a copy of the application is made on the candidate and proof of service is endorsed on the application before filing. Upon payment of the proper filing fee to the clerk, the clerk shall place the name of the candidate on the official ballot without partisan designation .*

Subd. 2. [SAME; TOWNS.] Town elections shall follow the procedures established in subdivision 1, except that the time for filing shall be not more than 42 nor less than 28 days before the primary or before the town election if there is no primary.

Subd. 3. [NONPARTISAN BALLOT.] Municipal ballots shall not contain any partisan designation for any candidates except as provided in section 205.17.

Subd. 4. [WITHDRAWAL OF CANDIDACY.] Any candidate for elective municipal office may withdraw from the election by filing an affidavit of withdrawal with the clerk of the municipality no later than 12:00 o'clock noon of the day after the last day for filing affidavits of candidacy.

Sec. 5. Minnesota Statutes 1976, Section 205.14, is amended to read:

205.14 [MUNICIPAL ELECTION, PROCEDURE.] Subdivision 1. [MATERIALS, BALLOTS.] The *city* municipal clerk shall prepare and cause to be printed the necessary election materials, including the ballots, for the municipal election.

Subd. 2. [ELECTION, CONDUCT.] The ~~election~~ *primary and regular municipal elections* shall be held and the returns made in the manner provided for the general election and the *primary election preceding the general election*.

Subd. 2a. [PRIMARY ELECTION RESULTS.] Within two days after the municipal primary election, the council of the municipality shall canvass the returns of the election, and the two candidates for each office who receive the highest number of votes, or a number of candidates equal to twice the number of persons to be elected to the office and who receive the highest number of votes, shall be the nominees for the office named. In any case where a tie vote causes more candidates than may be nominated to an office to receive the highest number of votes, the council shall determine the result by lot. The names of the nominees shall be certified to the municipal clerk who shall place them on the regular municipal election ballot without payment of an additional fee.

Subd. 3. [REGULAR ELECTION RESULTS; CERTIFICATE OF ELECTION; DISPOSITION OF BALLOTS.] Within two days after the *regular* election, the council shall canvass the returns and declare the results of the election. After the time for contesting elections has passed, the municipal clerk shall issue a certificate of election to each successful candidate ; ~~but~~ . In case of a contest, the certificate shall not be issued until the contest has been determined by the proper court. In case of a tie vote, the council shall determine the result by lot. The *municipal* clerk shall certify the results of the election to the county auditor ; ~~and~~ . The *city* clerk shall be the final custodian of the ballots and the returns of the election.

Sec. 6. Minnesota Statutes 1976, Section 205.16, Subdivision 2, is amended to read:

Subd. 2. [SAMPLE BALLOT, NOTICE.] ~~In all statutory and home rule charter cities,~~ For every election held within the city for municipal purposes, the city clerk shall, at least one week before the election, publish a sample ballot in the official newspaper of the city, except that the council of any fourth class city may dispense with publication. At least four days before the election the clerk shall post a sample ballot in his office for public inspection ; ~~and a sample ballot shall also be posted in each polling place .~~

Sec. 7. Minnesota Statutes 1976, Chapter 205, is amended by adding a section to read:

[205.165] [SAMPLE BALLOTS AT EACH POLLING PLACE.] *For every election held within the municipality the municipal clerk shall cause to be posted in each polling place a sample ballot of every ballot to be voted upon at that polling place, including a sample of the state, county, city, school district or other ballot that may be voted upon.*

Sec. 8. Minnesota Statutes 1976, Chapter 205, is amended by adding a section to read:

[205.211] [COUNTY ELECTIONS.] *Except as provided in Article I, Section 2, the statutes governing the general election and the primary preceding the general election shall govern the regular and primary election for county officers and county court judges.*

Sec. 9. Minnesota Statutes 1976, Chapter 205, is amended by adding a section to read:

[205.221] [INDEPENDENT SCHOOL DISTRICT ELECTIONS.] *Subdivision 1. [STATUTES APPLICABLE.] Except as otherwise provided in chapter 205, the statutes governing the general election and the primary preceding the general election shall govern independent school district regular and primary elections as far as practicable.*

Subd. 2. For the purposes of Article II, Sections 9 to 14, "district" or "school district" means "independent school district."

Sec. 10. Minnesota Statutes 1976, Chapter 205, is amended by adding a section to read:

[205.231] [INDEPENDENT SCHOOL DISTRICT ELECTIONS; PROCEDURES.] *Subdivision 1. [NOTICE OF ELECTION.] The clerk of the district shall give ten days' posted notice of every regular, primary and special independent school district election and also if there be a newspaper published in the district, one week's published notice shall be given. The notice shall specify the time, place and purpose of the election, and shall contain information concerning the precincts, polling places and hours the polls will be open. At least four days before the election the clerk shall post a sample ballot in his office for public inspection.*

Subd. 2. [CANDIDATES; APPLICATION.] The school board of each district shall appoint one full time employee in the central office of the district to accept applications made pursuant to this subdivision. Any person desiring to be a candidate for an independent school district office at the regular election shall file with the person appointed to accept applications a written application to be placed on the ballot for the office, or any five voters of the district may file a written application for or on behalf of any qualified voter in the district that they desire to be a candidate. The application shall be filed not more than 42 nor less than 28 days before the primary election and shall be accompanied by payment of a fee not to exceed \$5.

Subd. 3. [PREPARATION OF BALLOTS.] At the expense of the district the clerk shall prepare and cause to be printed the necessary official and sample ballots for the election of officers, placing thereon the name and number of the school district and the names of the proposed candidates with the same number of blank spaces for the insertion of names of other candidates as there are members to be elected. School district ballots shall not contain any partisan designation for any candidates. The name of each candidate for office shall be rotated with the names of the other candidates for the same office so that the name of each candidate appears substantially an equal number of times at the top, at the bottom, and at each intermediate place in the group of candidates for that office. Official ballots shall be printed on buff color paper. Any proposition to be voted upon shall be stated on a separate ballot printed on pink color paper. Voting shall be by secret ballot. The facsimile signature of the clerk shall appear on the backs of the ballots. No later than the 15th day preceding a regular or primary election, the clerk shall deliver:

(a) Sufficient sample and official ballots to the municipal clerk of each municipality into which the district extends and to the county auditor of any county containing unorganized territory into which the district extends to permit the municipal clerk and county auditor to provide sufficient ballots to each polling place in the district; and,

(b) Sufficient ballots to the officials responsible for accepting applications for absentee ballots pursuant to section 207.03, to permit them to carry out the duties prescribed by chapter 207. Each municipal clerk and county auditor shall provide a sufficient number of school district ballots to the election judges of the appropriate precincts on the day preceding the election.

Subd. 4. [VOTING MACHINES.] Where voting machines are used, the school district ballot shall follow the nonpartisan canary ballot, and in precincts containing more than one school district or more than one school election district, separate voting machines shall be used and shall be allocated between the school districts or school election districts in proportion to the number of voters eligible to vote in the precinct from each district.

Sec. 11. Minnesota Statutes 1976, Chapter 205, is amended by adding a section to read:

[205.241] [ELECTION RESULTS; CERTIFICATION OF CANDIDATES.] Subdivision 1. [PRIMARY RESULTS.] Within four days after receipt of the returns of the primary election, the school board shall canvass the returns, issue certificates to the two candidates for each office who receive the highest number of votes, or to a number of candidates equal to twice the number of persons to be elected to the office and who receive the highest number of votes, and shall place the names of those candidates on the official ballot for the regular election without the payment of an additional fee. In any case where a tie vote causes more candidates than may be nominated to an office to receive the highest number of votes, the board shall determine the result by lot.

Subd. 2. [REGULAR ELECTION RESULTS.] Within four days after receipt of the returns of the regular election, the school board shall canvass the returns and shall issue a certificate of election to the candidate for each office who received the largest number of votes cast for the office. If any candidates receive an equal number of votes for an office, the board shall resolve the tie by lot. The clerk shall deliver the certificates by registered mail, and each person so certified shall file an acceptance and oath of office in writing with the school district clerk within 30 days of the date of mailing of the certificate. A person who fails to qualify prior to the time specified shall be deemed to have refused to serve, but such filing may be made at any time before action to fill the vacancy has been taken.

Sec. 12. Minnesota Statutes 1976, Chapter 205, is amended by adding a section to read:

[205.251] [SPECIAL ELECTIONS.] *The board of an independent district may and upon petition of 50 or more voters of the district or five percent of the number of votes cast at the preceding regular election, whichever is the greater, shall by resolution call a special election to vote on any matter requiring approval of the voters of the district. The clerk of the district shall give ten days' posted notice and one week's published notice of election, if there be a newspaper published in such district. The notice shall specify the time and place of election, and the questions to be submitted to the voters at the election. The procedure for a special election shall be the same as for a regular election. The expenses of special elections shall be paid by the school district.*

Sec. 13. Minnesota Statutes 1976, Chapter 205, is amended by adding a section to read:

[205.261] [COMMON SCHOOL DISTRICTS; ELECTIONS.] *Subdivision 1. The school board of a common school district shall be elected at the same time and in the same manner as board members in independent districts.*

Subd. 2. This section applies only to school districts numbers 323 and 815.

Sec. 14. Minnesota Statutes 1976, Chapter 205, is amended by adding a section to read:

[205.271] [COORDINATION OF MUNICIPAL AND SCHOOL BOARD ELECTIONS; DUTIES OF SECRETARY OF STATE.] *Subdivision 1. [ADOPTION OF RULES.] No later than January 1, 1979, the secretary of state shall promulgate rules to facilitate the coordination of the various elections held on the local government election day. The rules shall provide:*

(a) Standards and guidelines to aid municipalities, counties, school districts and other political subdivisions in allocating election costs and in designating boundaries for election purposes;

(b) A procedure for preparation of precinct maps showing the

number and boundary of each school district and school district election district in the precinct and distribution of the maps to the appropriate election judges;

(c) A procedure to be followed by local elections officials to ensure that the number of the school district in which the voter resides is placed on every voter registration card in the manner and by the time required in Article III, Sections 7 and 8; and

(d) A procedure for resolving disputes between municipalities, counties, school districts and other political subdivisions with regard to the conduct of elections.

Subd. 2. [PREPARATION OF SCHOOL DISTRICT ELECTIONS BOOKLET.] No later than January 1, 1979, the secretary of state shall prepare a booklet for distribution to local elections officials setting forth all provisions of the election laws that are applicable to school district elections.

Sec. 15. Minnesota Statutes 1976, Chapter 205, is amended by adding a section to read:

[205.30] [HOSPITAL DISTRICT ELECTIONS.] Subdivision 1. [STATUTES APPLICABLE.] Except as otherwise provided in chapter 205, the statutes governing the general election and the primary preceding the general election shall govern hospital district elections as far as practicable.

Subd. 2. [APPLICATION FOR CANDIDACY.] Any person desiring to be nominated as a candidate for member of a hospital board shall file with the clerk of the city or town in which he resides, not more than 42 nor less than 28 days before the primary required by Article I, Section 2, Subdivision 3, an application to be placed on the primary ballot for nomination as a candidate for member at large or member representing the town or city. All applications for nomination as candidates for member at large or member representing a town shall be transmitted to the clerk of the district.

Subd. 3. [PREPARATION OF BALLOTS.] For all towns in the district the clerk of the district shall prepare and distribute to the town clerks at the expense of the district the necessary primary and regular sample and official election ballots for candidates for membership on the hospital board. The official ballots shall be on light green paper and, except that preparation shall be by the clerk of the district, shall be prepared in the manner provided in section 205.07 for preparation of the town light green ballot. The clerk of the district shall provide sufficient ballots to the officials responsible for accepting applications for absentee ballots pursuant to section 207.03, to permit them to carry out the duties prescribed by chapter 207. The district clerk shall certify the names of the candidates for nomination and election as members at large to the city clerk of each city in the district. The city clerk shall place the names of the candidates for nomination or election as members at large or members representing the city on the city light green ballot.

Subd. 4. [ELECTION RETURNS.] For the primary and regu-

lar election, each clerk of the district shall supply to the clerk of each town and city in the district a number of blank summary statements sufficient for recording the results of the hospital district election in each precinct. After counting the votes, the election judges in each precinct shall complete a summary statement supplied by the district and shall submit the completed statement to the clerk of the town or city in which the precinct is located. The clerk of each town and city shall transmit the hospital district election summary statements to the clerk of the district within 48 hours after the closing of the polls.

Subd. 5. [CANVASSING OF RESULTS.] Upon receiving the completed summary statements containing the primary election results the hospital board shall forthwith canvass the results of the primary election and shall certify the names of the candidates to appear on the regular election ballot. In any case where a tie vote causes more candidates than may be nominated to an office to receive the highest number of votes, the board shall determine the result by lot. Upon receiving the summary statements containing the regular election results the board shall forthwith canvass the results and shall issue certificates of election to the candidates receiving the highest number of votes for each office. The clerk shall deliver the certificate to the person entitled thereto in person or by registered mail, and each person so certified shall file an acceptance and oath of office in writing with the clerk within 30 days after the date of delivery or mailing of the certificate. The board may fill any office in the manner provided in section 447.32, subdivision 1, if the person elected thereto fails to qualify within said period, but the qualification shall be effective if made at any time before action to fill the vacancy has been taken.

Subd. 6. [APPLICATION.] The election procedures provided in this section apply to hospital districts created pursuant to section 397.05 or 447.31.

ARTICLE III

ELECTION LAWS; GENERAL PROVISIONS

Section 1. Minnesota Statutes 1976, Section 200.02, Subdivision 1, is amended to read:

200.02 [DEFINITIONS.] Subdivision 1. [ELECTION.] The word "election" means any election ~~except those held in any school district~~ unless otherwise specifically provided by law, at which the electors of the state ~~or~~ , any subdivision thereof or any school district nominate or choose by ballot public officials or decide any public question lawfully submitted to them.

Sec. 2. Minnesota Statutes 1976, Section 200.02, is amended by adding a subdivision to read:

Subd. 2a. [LOCAL GOVERNMENT ELECTION DAY.] "Local government election day" means the first Tuesday after the second Monday in November in every odd numbered year as designated pursuant to Article I, Section 2.

Sec. 3. Minnesota Statutes 1976, Section 200.02, is amended by adding a subdivision to read:

Subd. 7a. [CITY.] "City" means a home rule charter or statutory city.

Sec. 4. Minnesota Statutes 1976, Section 200.02, Subdivision 8, is amended to read:

Subd. 8. [HOME RULE CHARTER CITY.] The words "statutory city" mean "Home rule charter city" means any city which has not adopted a home rule charter pursuant to the constitution and laws of this state ; the words "home rule charter city" mean any city which has adopted such a charter .

Sec. 5. Minnesota Statutes 1976, Section 200.02, is amended by adding a subdivision to read:

Subd. 8a. "Statutory city" means a city that has not adopted a home rule charter.

Sec. 6. Minnesota Statutes 1976, Section 200.02, Subdivision 24, is amended to read:

Subd. 24. [TERM OF OFFICE.] The term of office of every state and , county , city and school district officer and of every other officer of any political subdivision of the state except towns shall begin on the first Monday in January next succeeding his election, unless otherwise provided by law.

Sec. 7. Minnesota Statutes 1976, Section 201.071, Subdivision 1, is amended to read:

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

VOTERS REGISTRATION CARD

(Please print or type)

Date: School District Number:

1. Name:
Last First Middle Initial

2. Address:
Street or Route No. (do not use P.O. Box)

.....
City (or Township) County Zip

3. Telephone Number (optional):

4. Most Recent Prior Residence.....
Street or Route Number

.....
City (or Township) Zip

5. Most Recent Prior Registration.....
Street or Route Number

.....
City (or Township) Zip

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

.....
Signature of Voter

Sec. 8. Minnesota Statutes 1976, Section 201.071, is amended by adding a subdivision to read:

Subd. 5. All voter registration cards on file on September 9, 1979, shall have the number of the school district in which the voter resides recorded on the card as provided in subdivision 1.

Sec. 9. Minnesota Statutes 1976, Section 202A.52, is amended to read:

202A.52 [OFFICERS CHOSEN.] All elective, state and county officers, judges of the supreme and district courts, members of the legislature, and senators and representatives in congress shall be elected at the general election next before the preceding expiration of their respective terms thereof shall expire, and . At the general election held in the year preceding the expiration of a term of a president of the United States presidential electors shall also be chosen.

Sec. 10. Minnesota Statutes 1976, Section 203A.17, is amended to read:

203A.17 [BALLOTS, RECORDS, DISPOSITION.] The auditor of any county and the clerk of any municipality or school district may destroy all ballots, voters' certificates, and election returns, except the abstract of the canvassing board, at any time after one year from the date of the election wherein the ballots and election returns were used, except that all election returns involved in a contested election may not be destroyed until the contest has been finally determined. *Notwithstanding the provisions of section 138.163, the records authorized to be destroyed under this section are exempt from the preservation requirements of Minnesota Statutes, Chapter 138 and of Laws 1971, Chapter 529.*

Sec. 11. Minnesota Statutes 1976, Section 203A.32, Subdivision 3, is amended to read:

Subd. 3. [SAMPLE BALLOTS, NOTICE.] Two weeks before the general election the auditor shall file a sample of the white ballot and the canary ballot in his office for public inspection, and two weeks before the general election the auditor shall give one week's published notice of the contents of the official state ballot and the county and district ballot. *Before the general election the auditor shall supply each municipal clerk in the county with a sufficient number of samples of the white ballot and, before the local government election day the canary ballot, so that one copy of each sample ballot may be posted at each polling place in every municipality in the county. The county auditor*

shall cause to be posted in each polling place in any unorganized territory in the county a sample ballot of every ballot to be voted upon at that polling place, including a sample school district ballot.

Sec. 12. Minnesota Statutes 1976, Section 204A.06, Subdivision 1, is amended to read:

204A.06 [ELECTION PRECINCTS.] Subdivision 1. [BOUNDARIES.] Each town, each statutory city that is separated from the town for election purposes, and each city ward, shall constitute at least one election precinct. The council of each municipality shall prescribe the boundaries of the precincts and the number of voters therein, and may rearrange the precincts from time to time, except that no changes in precinct boundaries may be made during the period beginning January 1 in any year ending in seven and ending January 1 in any year ending in two. All changes shall be adopted at least 90 days before the next ensuing election, and 60 days posted notice thereof in the office of the clerk shall be given before the change may take effect. The clerk shall file with the secretary of state and the state demographer in the state planning agency a map showing the correct boundaries of the precincts in the municipality. At least 30 days before any changes in precinct boundaries become effective, the clerk shall file a map setting forth the revised precinct boundaries. *In the course of developing precinct boundaries, the council shall take into account the boundaries of each school district and the boundaries of election districts, if any, within each school district located within the municipality and shall consult with the board of each such school district and each municipality which includes territory of the school district before taking final action on designating the precinct boundaries.*

Sec. 13. Minnesota Statutes 1976, Section 204A.09, Subdivision 1, is amended to read:

204A.09 [POLLING PLACES DESIGNATED.] Subdivision 1. [METHOD.] The council of every municipality shall, by ordinance or resolution, designate the place of holding the election for each precinct; otherwise the election shall be held as near as may be to the place where the preceding election was held, subject to change before the opening of the polls as provided by law. *In order to more efficiently administer elections held in precincts split by school district or school district election district boundaries or in other precincts where a special need is determined, the council of any municipality may designate more than one polling place in a precinct.* In any statutory city or in any city of the third or fourth class, having more than one precinct, the council of the municipality may, by ordinance or resolution, provide for the holding of all elections in the municipality in some building centrally located therein, and the voters of the municipality may vote at such place so designated, irrespective of whether the voting place is actually located in their precinct or not. At the place so designated there shall be provided separate statutory voting facilities for each precinct, and the voting shall otherwise be conducted in the same manner as though the voting places were located in

the respective precincts. The council of any municipality may, by ordinance or resolution, designate a polling place for holding of elections for a specific precinct in a building outside the precinct, provided that the building must be located within 1500 feet one half mile of the precinct.

Sec. 14. Minnesota Statutes 1976, Section 204A.11, Subdivision 3, is amended to read:

Subd. 3. [BALLOT BOXES.] Each polling place shall be provided with one white, one pink, one canary, and one light green ballot box. As many of these ballot boxes shall be used at any election as there are kinds of ballots to be voted. *As many buff color boxes shall be provided as there are school districts for which ballots are to be cast at that polling place. The number of the school district shall conspicuously appear on the top of every buff color box.* Each box shall be of sufficient size, and with a sufficient opening, to receive and contain all the ballots likely to be placed therein.

Sec. 15. Minnesota Statutes 1976, Section 204A.11, is amended by adding a subdivision to read:

Subd. 3a. [SAMPLE BALLOTS.] *Each polling place shall be provided with a sample ballot for every ballot to be voted upon at that polling place. The sample ballots shall be posted in a prominent place in the polling place and be open to inspection by the voters during the time that the polling place is open.*

Sec. 16. Minnesota Statutes 1976, Chapter 204A, is amended by adding a section to read:

[204A.245] [STATE REIMBURSEMENT OF LOCAL GOVERNMENT ELECTION DAY EXPENSES.] *Subdivision 1. [PURPOSE AND INTENT.] It is the purpose and intent of this section to provide money from the general fund of the state to reimburse cities, towns and counties acting for unorganized territories for the costs of providing polling places, election judges and other general administrative services necessary to conduct the elections of the various political subdivisions which are held on the local government election day. Reimbursement provided under this section is not intended to assist in the payment of any expenses incurred by any political subdivision for purposes such as preparing ballots, accepting filings of candidates, canvassing returns or defending election contests.*

Subd. 2. [DUTIES OF SECRETARY OF STATE AND ELECTION OFFICIALS.] *Not later than 60 days after the local government election day the secretary of state shall transmit to the commissioner of revenue a list of all towns, cities and, with respect to unorganized territories only, counties in which votes were cast at any election held on the local government election day. The list shall show the number of persons who voted in each town and city and the total number of persons voting in all unorganized territory in each county. The secretary of state shall adopt rules setting forth the method by which information re-*

quired to prepare this list shall be reported by local election officials. Local election officials shall report the required information in the manner provided by the rules of the secretary of state.

Subd. 3. [PAYMENT BY COMMISSIONER OF REVENUE.] *The commissioner, upon receipt of the list described in subdivision 2, shall forthwith pay to each town, city and county listed the sum of \$1 for each person who voted in that town, city or unorganized territory of that county, or the sum of \$100, whichever is greater. The commissioner of revenue may include any sum required to be paid to a city, town, or county under this section as a separate and additional item within any payment made by the commissioner to that city, town or county pursuant to section 477A.01, subdivision 4b.*

Sec. 17. Minnesota Statutes 1976, Section 204A.40, Subdivision 2, is amended to read:

Subd. 2. [BALLOTS, ORDER OF CANVASS.] The ballot boxes shall be opened, the votes counted, and the results declared, one box at a time in the following order: the white box, the pink box, the canary box, the light green box, *the buff color box*, and other kinds of ballots voted at the election except that if sufficient judges are available to provide counting teams of four or more judges evenly divided between the political parties for each box, an additional box or boxes may be opened and counted. The returns may not be finally prepared until the votes in all the boxes have been counted so as to allow corrections in case any errors have occurred by reason of the deposit of ballots in the wrong boxes.

Sec. 18. Minnesota Statutes 1976, Section 204A.45, Subdivision 1, is amended to read:

204A.45 [BALLOTS, DISPOSITION.] Subdivision 1. **[ENVELOPES.]** Except in cities of the first class and in counties having a population of 200,000 or more, after the canvass has been completed and in the presence of all the judges, the ballots cast shall be removed from the ballot boxes and placed in envelopes and sealed. Each judge shall write his name upon the envelope over the sealed part in such a way that the envelope cannot be opened without disturbing the continuity of the lines in the writing. The envelopes shall be of a heavy paper, of the same color as the ballots to be placed therein, and of a size suitable to hold all the ballots without folding. The official charged with printing the ballots shall furnish the envelopes required in this section; provided, however, that the official charged with printing the state pink ballot shall furnish the envelopes for the state pink ballot and the state white ballot. The number of ballots in each envelope, the kind thereof, the name of the town or city, and the number of the precinct shall be plainly written upon the envelopes. *The number of the district shall be plainly written upon any envelope containing school district ballots.* The unused and spoiled ballots or returns may not be placed in the envelopes.

Sec. 19. Minnesota Statutes 1976, Section 204A.47, Subdivision 2, is amended to read:

Subd. 2. [RETURNS AND MATERIALS, DELIVERY.] Except in first class cities one of the judges in each precinct shall deliver one set of the tally book and returns, all unused and spoiled white, pink, and canary ballots, one summary statement, two election registers ; and the envelopes containing the white, pink, and canary ballots to the county auditor at his office within 24 hours after the closing of the polls. Another judge shall deliver the remaining set of the tally book and returns, all unused and spoiled municipal and school district ballots, the remaining summary statement, the remaining election register, the envelopes containing municipal and school district ballots and all other things furnished by the municipal clerk, to the municipal clerk at his office within 24 hours after the closing of the polls.

Sec. 20. Minnesota Statutes 1976, Section 204A.49, is amended by adding a subdivision to read:

Subd. 3. [DISPOSITION OF SCHOOL DISTRICT RETURNS AND MATERIALS.] *The county auditor for any unorganized territory and the municipal clerk for any city in which a school district election is held shall deliver the school district election tally book and returns, all unused and spoiled school district ballots, that part or subpart of the summary statement concerning the school district election, and the envelope or ballot box containing the school district ballots from each precinct to the clerk of the appropriate school district within 24 hours after closing of the polls.*

Sec. 21. Minnesota Statutes 1976, Section 207.02, is amended to read:

207.02 [VOTING BY MAIL.] Any person entitled to vote at any general election, any primary election, any city election held on the local government election day , or any statutory city or town election in statutory cities or towns operating under the "Australian Ballot System," who is absent on the day such election is held from the precinct in which he is entitled to vote, or who by reason of illness or physical disability or because of religious discipline or observance of a religious holiday is unable to go to the polling place of such precinct, may vote therein by having his ballot delivered to the election board of such precinct on the day of such election, either by mail or by the clerk of the municipality in which such precinct is situated as provided for in sections 207.08 and 207.101, and by complying with the provisions of this chapter. No person residing in a municipality now or hereafter having permanent registration of voters, as provided by chapter 201, shall be permitted to so vote unless he has registered as a voter in accordance with such provisions or registers on election day by enclosing a completed registration card with his ballot.

Sec. 22. Minnesota Statutes 1976, Section 207.03, is amended to read:

207.03 [APPLICATION FOR BALLOTS.] At any time not more than 45 days or less than one day before the day of holding any election including county, city and school district elections , any person may make application in writing subscribed by him to:

(a) the auditor of the county in which the applicant is a resident; (b) the full time clerk of a municipality designated by the county auditor if the applicant is a resident of that municipality; or (c) the full time clerk of a municipality which has requested designation by the county auditor if the applicant is a resident of that municipality, for ballots and envelopes, by mailing to or filing with such auditor or such clerk an application substantially in the following form:

“APPLICATION FOR BALLOTS

The undersigned, a duly qualified voter in the County of
, State of Minnesota, residing at
 (here insert street and number) in said city, or town,
 because of (absence from home), (illness)
 (physical disability), (because of religious discipline
 or observance of a religious holiday) hereby makes application for
 the ballots to be voted upon in said precinct at the next election.
 Please mail said ballots and accompanying envelope to me at
 (insert post office address to which
 to be sent)

Dated, 19....

.....
 (Signature of Applicant)”

An application need not be on an official or standard form. It must be accepted if it contains the information above.

Any person who shall wilfully make or sign any false certificates specified herein; any person who shall wilfully make any false or untrue statement in any “Application for Ballots”; any person who shall wilfully exhibit to any other person any ballot marked by him; any person who shall in any way wilfully do any act contrary to the terms and provisions of this chapter with intent to cast an illegal vote in any precinct or to aid another in so doing shall be guilty of a felony. If the person applying for a ballot resides in a political subdivision which does not accept registration other than on election day and the individual is not registered in that political subdivision, the county auditor shall send a registration card and instructions for completing the registration card along with the ballots and envelopes. For the purposes of this chapter, “municipal clerk” shall mean the clerk designated pursuant to this section.

Sec. 23. Minnesota Statutes 1976, Section 207.04, is amended to read:

207.04 [COUNTY AUDITOR; MUNICIPAL CLERK TO BE SUPPLIED WITH BALLOTS.] The several officers charged by law with the preparation, printing, and distribution of ballots shall, at least 15 days before any election, print and deliver to the county auditor and to the municipal clerk a sufficient number of the ballots printed under their supervision, respectively, to enable the auditor and the municipal clerk to comply with the provisions of this chapter. ~~It shall be the duty of The county auditor and , the~~

municipal clerk ~~to~~ and the clerk of any school or hospital district shall each prepare and print the ballots prepared under his direction for their respective jurisdictions at least 15 days before such election.

Sec. 24. Minnesota Statutes 1976, Section 207.151, is amended to read:

207.151 [ABSENT VOTING, TOWN ELECTIONS, DUTIES OF CLERKS.] In the case of ~~city elections in all cities or town elections in all towns~~ operating under the "Australian Ballot System," voters' applications for ballots shall be filed with the ~~city or town clerk~~ . No fees shall be required to be paid therefor, and the duties prescribed in this chapter for the county auditor shall be performed by the ~~city or town clerk~~, provided, however, that such duties may be, upon agreement, combined and performed by one of such officers. The cost of carrying out the provisions of this chapter for any ~~such city or town election~~ shall be paid by the ~~city or town~~ in which the same is held.

Sec. 25. Minnesota Statutes 1976, Section 209.02, Subdivision 1, is amended to read:

209.02 [ELECTION CONTESTS.] Subdivision 1. [CONTEST, WHO MAY INSTITUTE, GROUNDS.] Any voter, including a candidate, may contest the nomination or election of any person for whom he had the right to vote, who is declared nominated or elected to the senate or the house of representatives of the United States, to a state, county, legislative, or municipal, *school district*, or district court office, or *may contest* the declared result of a constitutional amendment or other question voted upon at an election by proceeding as provided in this chapter. The contest may be brought over an irregularity in the conduct of an election or canvass of votes or on the grounds of deliberate, serious, and material violations of the provisions of the Minnesota election law.

Sec. 26. Minnesota Statutes 1976, Section 209.02, Subdivision 3, is amended to read:

Subd. 3. [NOTICE OF CONTEST, FILING, SERVICE.] The notice of contest shall be filed within seven days after the canvass is completed, except that if the contest relates to a primary election, the time for filing the notice of contest shall be limited to five days. Within the same period copies thereof shall be served upon the candidate whose election is contested and upon the official authorized to issue the certificate of election. When the contest relates to a constitutional amendment or other question to be voted for statewide or to a question to be voted for in more than one county, the secretary of state shall be designated the contestee, and a copy of the notice of contest shall be served upon him within seven days, or five days in the case of a primary, after the canvass is completed. When the contest relates to a question that affects a single county ~~or a single~~ , municipality, or *school district*, the county auditor ~~or~~ , the clerk of the municipality, or *the clerk of the school district*, as the case may be, shall be designated the contestee, and a copy of the notice of contest shall be served upon him within seven days, or five days in the

case of a primary, after the canvass is completed. In all cases where the contest relates to an irregularity in the conduct of the election or canvass of votes, a copy of the notice of contest shall also be served within seven days, or five days in the case of a primary, after the canvass is completed upon the county auditor of the county in which the irregularity is said to have existed.

Sec. 27. Minnesota Statutes 1976, Chapter 210A, is amended by adding a section to read:

[210A.015] [EXEMPTION FOR SCHOOL DISTRICT ELECTIONS.] *Except for the provisions of sections 210A.03, 210A.05, subdivision 1, 210A.10 and 210A.11, subdivision 2, none of the provisions of chapter 210A shall apply to any school district election.*

ARTICLE IV

ORGANIC LAWS; SOIL AND WATER CONSERVATION DISTRICTS, SCHOOL DISTRICTS, PARK DISTRICTS, HOME RULE CHARTER CITIES

Section 1. Minnesota Statutes 1976, Section 40.05, Subdivision 1, is amended to read:

40.05 [THREE SUPERVISORS ELECTED FOR EACH DISTRICT.] Subdivision 1. Within 30 days after the date of issuance by the secretary of state of a certificate of organization of a soil and water conservation district, or such further time as the state soil and water conservation board may allow, nominating petitions may be filed with the state soil and water conservation board nominating legal voters as candidates for election as supervisors of such district, two for terms to expire on ~~December 31~~ *the first Monday in January* following the second ~~general~~ *regular* election after their initial election, and one for a term to expire on ~~December 31~~ *the first Monday in January* following the third ~~general~~ *regular* election after their initial election. Each petition must be subscribed by one or more legal voters of the district. No person shall sign petitions nominating more than three candidates and if he does his signature shall not be counted on any petition. The state board shall give due notice of the time and place where the election of three supervisors shall be held in the district, and shall specify therein the names of all candidates and the terms for which nominated. The state board shall prepare ballots for such election with the surnames of the candidates printed thereon in alphabetical order for each term and a square before each name and a direction to insert an X mark in the square before three names with different terms to indicate the voter's choice. All legal voters shall be eligible to vote at such election. The three candidates who shall receive the highest numbers respectively of the votes cast at such election shall be the elected supervisors for the district. In case of a tie, the election shall be determined by lot, under the direction of the state board. The state board shall supervise such election, pay all the expenses thereof, prescribe the regulations governing the same, determine the eligibility of voters and publish the results.

Sec. 2. Minnesota Statutes 1976, Section 40.05, Subdivision 3, is amended to read:

Subd. 3. After December 31, 1972, and for the elections required by subdivision 2, all elections except that provided for the organization of the district, in subdivision 1, shall be held at the time and place of holding the general election, as defined in section 200.02, subdivision 2 on the local government election day designated pursuant to Article I, Section 2. No primary election shall be held. Election of supervisors of the soil and water conservation district shall be by inclusion on the "canary ballot," as described in section 203A.32. Nominating petitions conforming to the rules stated in subdivision 1 shall be filed with the secretary of the soil and water conservation district at least 60 no more than 42 days nor less than 28 days before the time of holding the general primary election. At least 45 25 days before the general primary election the district secretary shall submit the names of the candidates and the terms for which nominated to the appropriate county auditor. The ballots for use at the election shall be prepared by the county auditor. All laws relating to county elective office elections shall govern insofar as applicable. The county auditor shall certify the result to the state soil and water conservation board, and if the soil and water conservation district embraces land in more than one county the county auditor shall forthwith certify to the state soil and water conservation board the vote, as shown by the report of the county canvassing board, for all candidates voted for in more than one county. In the latter case the state soil and water conservation board shall certify the results of the election and publish the result.

Sec. 3. Minnesota Statutes 1976, Section 40.05, Subdivision 4, is amended to read:

Subd. 4. If a vacancy except by reason of expiration of term shall occur in the office of an elected supervisor, more than 60 70 days before the next succeeding general regular election, the governing body of the district shall fill the vacancy by appointment; and the supervisor appointed shall hold office until December 31 the first Monday in January following the next succeeding general regular election. If the term does not then expire, his successor shall be elected at the next succeeding general regular election following the appointment and hold office for the remainder of the term. If a vacancy except by reason of expiration of term shall occur in such office less than 60 70 days before the next succeeding general regular election, the governing body of the district shall fill the vacancy by appointment; and the supervisor shall hold office until the expiration of the term or until December 31 the first Monday in January following the second succeeding general regular election, whichever is the shortest term, when his successors shall be elected and hold office for the remainder of the term.

Sec. 4. Minnesota Statutes 1976, Section 40.06, Subdivision 1, is amended to read:

40.06 [SUPERVISORS.] Subdivision 1. [MEMBERS; ELECTION, APPOINTMENT.] The governing body of the district shall

consist of five supervisors, elected or appointed as herein provided in section 40.06 . All supervisors shall be legal voters residing within the district. The two supervisors appointed by the state board upon the creation of the district as ~~hereinbefore provided~~ shall serve for terms ending on ~~December 31~~ *the first Monday in January* following the next succeeding general regular election after their appointment, and thereafter their successors shall be elected for terms of six years.

Sec. 5. Minnesota Statutes 1976, Section 123.12, Subdivision 1, is amended to read:

123.12 [BOARDS OF COMMON SCHOOL DISTRICTS.] Subdivision 1. The care, management and control of a common district is vested in a board of three members to be known as the school board. The term of office of a member shall be ~~three~~ *four* years, and until his successor qualifies. The board of each common district shall consist of a chairman, a treasurer, and a clerk. The board may by resolution establish a time and place for regular meeting and no notice of such meeting need be sent to any members of the board.

Sec. 6. Minnesota Statutes 1976, Section 123.12, Subdivision 5, is amended to read:

Subd. 5. Any other vacancy in a board shall be filled by the board at any regular meeting thereof or by a special meeting called for the purposes until such vacancy can be filled by election at the next ~~annual meeting or~~ *regular election*. Such appointment shall be evidenced by a resolution entered in the minutes. All elections to fill vacancies shall be for the unexpired term.

Sec. 7. Minnesota Statutes 1976, Section 123.32, Subdivision 9, is amended to read:

Subd. 9. Any independent district may for the purpose of the election of board members alter its organization into separate election districts by the ~~following procedure provided in subdivisions 9 to 21~~ . *Except for any part of an election district boundary which is formed by the boundary of the school district, every election district boundary established pursuant to subdivisions 9 to 21 shall follow visible, clearly recognizable physical features as defined in section 204A.06, subdivision 4, and, as far as practicable, shall follow the boundaries of city and town election precincts established pursuant to sections 204A.06 to 204A.08. The board shall consult with city councils and town boards before taking final action designating election district boundaries.*

Sec. 8. Minnesota Statutes 1976, Section 123.32, Subdivision 13, is amended to read:

Subd. 13. The board shall designate each election district by number and by a metes and bounds description sufficient and adequate to permit identification of the geographical limits of the area .

Sec. 9. Minnesota Statutes 1976, Section 123.32, Subdivision 23, is amended to read:

Subd. 23. (1) Unless action is taken by the board under subparagraphs (2) and (3) of this subdivision, in a district which is reclassified to an independent district from a county district or a common district containing ten or more townships, by provisions of this code, the board of such district shall continue to govern the district until July 1 following the next annual election as provided for independent districts, at which election six members shall be elected at large from the district, two members for a one year term from July 1 next following the election, two members for a two year term from said July 1, and two members for a three-year term from said July 1, to serve until a successor is elected and qualifies; if such district is reclassified to an independent district from a common district of ten or more townships containing less than ten schools, the board of such district shall continue to govern the district, and the members presently serving shall continue to the end of their term. At the next annual election of school board members following July 1 following the adoption of the code, two members shall be elected for a three year term and one member for a two-year term each commencing on July 1 next following the election. Thereafter, members shall be elected as in independent districts.

(2) In any district which is *was* reclassified from a common district of ten or more townships to an independent district by the provisions of this code, the *regular* election of the board members may be held biennially concurrently with the general elections in the areas by resolution of the board made within 90 days of the adoption of this code. Board members presently serving shall continue in office until the expiration of the term to which they were elected. At the next general election following the adoption of the code, board members shall be elected to fill all vacancies when occurring and any vacancies caused by reclassification to an independent district. Provided that three board members shall be elected for a term of four years each and any necessary additional board members shall be elected for a term of two years each, to serve until a successor is elected and qualifies on the local government election day designated pursuant to Article 1, Section 2. The term of members shall commence on the first Monday in January following the general regular election and shall be for four years. Thereafter, three members shall be elected at each general election for a term of four years from the first Monday in January following the general election.

(3) If a reclassified district was a county district and if the board of such district determines, by resolution, to retain its organization providing for area representation and a five man board, a resolution effecting such organization may be adopted by the board at any time before 30 days before the next election following the effective date of this code. The resolution, if adopted, shall divide the district into five election districts coterminous with the county commissioner districts, and shall specify the terms to which members from each election district shall be elected so as to provide for a continuation of the present organizational structure of the board.

(2) In a district which is *was* reclassified to an independent school district from a county district by provisions of this code, the *regular* election of board members ~~may~~ *shall* be held biennially on the local government election day designated pursuant to Article I, Section 2 from county commissioner districts as now established concurrently with the general elections in the areas upon resolution of the board adopted at least 30 days before the election next following the effective date of this code. If such a resolution is adopted, board members presently serving shall continue in office until the expiration of the term to which they were elected to serve until a successor is elected and qualified. Thereafter, . Vacancies caused by expiration of term shall be filled at each general regular election for a term of four years from the first Monday in January following the general regular election. Districts reclassified as independent districts that were county districts shall also have the powers and duties contained in sections 128.03 to 128.06 in addition to their status as an independent district.

Sec. 10. Minnesota Statutes 1976, Section 123.33, Subdivision 1, is amended to read:

123.33 [BOARDS OF INDEPENDENT SCHOOL DISTRICTS.] Subdivision 1. The care, management, and control of independent districts shall be vested in a board of directors, to be known as the school board. The term of office of a member shall be ~~three~~ *four* years and until his successor qualifies. The membership of the school board shall consist of six elected directors together with such ex officio member as may be provided by law. But the board may submit to the electors at any school election the question whether the board shall consist of seven members and if a majority of those voting on the proposition favor a seven member board, a seventh member shall be elected at the next election of directors for a ~~three~~ *four* year term and thereafter the board shall consist of seven members.

Sec. 11. Minnesota Statutes 1976, Section 123.33, Subdivision 4, is amended to read:

Subd. 4. Any other vacancy in a board shall be filled by the board at any regular or special meeting thereof. Such appointment shall be evidenced by a resolution entered in the minutes. *When such a vacancy occurs more than 70 days before the regular school district election next succeeding the election of the member whose office has become vacant, an appointment to fill the vacancy shall continue until the first Monday in January of the next even numbered year and the remainder of the unexpired term shall be filled by election at the regular election. In the case of any other vacancy filled under this subdivision, the appointment and shall continue until July 1 next following such appointment.* All elections to fill vacancies shall be for the remainder of the unexpired term.

Sec. 12. Minnesota Statutes 1976, Section 123.34, Subdivision 1, is amended to read:

123.34 [OFFICERS OF INDEPENDENT SCHOOL DIS-

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

Sec. 13. Minnesota Statutes 1976, Section 123.351, Subdivision 1, is amended to read:

123.351 [COOPERATIVE CENTERS FOR VOCATIONAL EDUCATION.] Subdivision 1. [ESTABLISHMENT.] Two or more independent school districts may enter into an agreement to establish a cooperative center to provide for vocational education and other educational services upon the vote of a majority of the full membership of each of the boards of the districts entering into the agreement. When a resolution approving this action has been adopted by the board of a district, the resolution shall be published once in a newspaper of general circulation in the district. If a petition for referendum on the question of the district entering into the agreement, containing signatures of qualified voters of the district equal to five percent of the number of voters at the last ~~annual~~ *regular* school election, is filed with the clerk of the board within 60 days after publication of the resolution, the board shall not enter into the agreement until the question has been submitted to the voters of the district at a special election. This election shall be conducted and canvassed in ~~accordance with section 123.32~~ *the same manner as the regular election of officers of independent school districts*. If a majority of the total number of votes cast on the question within the district is in favor of the proposition, the board may thereupon enter into an agreement to establish the center for purposes ~~herein~~ described in section 123.351.

Sec. 14. Minnesota Statutes 1976, Section 123.351, Subdivision 3, is amended to read:

Subd. 3. [GOVERNING BOARD.] (a) The center shall be operated by a center board of not less than five members which shall consist of members from school boards of each of the participating school districts within the center, appointed by their respective school boards. Each participating school district shall have at least one member on the board. The board shall choose an administrative officer to administer board policy and directives who shall serve as an ex officio member of the board but shall not have a vote.

(b) The terms of office of the first members of the board shall be determined by lot as follows: ~~one-third one half~~ of the members for one year, ~~one-third~~ for two years, and the remainder for ~~three~~ four years, all terms to expire on ~~June 30~~ *the first Monday in January* of the appropriate *even numbered* years; provided that if the number of members is not evenly divisible by ~~three~~ two, the membership will be as evenly distributed as possible among ~~one, two and three~~ four year terms with the remaining members ~~serving the three year term~~. Thereafter the terms shall be for ~~three~~ four years commencing on ~~July 1~~ *the first Monday in January* of each *the even numbered* year. If a vacancy occurs on the center board, it shall be filled by the appropriate school board within 90 days. A person appointed to the center board shall qualify as a board member by filing with the chairman a written certificate of appointment from his school board.

(c) The first meeting of a center board shall be at a time mutually agreed upon by board members. At this meeting, the center board shall choose its officers and conduct any other necessary organizational business. Thereafter the center board shall meet on the first of July of each year or as soon thereafter as practicable pursuant to notice sent to all center board members by the chief executive officer of the center.

(d) The officers of the center board shall be a chairman, vice chairman, clerk and treasurer, no two of whom when possible shall be from the same school district. The chairman shall preside at all meetings of the center board except in his absence the vice chairman shall preside. The clerk shall keep a complete record of the minutes of each meeting and the treasurer shall be the custodian of the funds of the center. Insofar as applicable, sections 123.33 and 123.34, shall apply to the board and officers of the center.

(e) Each participating school district shall have equal voting power with at least one vote. A majority of the center board shall be a quorum. Any motion other than adjournment shall pass only upon receiving a majority of the votes of the entire center board.

Sec. 15. Minnesota Statutes 1976, Section 123.51, is amended to read:

123.51 [SPECIAL SCHOOL DISTRICTS, LAWS APPLICABLE.] Special districts as now organized shall continue to operate under the special legislation and charter provisions governing them until conversion to independent districts. The provisions of Laws 1957, Chapter 947, relating to independent districts shall apply to and govern each special district unless the special laws and charter provisions governing the special district provide for the matter, in which case the special laws and charter provisions relating to the special district shall apply and control. *The provisions of Article I, Section 2 and Article V, Section 1 shall control and shall supersede inconsistent provisions of special laws or charters in the matter of school district elections in special districts.*

Sec. 16. Minnesota Statutes 1976, Section 128.01, is amended to read:

128.01 [COUNTY SCHOOL BOARD; ELECTIONS; TERMS.] The school board of any such county district shall consist of five members, to be elected at the same time and in the same manner as board members in a ~~ten or more townships~~ *an independent school* district, but for a term of four years. The board of county commissioners shall appoint the members of such board within 60 days following the election at which time the question of consolidation was submitted, the length of each term for which they are to be appointed being such as to cause the term of three members of the board to expire on the ~~Sunday~~ *preceding the first Monday in January following the next general regular election* and the term for two members to expire two years from the ~~Sunday~~ *preceding the first Monday in January following the next general regular election*. The provisions of Laws 1949, Chapter 268, shall not affect the terms of the school boards of county districts now organized. The school board of the county district shall meet within ten days after the appointment by the county board, and thereafter as may be necessary, and organize in the same manner as independent districts and do whatever business is necessary for the best interest of the county district for the ensuing school year and thereafter shall organize at the same time as boards of county commissioners.

Sec. 17. Minnesota Statutes 1976, Section 375.025, Subdivision 4, is amended to read:

Subd. 4. [REDISTRICTING PLAN; ELECTION FOLLOWING REDISTRICTING.] A redistricting plan whether prepared by the county board or the redistricting commission shall be filed in the office of the county auditor. Notice that the plan is on file shall be published in the newspaper having the contract for publishing the commissioners' proceedings for the current year. A redistricting plan shall be effective on the 31st day after publication of the notice unless a later effective date is specified; provided, no redistricting plan shall be effective as to the next election of county commissioners unless the plan shall have been filed with the county auditor not less than 30 days before the first date candidates may file for the office of county commissioner. One commissioner shall be elected in each district who, at the time of the election, shall be a resident thereof and the person so elected shall be entitled to hold the office only while he remains a resident of the commissioner district. The county board or the redistricting commission as appropriate shall determine the number of members of the county board who shall be elected for two year terms and for four year terms in order to provide for staggered terms on the county board. Thereafter, all commissioners shall be elected for four years. When a county is redistricted, there shall be a new election of commissioners in all the districts of the county at the next ~~general~~ *regular* election except that where the change made in the boundaries of a district is less than 10 percent of the average of all districts of

the county, the commissioner in office at the time of the redistricting shall serve for the full period for which he was elected.

Sec. 18. Minnesota Statutes 1976, Section 375.03, is amended to read:

375.03 [TERM OF COMMISSIONERS.] In each new county, and in each county which shall be entitled to an increase of the number of commissioners, there shall be elected at the next ~~general~~ *regular* election a commissioner from each odd-numbered district for a term of two years, and one from each even-numbered district for a term of four years; and thereafter all commissioners shall be elected for a term of four years, except that elections to fill vacancies shall be for the unexpired term only. In counties having a population of more than 150,000, every such commissioner, before he enters upon his duties, shall give bond to the state in the sum of \$10,000, with a legally authorized surety company as surety, conditioned for the faithful performance of his official duties. Such bond shall be approved by a judge of the district court, and together with his oath of office and certificate of election, be filed with the county recorder. The premium on the bond shall not exceed that prescribed by law for county treasurers, and shall be paid by the county.

Sec. 19. Minnesota Statutes 1976, Section 375.101, Subdivision 2, is amended to read:

Subd. 2. If the vacancy occurs less than 60 days before the ~~general regular~~ election preceding the end of the term, the vacancy shall be filled by the person elected at that election for the ensuing term who shall take office immediately after receiving the certificate of election and upon filing the bond and oath of office.

Sec. 20. Minnesota Statutes 1976, Section 375A.02, Subdivision 1, is amended to read:

375A.02 [ELECTED EXECUTIVE PLAN.] Subdivision 1. [COUNTY EXECUTIVE.] In a county adopting the elected executive plan, the chief executive officer shall be known as county executive. The first county executive shall be elected at the ~~county general regular~~ election following the adoption of the elected executive plan and every four years thereafter. He shall hold office for a term of four years commencing on the first Monday of January following his election. Only a voter of a county shall be eligible for election as county executive. He shall be nominated and elected by all the voters of the county in the manner provided by law for the election of county officers. In case the office of county executive is or becomes vacant by reason of death, resignation or removal, it shall be filled by the board of county commissioners for the unexpired term.

Sec. 21. Minnesota Statutes 1976, Section 375A.09, Subdivision 4, is amended to read:

Subd. 4. [DISTRICTS; NOMINATION.] The county shall be divided into the number of districts from which commissioners are nominated and elected and the population of the county shall be apportioned to the several districts so that each commissioner

represents the same number of persons as nearly as may be possible. When the number of commissioners has been changed, the county board shall proceed to redistrict the county accordingly and it shall follow as nearly as possible the times and procedures specified in section 375.025, including determining the two year and four year terms first assigned to districts in order to provide as nearly as possible for an equal number of overlapping four year terms in the future. The resolution redistricting the county shall be adopted not less than 30 days before the first day candidates may file for the office of county commissioner. Commissioners to be elected pursuant to the modification of the county board shall be elected at the ~~general~~ *regular* election following the adoption of the modification.

Sec. 22. Minnesota Statutes 1976, Section 382.01, is amended to read:

382.01 [OFFICERS ELECTED; TERMS.] ~~In every county in this state there shall be elected at the general election in 1918 a~~ *The regular election of the county auditor, a county treasurer, sheriff, county recorder, county attorney, and coroner ; and county superintendent of schools shall be held on the local government election day designated pursuant to Article I, Section 2 .*

The terms of office of these officers shall be four years and shall begin on the first Monday in January next succeeding their election. They shall hold office until their successors are elected and qualified. ~~These offices shall be filled by election every four years thereafter.~~

Sec. 23. Minnesota Statutes 1976, Section 389.011, Subdivision 2, is amended to read:

Subd. 2. [ELECTION, TERM, APPOINTMENT, TERMINATION OF OFFICE.] (1) In any county having less than 200,000 inhabitants and in which the office is vacant by reason of no person having been elected and qualified for the position, the board of county commissioners may by resolution duly adopted at least six months before the end of the term of office of the county surveyor, declare the office terminated. If such resolution is adopted no person shall be elected or appointed to the office of county surveyor so long as such resolution remains in effect. The county board by resolution adopted at least six months before the date of any ~~general~~ *regular* election may rescind its action terminating the office. Such resolution rescinding its action terminating the office shall state whether the office shall be filled henceforth by election or by appointment.

If the resolution does not state that the office shall be filled by appointment the county surveyor shall be elected at the next ~~general~~ *regular* election according to law. If the office of county surveyor is to be filled by appointment the board of county commissioners shall within 30 days of said resolution appoint a land surveyor to such office.

In the resolution terminating the office the board of county commissioners may designate a land surveyor who shall perform

all professional duties of a county surveyor as provided by law. As to any duties of a county surveyor which are not of a professional nature said duties shall be performed by the county engineer.

(2) In any county in which the office of county surveyor has not been abolished by law the board of county commissioners may by resolution duly adopted at least six months before the end of the term of the office of county surveyor declare its intention to fill the office by appointment. Having adopted such a resolution the board of county commissioners shall fill the office of county surveyor by appointment of a land surveyor to the office not less than 30 days before the end of the term of office of the incumbent. When so appointed the county surveyor shall serve for such term as determined by the board commencing upon the expiration of the term of the incumbent but not to exceed four years.

(3) In any county wherein the office of county surveyor has not been terminated or made appointive under the provisions of this section or abolished under other provisions of law, there shall be elected a county surveyor in the manner provided by law. The term of office of the county surveyor shall be four years and until his successor is elected and qualified, and begin on the first day of January next succeeding his election.

(4) If the office of county surveyor is vacant by reason of no qualified person having been elected to the office or the board of county commissioners having failed to appoint a person to the office or is otherwise vacant or if the office has been terminated and no land surveyor has been designated to perform the professional duties of the office and there are duties which prior to January 1, 1961, had been the responsibility of the county surveyor the officer requiring such duties to be performed may retain a land surveyor to perform such duties at the compensation set by the county board.

Sec. 24. Minnesota Statutes 1976, Section 397.06, is amended to read:

397.06 [DISTRICT HOSPITAL BOARDS.] The board or boards of county commissioners may also authorize and direct the construction and equipment of a district hospital in any such district, to be constructed, equipped and operated under the supervision of a district hospital board comprising one member from each city and town in the district elected by the voters at the ~~respective regular local elections thereof~~ *election held on the local government election day designated pursuant to Article I, Section 2* for a term of ~~three~~ *four* years or until his successor has been elected and has qualified, commencing on the first day of ~~April~~ *Monday in January* next following the election. When the district is first created, the governing body of each such city and town shall appoint a member of the board to serve until the commencement of the term of his successor. Thereafter whenever a vacancy occurs, the governing body of the city or town affected shall appoint a member to serve until ~~April~~ *the first Monday in January* following the next ~~regular municipal or town~~ *regular local government election day*, when his successor shall be elected

for a full ~~three~~ four year term. *Procedures for election of board members shall be as provided in Article II, Section 15.*

Sec. 25. Minnesota Statutes 1976, Section 397.07, is amended to read:

397.07 [ANNUAL MEETINGS OF BOARDS.] The annual meetings of the hospital board shall be in ~~April~~ *January* of each year, at which time the members shall elect from among themselves a chairman and a clerk for a term of one year.

Sec. 26. Minnesota Statutes 1976, Section 398.04, is amended to read:

398.04 [ELECTION OF COMMISSIONERS.] Except in the case of the first boards and when vacancies occur before the expiration of a term, park district commissioners shall be elected without party designation at the same time and in the same manner as county commissioners. In single county park districts the three commissioners at large shall be elected by all the qualified voters in the park district while the successors in office to the four commissioners representing the four election districts, whether appointed, candidates for election or elected, must reside when appointed or elected and while serving, in the election district which they represent and shall be elected by the qualified voters residing in such district. Park district commissioners shall be elected for terms of four years or until their respective successors are elected and qualify, except where a commissioner is being elected to finish out an unexpired term when election shall be for the balance of such term. Vacancies resulting from the death, resignation or removal of a commissioner shall be filled by appointment by the board of county commissioners, such appointment to be effective only until the first Monday in January following the next ~~general~~ *regular* election or until a successor has been elected and qualifies for office. The four commissioners representing the election districts shall be elected at the first primary and ~~general~~ *regular* elections after the activation of the district and each four years thereafter and the commissioners elected at large shall be elected at the second primary and ~~general~~ *regular* election after such activation and each four years thereafter. The terms of elected commissioners shall commence on the first Monday in January following their election.

Sec. 27. Minnesota Statutes 1976, Section 410.21, is amended to read:

410.21 [APPLICATION OF GENERAL ELECTION LAWS.] *Except as provided otherwise in Article I, Section 2 and Article V, Section 1,* the provisions of any charter of any such city adopted pursuant to this chapter shall be valid and shall control as to nominations, primary elections, and elections for municipal offices, notwithstanding that such charter provisions may be inconsistent with any general law relating thereto, and such general laws shall apply only in so far as consistent with such charter.

Sec. 28. Minnesota Statutes 1976, Section 412.02, Subdivision 2, is amended to read:

Subd. 2. Terms of elective officers shall commence on the first ~~business day~~ *Monday* of January following the election at which the officer is chosen. All officers chosen and qualified as such shall hold office until their successors qualify. Vacancies in office shall be filled for the remainder of the term by the council. In case of a tie vote on such appointments the mayor shall fill the vacancy by appointment for the unexpired term.

Sec. 29. Minnesota Statutes 1976, Section 412.021, Subdivision 2, is amended to read:

Subd. 2. [OFFICERS TO BE ELECTED.] There shall be elected at such election a mayor and, where otherwise permitted by law, a justice of the peace, each for a term expiring the first ~~business day of Monday in~~ *Monday in* January of the next ~~odd numbered even-numbered~~ year; and four councilmen, for terms so arranged that two expire the first ~~business day of Monday in~~ *Monday in* January of the next ~~odd numbered even-numbered~~ year and two the first ~~business day of Monday in~~ *Monday in* January of the second ~~odd numbered even-numbered~~ year. No candidate for councilman shall run for a particular term but the number of years in the term of each successful candidate shall be determined by his relative standing among the candidates for office, the longest terms going to the two candidates receiving the highest number of votes. If the election occurs in the last four months of the ~~even numbered odd-numbered~~ year, no election shall be held in the city on the annual city election day that year, and the next following year shall be disregarded in fixing the expiration of terms of officers chosen under this subdivision at the initial election.

Sec. 30. Minnesota Statutes 1976, Section 412.571, Subdivision 5, is amended to read:

Subd. 5. [ABANDONMENT; INCUMBENT CLERK AND TREASURER TRANSITION.] When any optional plan is abandoned and the standard form of city government is resumed, the office of clerk, or clerk-treasurer shall remain appointive until the first ~~business day Monday~~ *Monday* of January following the next regular city election and the office of treasurer, if there is no clerk-treasurer, shall remain appointive until the first ~~business day Monday~~ *Monday* of January following the first subsequent city election at which the clerk is not elected; and the successor to the incumbent clerk, clerk-treasurer, and treasurer shall be chosen at the regular city election immediately preceding the January in which the office becomes elective.

Sec. 31. Minnesota Statutes 1976, Section 447.32, Subdivision 1, is amended to read:

447.32 [OFFICERS AND ELECTIONS.] Subdivision 1. Each hospital district shall be governed by a hospital board composed of one member elected from each city and town comprising said district and one member elected at large. The term of office of each member of the hospital board shall be four years and until his successor qualifies, except that at the first election members shall be elected for terms to be designated by the governing body

calling the election, in such manner that one-half of the terms as nearly as may be, shall expire on ~~December 31~~ *the first Monday in January* of the then next following even numbered year and the remaining terms will expire two years from said date; and thereafter, prior to the expiration of the term of each member, a new member shall be elected for a term of four years from said expiration date. Upon the death, resignation, or removal of any member from the hospital district, or upon his failure to qualify, a successor may be appointed by a majority of the remaining members of the board, to hold office until ~~December 31~~ *the first Monday in January* following the next regular hospital district election, at which election a successor shall be elected to fill the unexpired term. Upon annexation of any additional city or town to the district, in accordance with section 447.36, its governing body shall by resolution appoint a member to the board, to hold office until ~~December 31~~ *the first Monday in January* following the next regular hospital district election, at which election a successor shall be elected for a term of either two or four years, to be designated by the hospital board in such manner as to assure that the number of members of the board whose terms expire in any subsequent year will not exceed one-half of the members plus one.

Sec. 32. Minnesota Statutes 1976, Section 447.32, Subdivision 2, is amended to read:

Subd. 2. *The regular elections election of hospital board members shall be held in each hospital district at the same time and in the same election precincts and at the same polling places as general elections of state and county officers, except that the hospital board may by resolution fix a date, not later than December 7 immediately preceding the expiration of board members' terms, and may establish the whole district as a single election precinct or may establish two or more different election precincts and polling places for such elections; in which event the boundaries of the election precincts and the locations of the polling places shall be defined in the notice of election, either in full or by reference to a description or map on file in the office of the clerk on the local government election day designated pursuant to Article I, Section 2. Procedures for election of board members shall be as provided in Article II, Section 15. Special elections may be called by the hospital board at any time to vote on any matter required by law to be submitted to the electors; and such elections shall be held within the election precinct or precincts and at the polling place or places designated by the board or, in the case of the first election of officers of a new district, by the governing body of the most populous city or town included in the district. The procedure for a special election shall be the same as for the regular election except that the hospital board shall pay all expenses of a special election. Advisory ballots may be submitted by the hospital board on any question which it may desire, relating to the affairs of the district, but only at a regular election or at a special election required to be held for another purpose.*

Sec. 33. Minnesota Statutes 1976, Section 487.03, Subdivision 2, is amended to read:

Subd. 2. [ELECTION.] Each judge shall be elected at the *general regular* election for a term of six years, beginning on the first Monday of the January next following his election and until his successor qualifies. No person shall be a candidate for more than one county court judgeship at any election.

In any election following reduction of the number of county court judges pursuant to section 487.01, subdivision 7 the requirement contained in section 202A.22, subdivision 3 that a candidate for office of judge state the office for which he is a candidate shall not apply. In such a situation all parties filing for office of judge shall run against each other for the remaining seats. However, each candidate who otherwise would have qualified to have the word "incumbent" printed after his name on the ballot pursuant to section 203A.12, subdivision 6 shall retain this right.

Sec. 34. Minnesota Statutes 1976, Section 487.03, Subdivision 5, is amended to read:

Subd. 5. [VACANCY.] Whenever there is a vacancy in the office of judge, the governor shall appoint a qualified person to fill the vacancy, to hold office until his successor is elected and qualified. The successor shall be elected for a six year term at the next *general regular* election occurring more than one year after such appointment.

Sec. 35. Minnesota Statutes 1976, Section 488A.021, Subdivision 3, is amended to read:

Subd. 3. [TERM; VACANCIES; APPOINTMENTS AND ELECTION.] (a) Each elected judge holds office for six years beginning the first Monday in January next succeeding his election.

(b) Whenever there is a vacancy in the office of judge, the governor shall appoint a qualified person to fill the vacancy, to hold office until his successor is elected and qualified. The successor shall be elected for a six year term at the next *general regular* election occurring more than one year after such appointment.

(c) At the *general regular* election immediately preceding the expiration of his term, the qualified voters of the county of Hennepin shall elect the successor to any elected or appointed judge.

(d) Each judge holds a separate nonpartisan office.

(e) When one or more judges of the court are to be nominated or elected at an election, the notice of election shall state the name of each judge whose successor is to be nominated or elected. The official ballot shall contain the names of all candidates for each such office, state the number of judges to be elected and the number of candidates for whom an elector may vote, and designate each candidacy as "For the office of Judge of the Municipal Court of the county of Hennepin to which . . . (name

of judge).... was elected for the regular term", or: "For the office of Judge of the Municipal Court of the county of Hennepin to which.... (name of judge).... was appointed," as the case may be. The official ballots shall show in the spaces for the purpose the name of the judge whose successor is to be elected. When any judge is a candidate to succeed himself, the word "incumbent" shall be printed after his name where it appears among the names of the candidates for the office. When voting machines are used and such statements cannot be inserted in full, the designation shall be "Successor to.... (name of judge).... (elected)", or "Successor to.... (name of judge).... (appointed)", as the case may be.

(f) Each person desiring to have his name placed upon the primary ballot as a candidate for judge shall state in his affidavit of candidacy the office of the particular judge for which he is a candidate. The filing of this affidavit with the county auditor and a compliance with all other requirements constitutes such person a candidate for that office, and for that office only. No person shall at any election be a candidate for more than one such office.

Sec. 36. Minnesota Statutes 1976, Section 488A.19, Subdivision 3, is amended to read:

Subd. 3. [TERM; VACANCIES; APPOINTMENTS AND ELECTION.] (a) Each elected judge holds office for six years beginning the first Monday in January next succeeding his election.

(b) Whenever there is a vacancy in the office of judge the governor shall appoint a qualified person to fill the vacancy, to hold office until his successor is elected and qualified. The successor shall be elected for a six-year term at the next *general regular* election occurring more than one year after such appointment.

(c) At the *general regular* election immediately preceding the expiration of his term the qualified voters of the county of Ramsey shall elect the successor to any elected judge.

(d) Each judge holds a separate nonpartisan office.

(e) When one or more judges of the court are to be nominated or elected at an election, the notice of election shall state the name of each judge whose successor is to be nominated or elected. The official ballot shall contain the names of all candidates for each such office, state the number of judges to be elected and the number of candidates for whom an elector may vote, and designate each candidacy as "For the office of Judge of the Municipal Court of the county of Ramsey to which.... (Name of Judge).... was elected for the regular term," or "For the office of Judge of the Municipal Court of the county of Ramsey to which.... (Name of Judge).... was appointed," as the case may be. The official ballots shall show in the spaces for the purpose the name of the judge whose successor is to be elected. When any judge is a candidate to succeed himself, the word "in-

cumbent" shall be printed after his name where it appears among the names of the candidates for the office. When voting machines are used and such statements cannot be inserted in full, the designation shall be "Successor to.... (Name of Judge).... (elected)", or "Successor to.... (Name of Judge).... (appointed)", as the case may be.

(f) Each person desiring to have his name placed upon the primary ballot as a candidate for judge shall state in his affidavit of candidacy the office of the particular judge for which he is a candidate. The filing of this affidavit with the county auditor and a compliance with all other requirements constitutes such person a candidate for that office, and for that office only. No person shall at any election be a candidate for more than one such office.

ARTICLE V OTHER PROVISIONS

Section 1. [IMPLEMENTATION.] *Subdivision 1. [REGULAR ELECTION PROHIBITED ON OTHER DAYS; FIRST LOCAL GOVERNMENT ELECTION DAY.] After August 1, 1978, no regular election of any of the officers described in Article I, Section 2, Subdivision 2, shall be held except on the local government election day. The first local government election day shall be November 13, 1979. The first primary to select candidates for the offices to be filled on the local government election day shall be October 9, 1979.*

Subd. 2. [TERMS EXTENDED.] (a) The terms of all elected county officers that would otherwise expire on the first Monday of January in 1979 and 1981 are extended until the first Monday of January in 1980 and 1982 respectively.

(b) The terms of all elective statutory city officers that would otherwise expire on the first business day of January in 1979 or 1980 shall instead expire on the first Monday of January in 1980. The terms of statutory city officers that would otherwise expire on the first business day in January of 1981 shall instead expire on the first Monday in January of 1982.

(c) The terms of all independent school district board members which would otherwise expire on July 1, 1979 shall instead expire on the first Monday of January of 1980; terms of members which otherwise expire July 1, 1980, shall instead expire on the first Monday of January in 1980; and the terms of members which otherwise would expire July 1, 1981 shall instead expire on the first Monday of January in 1982.

(d) The governing body of any home rule charter city by ordinance adopted prior to July 1, 1979, shall extend or reduce the term of any elective city officer whose term ends on a different date to the first Monday of January of an even numbered year. The governing body shall, in the same ordinance designate a new term of an even number of years for any officer who would otherwise be elected to a term of an odd number of years and may designate a new term of four years for any officer who would otherwise be elected for a term of two years.

For any city that does not adopt an ordinance as provided in this subdivision prior to July 1, 1979, the terms of elective city officers shall be extended or shortened automatically, effective July 1, 1979, as follows:

(i) The term of any officer which ends on a date other than the first Monday in January of an even numbered year shall be extended to the first Monday in January of the even numbered year first following the date the term would otherwise expire unless this extension would be more than 13 months. If the extension would be more than 13 months, the term shall be shortened to the first Monday in January of the even numbered year first preceding the date the term would otherwise expire; and

(ii) Every term of an odd number of years to which any officer would otherwise be elected shall be changed to a term of an even number of years, one year longer than the term otherwise provided.

(e) The term of any elective officer of any political subdivision required to hold the regular election of its officers on the local government election day which term is not extended or reduced under clauses (a) to (d) and which ends on a date different from the first Monday in January of an even numbered year is extended or reduced as provided in clause (d) (i), effective August 1, 1978. Every term of an odd number of years to which any officer of any such political subdivision may otherwise be elected, which term is not changed under clauses (a) to (d), is changed to a term of an even number of years one year longer than would otherwise be provided.

Subd. 3. [MODIFICATIONS PERMITTED FOR STAGGERED TERMS.] *The governing body of any political subdivision required to hold its regular election on the local government election day may provide by ordinance or resolution that members of an elected body or other officers of the subdivision may be elected for a different term than is otherwise provided in order to achieve staggered terms for the members of that body or other officers. Any ordinance or resolution adopted pursuant to this subdivision with respect to the members of an elected body shall provide that, to the extent mathematically possible, the same number of persons is chosen at each election, exclusive of those chosen to fill vacancies for the unexpired terms.*

Subd. 4. [PURPOSE.] *It is the purpose and intent of this section to implement the provisions of Article I, Section 2, by requiring the adjustment of terms, postponement of certain elections and other procedures. To the extent inconsistent with this intent all general and special laws and municipal charter provisions providing otherwise are superseded. In all other respects, those laws and charter provisions shall continue in full force and effect.*

Sec. 2. [REVISOR'S INSTRUCTION.] *The revisor of statutes shall identify all special and general laws superseded as a result of Article I, Section 2, and Article V, Section 1, and shall draft a bill for an act to amend or repeal those laws in a manner consistent with the intent of Article I, Section 2 and Article V, Sec-*

tion 1. The revisor shall transmit the draft, along with a summary explaining its provisions, to the legislature no later than October 1, 1977.

Sec. 3. [REPEALER.] *Minnesota Statutes 1976, Sections 123.015; 123.11, Subdivisions 2, 3, 4, 5 and 6; 123.32, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 11, 22, 24, 25, 26 and 27; 201.33; 205.02; 205.03; 205.07; 205.11; 205.18; 205.19; 205.20; and 447.32, Subdivisions 3 and 4, are repealed.*

Sec. 4. [EFFECTIVE DATE.] *Article II, Sections 14 and 16, Subdivisions 1 and 2; Article III, Sections 7, 8, 12 and 13, Article IV, Sections 7 and 8 and Article V, Section 2, are effective the day following final enactment. Article V, Section 1, Subdivision 2 is effective July 1, 1978. All other sections of this act are effective August 1, 1978."*

Further, strike the title and insert:

"A bill for an act relating to elections; establishing a local government election day for election of county, city and school district officers, county and municipal judges and officers of all other political subdivisions except towns; requiring uniform and coordinated election precincts and polling places for municipalities and school districts; integrating municipal and school district election laws with laws applicable to other elections; providing state reimbursement for the costs of administration of the election held on the local government election day; superseding certain inconsistent general and special laws and home rule charter provisions; amending Minnesota Statutes 1976, Chapters 204A, by adding a section; 205, by adding sections; and 210A, by adding a section; and Sections 40.05, Subdivisions 1, 3 and 4; 40.06, Subdivision 1; 123.12, Subdivisions 1 and 5; 123.32, Subdivisions 9, 13 and 23; 123.33, Subdivisions 1 and 4; 123.34, Subdivision 1; 123.351, Subdivisions 1 and 3; 123.51; 128.01; 200.02, Subdivisions 1, 8, 24, and by adding subdivisions; 201.071, Subdivision 1, and by adding a subdivision; 202A.52; 203A.17; 203A.32, Subdivision 3; 204A.06, Subdivision 1; 204A.09, Subdivision 1; 204A.11, Subdivision 3, and by adding a subdivision; 204A.40, Subdivision 2; 204A.45, Subdivision 1; 204A.47, Subdivision 2; 204A.49, by adding a subdivision; 205.01; 205.021; 205.13; 205.14; 205.16, Subdivision 2; 207.02; 207.03; 207.04; 207.151; 209.02, Subdivisions 1 and 3; 375.025, Subdivision 4; 375.03; 375.101, Subdivision 2; 375A.02, Subdivision 1; 375A.09, Subdivision 4; 382.01; 389.011, Subdivision 2; 397.06; 397.07; 398.04; 410.21; 412.02, Subdivision 2; 412.021, Subdivision 2; 412.571, Subdivision 5; 447.32, Subdivisions 1 and 2; 487.03, Subdivisions 2 and 5; 488A.021, Subdivision 3; and 488A.19, Subdivision 3: repealing Minnesota Statutes 1976, Sections 123.015; 123.11, Subdivisions 2, 3, 4, 5 and 6; 123.32, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 11, 22, 24, 25, 26 and 27; 201.33; 205.02; 205.03; 205.07; 205.11; 205.18; 205.19; 205.20; and 447.32, Subdivisions 3 and 4."

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

Mr. Olson from the Committee on General Legislation and Veterans Affairs, to which was referred

S. F. No. 219: A bill for an act relating to veterans; redefining the word "veteran" for certain purposes; amending Minnesota Statutes 1976, Section 197.447.

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

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

S. F. No. 157: A bill for an act relating to elections; providing for payment of costs of certain special elections; amending Minnesota Statutes 1976, Section 204A.24.

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

Page 2, strike subdivision 2 in its entirety and insert:

"Subd. 2. The secretary of state shall reimburse towns, cities and counties for all expenses attributable to the conduct of any election to fill a vacancy in the legislature or congress, including expenses incurred to provide polling places and election judges. The secretary of state shall establish by rule the procedures required to implement this subdivision."

Page 2, strike section 2 in its entirety and insert:

"Sec. 2. This act is effective January 1, 1977."

Amend the title as follows:

Page 1, line 3, before "amending" insert "imposing duties on the secretary of state;"

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

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

S. F. No. 456: A bill for an act relating to elections; allowing municipalities to open polling places at 6:00 a.m.; amending Minnesota Statutes 1976, Section 204A.05, Subdivision 1.

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

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

S. F. No. 335: A bill for an act relating to elections; providing for judges of election to serve under certain conditions; amending Minnesota Statutes 1976, Sections 207.02; and 204A.17, Subdivisions 1 and 2.

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

Page 2, lines 12, 13 and 14, restore the stricken language and strike the new language.

Page 2, line 16, strike "each precinct therein" and insert "*that municipality or county*"

Page 2, line 21, after "1." insert "*A person may be appointed an election judge for a precinct in which he does not reside.*"

Page 2, line 21, restore the stricken "council" and strike "town"

Page 2, line 25, at the end of the line strike "of the two"

Page 2, line 26, strike "parties" and insert "*party*"

Page 3, line 4, strike "of the two leading"

Page 3, line 5, strike "parties" and insert "*party*"

Strike all of section 3 on pages 3 and 4

Amend the title as follows:

Page 1, line 5, strike "Subdivisions 1 and 2" and insert "Sub-division 1"

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

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 344: A bill for an act appropriating money to the department of natural resources for the installation of a box culvert under a highway in Stearns county, providing a waterway connection between certain lakes to enable water craft to cross from one lake to the other.

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

Page 1, line 11, strike "the department of natural resources" and insert "Stearns county"

Amend the title as follows:

Line 2, strike "the department of natural"

Line 3, strike "resources" and insert "Stearns county"

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

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 494: A bill for an act relating to waters; authorizing conveyance of a dam easement and empowering the town of Hines in Beltrami county to maintain and operate a dam.

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

Page 1, line 10, strike "all of the"

Page 1, strike lines 11 and 12, and insert "the state-owned Blackduck Lake outlet dam"

Page 1, line 13, after "in" insert "Government"

Page 1, line 13, before "Section" strike "of" and insert a comma

Page 1, line 13, before "Range" strike "of" and insert a comma

Page 1, line 14, strike "in" and insert a comma

Page 1, line 14, after "county" insert "and all the state's right, title and interests appurtenant thereto, including a damsite easement acquired therefor in 1937"

Page 1, line 18, strike "and 378.32" and insert ", Subdivision 4, 378.34 and 378.35"

Page 1, line 18, after "the" insert "acquisition,"

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

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 506: A bill for an act relating to taxation; extending the tax credit for feedlot pollution control equipment and providing for a carryback and carryover of the credit from one year to another; exempting feedlot pollution control equipment under certain conditions from the sales and use tax; amending Minnesota Statutes 1976, Sections 290.06, Subdivision 9a; and 297A.25, Subdivision 1.

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

Page 1, line 17, strike "aerating equipment,"

Page 2, strike lines 12 to 32

Page 3, strike lines 1 to 32

Page 4, strike lines 1 to 32

Page 5, strike lines 1 to 32

Page 6, strike lines 1 to 32

Page 7, strike lines 1 to 32

Page 8, strike lines 1 to 32

Page 9, strike lines 1 to 15

Page 9, line 16, strike "3" and insert "2"

Page 9, line 16, strike "Section 1" and insert "This act"

Page 9, line 17, strike "Section 2 is effective for"

Page 9, strike line 18

Amend the title as follows:

Line 5, strike "exempting feedlot pollution"

Strike line 6

Line 7, strike "the sales and use tax;"

Line 8, strike "Sections" and insert "Section"

Line 8, strike "; and"

Line 9, strike "297A.25, Subdivision 1"

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

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

S. F. No. 483: A bill for an act relating to the operation of state government; raising base salaries for certain executive branch employees, metropolitan agency officers, legislators, 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; amending Minnesota Statutes 1976, Sections 3.099; 3.102; 15A.081, Subdivision 1, and by adding subdivisions; 15A.083; 43.067; 43.069; 473.123, Subdivision 4; 473.141, Subdivision 7; 473.605, Subdivision 2; and 487.01, Subdivision 5; repealing Minnesota Statutes 1976, Sections 3.13; 15A.081, Subdivision 4; 43.066; and 487.05.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, 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
Aeronautics, department of	
commissioner	20,400
Agriculture, department of	
commissioner	22,000
	36,000
deputy commissioner	17,600
Attorney general, office of	
attorney general	36,500

	Base Salary or Range
deputy attorney general	10,100 — 31,500 23,000 — 42,000
Auditor, office of auditor	26,000
deputy auditor	20,800
Commerce, department of commissioner of banks	22,000 32,000
commissioner of insurance	22,000 32,000
commissioner of securities	22,000 32,000
director of consumer services	32,000
executive secretary, commerce commission	27,000
Community college system chancellor	27,500 41,000
Corrections, department of commissioner	28,000 36,000
deputy commissioner	22,400
ombudsman	32,000
Crime prevention and control, governor's commission on executive director	29,000
Economic development, department of commissioner	22,000 32,000
deputy commissioner	17,600
Education, department of commissioner	29,800 41,000
Employment services, department of commissioner	26,400 32,000
Energy agency director	36,000

	Base Salary or Range
Finance, department of commissioner	35,500 45,000
deputy commissioner	28,400
Governor, office of governor	41,000
Health, department of commissioner	30,300 41,000
<i>Hearing examiners office chief hearing examiner</i>	36,000
Higher education coordinating board executive director	26,100 36,000
assistant executive director	20,000
<i>Housing finance agency executive director</i>	36,000
Human rights, department of commissioner	20,000 29,000
Indian affairs board executive director	17,500 25,000
Investment, board of executive secretary	35,000 41,000
<i>Iron range resources and rehabilitation board commissioner</i>	29,000
Labor and industry, department of commissioner	26,400 36,000
deputy commissioner	21,100
judge of the workers compensation court of appeals	22,000 36,000
director, mediation services	21,000 29,000
Lieutenant governor, office of lieutenant governor	30,000

	Base Salary or Range
Natural resources, department of commissioner	28,300 41,000
deputy commissioner	22,600
Personnel, department of commissioner	31,000 41,000
deputy commissioner	24,800
Planning agency director	27,000 41,000
Pollution control agency director	24,000 36,000
Public safety, department of commissioner	26,900 36,000
deputy commissioner	21,500
Public service, department of commissioner, public service commission	22,000 32,000
director	20,700 32,000
Public welfare, department of commissioner	22,600 41,000
deputy commissioner	26,900
Revenue, department of commissioner	28,300 41,000
Secretary of state, office of secretary of state	25,000
deputy secretary of state	17,500
State university system chancellor	32,500 41,000

	Base Salary or Range
Transportation, department of commissioner	33,600 41,000
Treasury, state treasurer	25,000
deputy treasurer	17,500
Veterans affairs, department of commissioner	16,000 29,000
Vocational rehabilitation, department of commissioner	32,000

Sec. 2. Minnesota Statutes 1976, Section 15A.081, is amended by adding a subdivision to read:

Subd. 5. A deputy of a position listed in subdivision 1, other than the attorney general, shall be paid a base salary equal to 85 percent of the salary of the head of that department or agency as listed in subdivision 1.

Sec. 3. Minnesota Statutes 1976, 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 or other agency 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 agency. Within the agency, no person other than the agency head shall be paid more than the base salary that is or would be paid a deputy agency head pursuant to section 15A.081 whether or not there is a deputy agency head position for that agency.*

Subd. 2. [DISCRETIONARY EXEMPTIONS.] The personnel board may grant exemptions from the provisions of subdivision 1 in the case of individual persons. 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 appointing authority, but only if the board determines that the position requires special expertise necessitating a higher salary in order to attract or retain qualified persons. In no event may a salary exempted pursuant to this subdivision exceed 120 percent of the base salary of the position in respect to which the exemption was requested.

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.

Subd. 4. [LIMIT ON POLITICAL SUBDIVISION SALA-

RIES.] *Notwithstanding any other law to the contrary, no salary of a person employed by a city, county, town, school district or other political subdivision of the state may exceed the salary of the governor.*

Sec. 4. Minnesota Statutes 1976, Section 43.09, Subdivision 2a, is amended to read:

Subd. 2a. **[ADDITIONAL UNCLASSIFIED POSITIONS.]** Notwithstanding any other law to the contrary, the personnel board, upon the request of the governor, is hereby authorized to establish permanent unclassified positions, or to unclassify previously classified positions, provided that:

(1) Positions so established involve only deputy or assistant heads of departments or agencies, or director level positions which are not specifically established by law, and who are appointed by and report directly to a head of a department or agency who is required by law to be appointed by the governor, or by a gubernatorially appointed board; as well as one position for a personal secretary of any head of a department or agency listed in clause (4). *Positions established pursuant to this section may not include an assistant to the commissioner or any other position, other than a personal secretary, which will not have managerial or supervisory functions within a department or agency.*

(2) Classified incumbents of such positions, if any, are not removed from that position for a period of one year except under applicable provisions of rules and laws governing classified state employees. An incumbent of a position that is declassified pursuant to this subdivision, if he so requests within 120 days after being removed from that position, shall be appointed to a classified position comparable to the position that was declassified, or if such a position is unavailable, to a position comparable to that which he held immediately prior to being appointed to the position that was declassified. If a position is declassified and the incumbent at the time the position was declassified had no classified status immediately prior to the appointment to the position that was declassified, he shall, if he so requests within 120 days after being removed from that position, be appointed to a comparable or lower classified position within two salary ranges of the position that was declassified.

(3) If an employee in the classified civil service accepts a newly created unclassified position, he shall retain an inactive classified civil service status and, upon his request, shall be re-appointed to a classified position comparable to that which he held immediately prior to being appointed to the position that was declassified.

(4) Positions so established are limited in number to six in the departments of administration, corrections, finance, transportation, natural resources, public safety, public welfare, and revenue; to five in the departments of commerce, education, health, labor and industry, and personnel; to four in the departments of agriculture, economic development, and employment services; to three in the department of public service, the plan-

ning agency, and the pollution control agency; and to two in the departments of human rights and veterans affairs. Departments or agencies not enumerated in this clause shall not be authorized to establish additional unclassified positions under the provisions of this subdivision.

(5) Funds are available.

Sec. 5. Minnesota Statutes 1976, Section 15A.081, is amended by adding a subdivision to read:

Subd. 7. [METROPOLITAN AGENCIES.] The following salaries are provided for officers of metropolitan agencies:

<i>Chairman, metropolitan council</i>	<i>\$39,000</i>
<i>Chairman, metropolitan airports commission</i>	<i>10,000</i>
<i>Chairman, metropolitan transit commission</i>	<i>33,500</i>
<i>Chairman, metropolitan waste control commission</i>	<i>15,000</i>

Sec. 6. Minnesota Statutes 1976, Section 473.123, Subdivision 4, is amended to read:

Subd. 4. [CHAIRMAN; APPOINTMENT, DUTIES.] (a) The chairman of the metropolitan council shall be appointed by the governor as the 17th voting member thereof by and with the advice and consent of the senate to serve at his pleasure. He shall be a person experienced in the field of municipal and urban affairs with administrative training and executive ability.

(b) The chairman of the metropolitan council shall preside at the meetings of the metropolitan council and shall act as principal executive officer. He shall organize the work of the metropolitan council, appoint all officers and employees thereof, subject to the approval of the metropolitan council, and be responsible for carrying out all policy decisions of the metropolitan council. His salary and expense allowances shall be fixed by the metropolitan council as provided in section 15A.081, and he shall be eligible for expenses in the same manner and amount as state employees.

Sec. 7. Minnesota Statutes 1976, Section 473.141, Subdivision 7, is amended to read:

Subd. 7. [COMPENSATION.] Each commission member shall be paid a per diem compensation of \$50 for each meeting and for such other services as authorized by the commission, and shall be reimbursed for all actual and necessary expenses incurred in the performance of his duties in the same manner and amount as state employees. The chairman shall receive a salary in an amount fixed by the members of the commission section 15A.081 and shall be reimbursed for reasonable expenses to the same extent as a member.

Sec. 8. Minnesota Statutes 1976, Section 473.605, Subdivision 2, is amended to read:

Subd. 2. Each commission member shall be paid a per diem compensation of \$35 for each meeting and for such other ser-

vices as are specifically authorized by the commission, and shall be reimbursed for all actual and necessary expenses incurred in the performance of his duties in the same manner and amount as state employees. The chairman shall receive such compensation as the commission shall determine a salary as prescribed in section 15A.081 and shall be reimbursed for reasonable expenses to the same extent as a member.

Sec. 9. Minnesota Statutes 1976, Section 15A.081, is amended by adding a subdivision to read:

Subd. 6. [CONSTITUTIONAL OFFICERS.] The following salaries are provided for the constitutional officers of the state:

<i>Governor</i>	<i>\$58,000</i>
<i>Attorney general</i>	<i>49,000</i>
<i>Lieutenant governor</i>	<i>36,000</i>
<i>Auditor</i>	<i>30,000</i>
<i>Secretary of state</i>	<i>30,000</i>
<i>Treasurer</i>	<i>30,000</i>

The salaries of the deputy auditor, deputy secretary of state and deputy treasurer shall be 85 percent of the salaries of their respective superior constitutional officers.

Sec. 10. Minnesota Statutes 1976, Section 3.099, is amended to read:

3.099 [MEMBERS; COMPENSATION AND EXPENSES. FLEXIBLE SESSIONS.] *Subdivision 1.* The compensation of each member of the house of representatives of the legislature shall be \$16,300 for the entire term to which he is elected, which shall be due on the first day of the regular legislative session of the term and payable as follows:

\$700 in equal parts on the fifteenth day of January and on the first day of each month, February to December, inclusive, during the term for which he was elected.

The compensation of each senator of the legislature shall be \$32,600 for the term to which he is elected, of which \$16,300 shall be due on the first day of each regular legislative session of the term and payable as follows:

\$700 on the fifteenth day of January and on the first day of each month February to December, inclusive, during the term for which he was elected.

Each member shall receive mileage for necessary travel in going to and returning from the place of meeting to his place of residence in such amount and for such trips as may be authorized by the senate as to senate members, and by the house of representatives as to house members.

Each member shall receive in addition to the foregoing, such

per diem living expenses during a regular or special session of the legislature in such amounts and for such purposes as may be determined by the senate as to senate members and by the house of representatives as to house members ; *provided, that because of the salary increases provided in subdivision 2, the amount of the per diem living expenses payable commencing with the start of the legislative session in 1979 shall be substantially less than the per diem living expenses payable on the effective date of this act .*

On the fifteenth day of January and on the first day of each month, February to December, inclusive, the secretary of the senate and the chief clerk of the house of representatives, shall certify to the commissioner of finance, in duplicate, the amount of compensation then payable to each member of their respective houses, and the aggregate thereof.

Subd. 2. The compensation of each member of the legislature until the start of the legislative session in 1979 shall be \$8,400 per year. Commencing with the start of the legislative session in 1979, the compensation of each member of the legislature shall be \$16,500 per year. Effective January 1, 1980, the compensation of each member of the legislature will be \$18,500 per year.

Subd. 3. Commencing with the start of the legislative session in 1979, the president of the senate, the majority leader, assistant majority leader and minority leader of the senate, the speaker of the house of representatives, and the majority leader and minority leader of the house of representatives shall be paid 150 percent of the compensation of other members.

Sec. 11. Minnesota Statutes 1976, Section 3.102, is amended to read:

3.102 [LEGISLATIVE LIVING EXPENSES.] Each member of the legislature shall be reimbursed for expenses incurred while engaged in official business when the legislature is not in session. The amount of such reimbursement shall not exceed \$33 \$48 per day as a per diem expense allowance for all expenses incurred except travel and lodging. The member shall also be reimbursed for travel and lodging expenses in the same manner and amount as state employees.

Expenses for members of the legislature are payable in the manner and in the amount designated by the senate committee on rules and administration as to members of the senate and by the committee on rules and legislative administration as to members of the house of representatives.

The expense allowances provided for herein to the persons designated are in lieu of any other expenses authorized by law or resolution for the same purposes.

Sec. 12. Minnesota Statutes 1976, Section 15A.083, 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:

(1) Chief justice of the supreme court	\$40,000
	\$52,000
(2) Associate justice of the supreme court	36,500
	49,000
(3) District judge	32,000
	40,000
(4) <i>Judge of a county court</i> <i>(learned in the law)</i>	38,000
(5) <i>Judge of a county court</i> <i>(not learned in the law)</i>	27,000

Each district judge shall receive \$1,500 additional annually from *the state* for 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~~ *state upon certification of the chief district judge of the district* 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.] (1) 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, St. Louis, Carver and Dakota \$29,000 \$40,000.

(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) *The amounts required to pay the salaries of county court judges and the salaries provided in this subdivision are appropriated from the general fund of the state treasury.*

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—35,000
Court administrator	25,000—32,000	27,400—35,000
County attorneys council executive director	18,000—27,500	20,400—29,700

Subd. 4. [TAX COURT OF APPEALS.] Salaries of judges of the tax court of appeals. . . . \$10,500 \$15,000.

Sec. 13. Minnesota Statutes 1976, 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 .*

Sec. 14. [TEMPORARY PROVISION.] *Notwithstanding any other provision of this act to the contrary, an increase in com-*

pensation 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. 15. [TEMPORARY PROVISION.] *No incumbent whose salary is prescribed in section 15A.081 or 15A.083, 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 or 15A.083, 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 section 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.

No person shall be removed from his position as a result of the limitations placed in section 43.09, subdivision 2a, by this act. When a position which was filled as of March 1, 1977, pursuant to section 43.09, subdivision 2a, becomes vacant, the position may not be refilled unless the position meets the requirements of section 43.09, subdivision 2a, as amended by this act.

Sec. 16. [REPEALER.] *Minnesota Statutes 1976, Sections 15A.081, Subdivision 4; 43.066; 43.069; 487.05 and 490.102, Subdivision 5 are repealed. Minnesota Statutes 1976, Section 3.13 is repealed on January 1, 1979.*

Sec. 17. [EFFECTIVE DATE.] *This act is effective July 1, 1977."*

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

"A bill for an act relating to the operation of state government; raising base salaries for certain executive branch employees, metropolitan agency officers, legislators, judges and judicial branch employees; limiting possible increases for certain executive branch employees; limiting the ability of appointing authorities to fill certain unclassified positions; prohibiting salaries of employees of political subdivisions from exceeding the salary of the governor;

removing achievement awards; amending Minnesota Statutes 1976, Sections 3.099; 3.102; 15A.081, Subdivision 1, and by adding subdivisions; 15A.083; 43.067; 43.09, Subdivision 2a; 473.123, Subdivision 4; 473.141, Subdivision 7; 473.605, Subdivision 2; and 487.01, Subdivision 5; repealing Minnesota Statutes 1976, Sections 3.13; 15A.081, Subdivision 4; 43.066; 43.069; 487.05 and 490.102, Subdivision 5."

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

Mr. Olson from the Committee on General Legislation and Veterans Affairs, to which was referred

S. F. No. 383: A bill for an act relating to veterans; commissioner of veterans affairs; changing residency requirements for the commissioner and certain officers and employees of the department of veterans affairs; amending Minnesota Statutes 1976, Section 196.02, Subdivision 1.

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

Page 2, after line 11 insert

"Sec. 2. Minnesota Statutes 1976, Section 197.601, is amended to read:

197.601 [QUALIFICATIONS OF VETERANS SERVICE OFFICERS.] No person shall be appointed a veterans service officer under sections 197.60 to 197.606 unless he has the following qualifications:

(1) Residence in the state of Minnesota ~~for at least five years prior to his appointment;~~

(2) Citizenship in the United States;

(3) Veteran as defined in section 197.447;

(4) Education and training for the duties of veterans service officer;

(5) Knowledge of the law and the regulations and rulings of the United States Veterans Administration applicable to cases before it and the administration thereof."

Amend the title as follows:

Page 1, line 4, after "commissioner" strike "and" and insert a comma

Page 1, line 5, after "affairs" insert ", and veterans service officers"

Page 1, line 6, strike "Section" and insert "Sections"

Page 1, line 7, after "1" insert "; and 197.601"

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

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 258: A bill for an act relating to taxation; exempting home heating fuel from the sales tax; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

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

Page 8, line 14, strike "*used to*"

Page 8, strike lines 15 to 17 and insert "*oil, liquid propane, or other petroleum based fuel sold and delivered during the months of July, August and September, for use in heating a homestead as defined in section 290A.03, subdivision 6.*"

Page 8, line 18, strike "*for*" and insert "*from the day after enactment to June 30, 1979.*"

Page 8, strike line 19

Amend the title as follows:

Page 1, line 2, strike "*fuel*" and insert "*fuels sold and delivered during the months of July, August and September*"

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

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

H. F. No. 235: A bill for an act relating to agriculture; soybean research and promotion council; powers of the commissioner of agriculture and the council; providing for an increase in fees and specifying the uses thereof; amending Minnesota Statutes 1976, Sections 21A.01; 21A.05; 21A.06; 21A.09; 21A.12; 21A.16, Subdivision 2; 21A.19, Subdivision 1; and Chapter 21A, by adding a section; repealing Minnesota Statutes 1976, Section 21A.18.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 21A.01, is amended to read:

21A.01 [PURPOSE.] It is hereby declared that the market development, promotion and advertising, market research and production of soybeans grown in Minnesota is important to the general welfare of the people of Minnesota; that it is in the public interest that better methods of marketing, producing, processing, advertising, and promoting soybeans grown in the state of Minnesota be fostered, encouraged, developed, and improved, so that the soybean industry within the state, the people employed by said industry, directly or indirectly, and the people of the state of Minnesota, should be benefited thereby; and that accomplishment of these purposes requires establishment of a Minnesota soybean

research and promotion council for the purpose of contributing to the protection, expansion, stabilization and improvement of the agricultural economy of this state. Sections 21A.01 to 21A.19 shall not be construed to abrogate or limit, in any way, the rights, powers, duties and functions of the commissioner of agriculture or any other agency of the state, but shall be supplementary thereto, and in aid and cooperation therewith.

Sec. 2. Minnesota Statutes 1976, Section 21A.04, is amended to read:

21A.04 [TERMS OF MEMBERS.] Except as provided herein with respect to initial members of the council, each member shall be elected for a three-year term. Regular elections shall be conducted by the commissioner as provided by section 21A.03 and any ~~regulation rule~~ promulgated pursuant thereto, ~~provided that the council may by majority vote modify any regulation governing the election procedure.~~ Each member shall hold office until his successor is elected and qualified. When a vacancy occurs for any reason the council shall by majority vote appoint a successor to fill the unexpired term. The successor so appointed shall be a grower residing in the same crop reporting unit as the former member whose departure created the vacancy.

Sec. 3. Minnesota Statutes 1976, Section 21A.05, is amended to read:

21A.05 [RULES.] In administering sections 21A.01 to 21A.19, the commissioner shall have any of the powers conferred upon him by law. He may, *after consultation with the council*, promulgate such rules and ~~regulations~~ as he may ~~deem~~ *are deemed* necessary to effectuate the purposes of sections 21A.01 to 21A.19, *including but not limited to, administration of the promotional order, establishment of minimal requirements to qualify as a producer, and overseeing the preparation of an annual report of the programs financed in whole or in part by the order.*

Sec. 4. Minnesota Statutes 1976, Section 21A.06, is amended to read:

21A.06 [PROMOTIONAL ORDER.] The council shall meet as it may determine, or upon call of the chairman or any three members. Promptly after its election, the council shall meet and, with the commissioner, shall formulate a promotional order establishing a program including, but not limited to, market development, promotion, advertising, market research, production and distribution of soybeans grown in Minnesota. The order shall establish ~~fees a fee~~ to be paid by growers to finance the proposed activities, ~~which~~. *Except as provided herein, the fee shall not exceed be less than one-half cent per bushel upon all soybeans grown in the state of Minnesota and sold in commercial channels, beginning with and including soybeans harvested in the marketing year beginning September 1, 1973, and each and every marketing year thereafter. The order shall also indicate the maximum assessment rate which shall not exceed one-half percent of the market value of the year's production of all participating producers. Any increase in the assessment provided for in the*

promotional order must be within the limit herein prescribed in increments of not more than one half cent per bushel annually and must be approved by a majority of voting participating producers in a referendum held for that purpose after reasonable notice of such proposed increase. Any decrease in the assessment shall be by decision of the council, however, such decrease shall not establish an assessment of less than one-half cent per bushel unless approved by a majority of voting participating producers in a referendum held for that purpose after reasonable notice of such proposed decrease. The order may also authorize the collector of the fee to retain an amount specified by the council for the expenses of collecting the fee.

The commissioner, after consultation with the advice and consent of the council, shall hold a public hearing on the proposed promotional order and shall thereafter hold a referendum on the final promotional order among growers. The commissioner, after consultation with the advice and consent of the council, shall specify the time and procedure for the referendum. The commissioner shall count and tabulate the ballots. The promotional order shall become effective if approved by a majority of those voting in the referendum.

Sec. 5. Minnesota Statutes 1976, Section 21A.09, is amended to read:

21A.09 [DEPOSIT OF FEES; USE.] *Subdivision 1. Fees collected pursuant to sections 21A.01 to 21A.19 shall be deposited in a bank or banks or other depository approved by the commissioner of banks and shall be disbursed by such officers and employees as may be approved by the commissioner, after consultation with the advice and consent of the council, for the necessary expenses incurred in the administration of sections 21A.01 to 21A.19, and said funds are hereby appropriated for the purposes of sections 21A.01 to 21A.19. Fees collected shall be used exclusively for the specific purpose for which collected and not for legislative or political activities.*

Subd. 2. Fees collected shall be used exclusively for the purposes described in section 21A.01, and no part thereof may be used to support any political party or candidate for public office. However, the council may utilize a portion of such fees not to exceed ten percent of the fees collected annually to expand or maintain soybean markets in any of the following ways: (a) to oppose any foreign or domestic barriers to free trade; (b) to oppose any policy deemed harmful to the interests of soybean growers and to the soybean industry; (c) to maintain liaison with and furnish data and information to all interested governmental branches, departments and personnel relative to the interests of soybean growers.

Subd. 3. All persons authorized to control, handle, or disburse funds shall provide bond in such form and amount as may be required from time to time by the council.

Sec. 6. Minnesota Statutes 1976, Section 21A.11, is amended to read:

21A.11 [ADDITIONAL POWERS OF COMMISSIONER.]

The commissioner, *after consultation with the advice and consent of the council*, may contract and cooperate with any person, firm, corporation, or association, or with any local, state, federal, or international agency, including the Minnesota department of agriculture, for market development, education, publicity, promotion, research, transportation, and advertising within the purposes of sections 21A.01 to 21A.19; appoint, employ, bond, discharge, fix compensation for, and prescribe the duties of such administrative, clerical, technical, and other personnel and agencies as may be deemed necessary.

Sec. 7. Minnesota Statutes 1976, Chapter 21A, is amended by adding a section to read:

[21A.115] [COOPERATION.] *The commissioner is authorized to cooperate and enter into agreements with any appropriate agency of any state for the purpose of carrying out the provisions of sections 21A.01 to 21A.19, and in securing uniformity of administration and enforcement.*

Sec. 8. Minnesota Statutes 1976, Section 21A.12, is amended to read:

21A.12 [ADDITIONAL POWERS OF COUNCIL.] In addition to the other duties and powers of the council, as herein set forth, it may ~~draft and administer promotional orders; recommend to the commissioner administrative rules and regulations relating to promotional orders; recommend amendments to such orders; submit to the commissioner an annual estimated budget for the operation and implementation of promotional orders; :~~

(1) Assess growers and provide a procedure for the collection of funds to finance promotional orders;

(2) Collect such necessary information and data as the commissioner and council may deem necessary to the proper administration of sections 21A.01 to 21A.19;

(3) *Prepare and submit to the commissioner an annual estimated budget for the operation of the promotional order;*

(4) *Prepare an annual report on the programs of the order, said report to be made available to the producers concerned;*

(5) Provide for an annual audit of funds to be made by a qualified auditing entity; ~~to~~

(6) Expend the funds collected pursuant to provisions of sections 21A.01 to 21A.19 and appropriated for its administration;

(7) Accept donations of funds, property, services, or other assistance from public or private sources for the purposes of furthering the objectives of sections 21A.01 to 21A.19;

(8) Investigate and prosecute in the name of the state of Minnesota any action or suit to enforce the collection or insure payment of the fees authorized by the provisions of sections 21A.01 to 21A.19 and to sue and be sued in the name of the council; ~~to and~~

(9) Do all other things necessary to the administration and implementation of sections 21A.01 to 21A.19.

Sec. 9. Minnesota Statutes 1976, Section 21A.14, is amended to read:

21A.14 [RECORDS OF COUNCIL.] All of the records of the council shall be public records and shall be available for the inspection of any person for any lawful purpose, provided however, that the council shall be empowered to make reasonable rules and regulations concerning the inspection of such records and the time or place of such inspection, or the manner in which the information shall be made available.

Sec. 10. Minnesota Statutes 1976, Section 21A.15, is amended to read:

21A.15 [MISDEMEANOR TO VIOLATE PROVISIONS OF SECTIONS 21A.01 TO 21A.19.] Any person who violates any provision of sections 21A.01 to 21A.19 or rule or regulation of the commissioner promulgated pursuant hereto, is guilty of a misdemeanor.

Sec. 11. Minnesota Statutes 1976, Section 21A.16, Subdivision 1, is amended to read:

21A.16 [SUSPENSION OR TERMINATION OF SOYBEAN PROMOTIONAL ORDER.] Subdivision 1. The commissioner, *after consultation with the consent of the council*, shall suspend or terminate a promotional order whenever he finds, after a public hearing, that an order is contrary to or does not tend to effectuate the declared purposes or provisions of sections 21A.01 to 21A.19, provided that such suspension or termination shall not become effective until the expiration of the current marketing year.

Sec. 12. Minnesota Statutes 1976, Section 21A.16, Subdivision 2, is amended to read:

Subd. 2. If the commissioner, ~~with the advice and consent of the council~~, finds that termination of any promotional order is requested in writing by more than 500 growers, the commissioner shall, *after consultation with the council*, conduct a referendum to determine whether or not the promotional order shall be continued. He shall terminate the promotional order if a majority of the growers voting in the referendum vote in favor of termination. The referendum shall be conducted in such manner as the commissioner, *after consultation with the advice and consent of the council*, deems fair and reasonable.

Sec. 13. Minnesota Statutes 1976, Section 21A.17, is amended to read:

21A.17 [REFUND OF FEE.] Any grower may, by the use of forms provided by the commissioner and upon presentation of a sworn statement that no security interest in that particular soybean crop remains unsatisfied and such other proof as the commissioner may require by rule or regulation, have the fee paid pursuant to sections 21A.01 to 21A.19 refunded to him. A lienholder,

secured party or pledgee, or assignee of a lienholder, secured party or pledgee may, by use of the forms provided by the commissioner and upon presentation of a sworn statement that such party has taken title to that particular soybean crop through the exercise of a legal right or that such party has himself paid the required fee and such other proof as the commissioner may by rule or regulation require, have the fee paid pursuant to sections 21A.01 to 21A.19 refunded to him. Any request for refund must be received in the office of the commissioner or the council within 60 days following the payment of such fee. Refund shall be made by the commissioner within 30 days after receipt of the request for refund provided that the fee sought to be refunded has been received.

Sec. 14. Minnesota Statutes 1976, Section 21A.19, Subdivision 1, is amended to read:

21A.19 [NONLIABILITY OF STATE; SEVERABILITY.] Subdivision 1. No liability shall be imposed upon the state of Minnesota for any acts or omissions of the commissioner or of the soybean council established pursuant to sections 21A.01 to 21A.19.

Sec. 15. [REPEALER.] *Minnesota Statutes 1976, Section 21A.18, is repealed.*"

Amend the title as follows:

Line 6, after the semicolon insert "21A.04;"

Line 7, after "21A.09;" insert "21A.11;"

Line 7, after "21A.12;" insert "21A.14; 21A.15;"

Line 8, strike "Subdivision" and insert "Subdivisions 1 and"

Line 8, after "2;" insert "21A.17;"

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

SECOND READING OF SENATE BILLS

S. F. No. 456 was read the second time.

S. F. Nos. 319, 194, 146, 465, 257, 312, 219, 335 and 383 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H F. No. 235 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Hughes moved that S. F. No. 39 be withdrawn from the Committee on Education and re-referred to the Committee on General Legislation and Veterans Affairs. The motion prevailed.

Mr. Kleinbaum moved that S. F. No. 68 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Agriculture and Natural Resources. The motion prevailed.

Mr. Hughes moved that S. F. No. 430 be withdrawn from the Committee on Education and re-referred to the Committee on General Legislation and Veterans Affairs. The motion prevailed.

Mr. Kleinbaum moved that the name of Mr. Anderson be added as co-author to S. F. No. 512. The motion prevailed.

Mr. Solon moved that the name of Mr. Vega be added as co-author to S. F. No. 692. The motion prevailed.

Mr. Tennessen moved that the name of Mr. Milton be added as co-author to S. F. No. 707. The motion prevailed.

Mr. Keefe, S. moved that the name of Mr. Sikorski be added as co-author to S. F. No. 708. The motion prevailed.

Mr. Strand moved that the name of Mr. Setzepfandt be added as co-author to S. F. No. 168. The motion prevailed.

CONSENT CALENDAR

S. F. No. 218: A bill for an act relating to municipalities; procedures required for the letting of certain contracts; amending Minnesota Statutes 1976, Section 471.345, Subdivisions 3, 4 and 5.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 43 and nays 10, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Lessard	Pillsbury	Staples
Benedict	Hanson	Lewis	Purfeerst	Stokowski
Bernhagen	Hughes	McCutcheon	Renneke	Strand
Brataas	Keefe, J.	Moe	Schaaf	Ueland, A.
Coleman	Kirchner	Nelson	Schmitz	Vega
Dunn	Kleinbaum	Nichols	Schrom	Wegener
Engler	Knoll	Ogdahl	Setzepfandt	Willet
Frederick	Knutson	Penny	Sieloff	
Gearty	Laufenburger	Peterson	Sikorski	

Those who voted in the negative were:

Borden	Dieterich	Luther	Spear	Tennessen
Chenoweth	Johnson	Merriam	Stumpf	Ulland, J.

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

After some time spent therein, the committee arose, and Mr. Gearty reported that the committee had considered the following:

S. F. Nos. 296, 321, 250, 332 and 170 which the committee recommends to pass.

S. F. No. 107, which the committee recommends to pass with the following amendment offered by Mr. Hanson:

Page 1, line 9, strike "*of this act*"

Page 2, line 4, strike "*of this act*"

Page 2, line 7, strike "*of*"

Page 2, line 8, strike "*this act*"

Page 4, line 23, strike "*of this act*"

Page 5, lines 27 and 31, strike "*of this act*"

Page 6, line 28, strike "*of this act*"

Page 8, line 8, strike "*of this act*"

Page 8, line 9, strike the comma

Page 8, line 10, strike "*divorce*"

Page 8, line 10, after "*or*" insert "*to*"

Page 8, line 11, strike " , *divorce*"

Page 9, line 22, after "*Unless*" insert "*it is alleged in the first pleading of a party to a custody proceeding that*"

Page 9, line 24, strike "*of this act*"

Page 12, lines 1, 7, and 11, strike "*of this act*"

Page 12, line 18, strike "*of this*"

Page 12, line 19, strike "*act*"

Page 14, line 18, after "*county*" and before the period insert "*in which the proceedings are pending*"

Page 16, lines 2, 4, 12, and 15, strike "*of this act*"

Page 16, line 26, strike the second "*of*"

Page 16, line 27, strike "*this act*"

H. F. No. 38 which the committee reports progress, subject to the following motion:

Mr. Chenoweth moved to amend H. F. No. 38 as follows:

Page 2, line 20, after "*sale*" and before the period, insert: "*, including the construction of dwellings on land owned by vendees*"

The motion prevailed. So the amendment was adopted.

On motion of Mr. Coleman, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 11:30 o'clock a.m., Thursday, March 17, 1977. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate