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REPORT
OF THE
ATTORNEY GENERAL
STATE OF MINNESOTA
TO THE
GOVERNOR
1971-1972

WARREN SPANNAUS
ATTORNEY GENERAL

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STATE OF MINNESOTA

Attorneys General

TERRITORIAL

Lorenzo A. Babcock June 1, 1849, to May 15, 1853
Lafayette Emmett May 15, 1853, to May 24, 1858

STATE

Charles S. Berry May 24, 1858, to Jan. 2, 1860
Gordon E. Cole Jan. 4, 1860, to Jan. 8, 1866
William Colville Jan. 8, 1866, to Jan. 10, 1868
F.R.E. Cornell Jan. 10, 1868, to Jan. 8, 1874
George P. Wilson Jan. 9, 1874, to Jan. 10, 1880
Charles M. Start Jan. 10, 1880, to Mar. 11, 1881
W. J. Hahn Mar. 11, 1881, to Jan. 5, 1887
Moses E. Clapp Jan. 5, 1887, to Jan. 2, 1893
H. W. Childs Jan. 2, 1893, to Jan. 2, 1899
W. B. Douglas Jan. 2, 1899, to Apr. 1, 1904
W. J. Donahower Apr. 1, 1904, to Jan. 2, 1905
Edward T. Young Jan. 2, 1905, to Jan. 4, 1909
George T. Simpson Jan. 4, 1909, to Jan. 1, 1912
Lyndon A. Smith Jan. 1, 1912, to Mar. 5, 1918
Clifford L. Hilton Mar. 8, 1918, to Dec. 30, 1927
Albert Fuller Pratt Jan. 1, 1928, to Jan. 28, 1928
G. A. Youngquist Feb. 2, 1928, to Nov. 19, 1929
Henry N. Benson Nov. 20, 1929, to Jan. 3, 1933
Harry H. Peterson Jan. 3, 1933, to Dec. 15, 1936
William S. Ervin Dec. 15, 1936, to Jan. 1, 1939
J. A. A. Burnquist Jan. 1, 1939, to Dec. 31, 1954
Miles Lord Jan. 1, 1955, to May 4, 1960
Walter F. Mondale May 5, 1960, to Dec. 29, 1964
Robert Mattson Dec. 30, 1964, to Dec. 31, 1966
Douglas M. Head Jan. 1, 1967, to Dec. 31, 1970
Warren Spannaus Jan. 1, 1971 to 1982



STATE OF MINNESOTA
OFFICE OF THE ATTORNEY GENERAL
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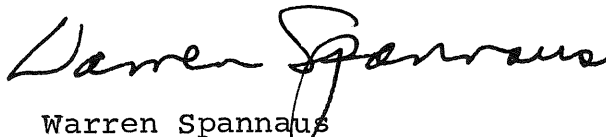
WARREN SPANNAUS
ATTORNEY GENERAL

The Honorable Wendell R. Anderson
Governor
State of Minnesota

Dear Governor Anderson:

In compliance with Section 8.08 of the Minnesota Statutes, I transmit with this letter the report of the Attorney General for the 1971-1972 biennium.

Respectfully yours,


Warren Spannaus
Attorney General

September 30, 1972

REPORT
OF THE
ATTORNEY GENERAL
1971-1972

1971-1972 Highlights

A boy discovered that the rocket shown in an advertisement came with no engine. A wig shop sold \$15 wigs for \$600. An elderly man's mobile home was unreasonably cold in winter.

These and thousands of other Minnesotans have learned firsthand of the growing emphasis in the Office of Attorney General on helping citizens.

Our consumer division, a single lawyer two years ago, now has four lawyers with an assistant attorney general at its head. The division's clerical staff is larger, and it is using interns and volunteers.

At the heart of the efforts of the consumer division to protect businessmen and customers are citizen complaints and inquiries. Through improved procedures, the division handles an average of 350 written and 1,000 telephone complaints and inquiries a month. It saves or refunds Minnesotans more than \$10,000 a month.

Complaints range from cars, to business opportunity schemes, advertisements, guarantees, undelivered merchandise, lotteries, employment agencies, free gifts, home repair, loans, buying clubs, rentals, door-to-door sales, mobile homes and telephone solicitation.

The consumer section settles over 80 percent of the complaints.

The boy got two rockets — with motors. Publicity closed up the wig shop. The elderly man got a new mobile home.

Not all complaints are settled. Some go to court — with more frequency than in prior years. The emphasis on litigation rests on two grounds. It is the action most effective to change practices, and it informs buyers of improper practices.

One improper practice that has flourished in the past is the surreptitious setback of automobile odometers. Such falsifications have been successfully prosecuted.

A hearing aid dealer was sued after elderly people complained that the dealer charged high prices for hearing aids customers did not need or that were of no help. We seek the court's declaration that the contracts for the hearing aids are unconscionable and thus void.

Our consumer division has asked a court to force three discount buying clubs to disclose comparative price information and to permit new members to cancel within three days after they join. Just one of many complaints against them is that savings of 20 to 60 percent that have been promised to customers have not materialized.

After complaints that a furniture reupholsterer simply put a cover over old upholstery and often returned furniture minus cushions and decoration, we sued the firm and asked the court to declare that chronically and deliberately poor workmanship is a deceptive practice and a nuisance.

We have diligently enforced the new state law that prohibits pyramid sales schemes. Most recently, we prosecuted three such offenders, all of whom were found guilty of gross misdemeanors. Through civil injunctive proceedings we have shut down more than a half dozen of the operations.

We challenged the constitutionality of sending draftees to the Vietnam War and carried the case to the United States Supreme Court. Though we were unsuccessful in the courts in that case, we believe that we did bring to the attention of the entire nation the opposition of Minnesotans and their government to this war.

We successfully represented the Pollution Control Agency (PCA) in efforts to force Reserve Mining Co. to secure PCA approval of the method the firm will use to dispose of taconite tailings. The Minnesota Supreme Court has now held that Reserve must take its case to the PCA.

We are continuing our efforts to roll back a telephone rate increase, and we have filed a District Court appeal in this case.

Our antitrust division has recovered more than \$4 million for Minnesotans, compared with costs of some \$120,000 in prosecuting its cases.

Details

CONSUMERS

Thirty-one lawsuits have been filed by the Attorney General's consumer division. Twenty-nine suits were for fraud or false advertising. We have won 10 permanent injunctions. Eighteen cases are pending.

The consumer division also has pending 1 suit for a charities law violation and 1 against a corporation for operating in the state without authority.

Citizen complaints and inquiries have been handled at a rate of approximately 1,350 a month. More than \$10,000 a month has been saved or refunded Minnesotans.

Lawyers in the division have appeared at meetings of many groups to discuss consumer protection issues.

The division provides legal counsel for the Office of Consumer Services in the Department of Commerce.

SOLICITOR GENERAL

Pyramid sales. Pyramid sales schemes were flourishing in Minnesota, and we have brought them to a virtual halt. Just a few days ago we obtained a conviction of Holiday Magic, Inc., on a charge of committing a gross misdemeanor in violating the pyramid sales statute.

The Holiday Magic plan — typical of many — told people that simply by recruiting one distributor a month for one year, they could earn \$45,000. And those distributors, of course, were to be told precisely the same thing.

Civil injunctions have been obtained in 8 other cases against the operators of pyramid sales schemes.

Criminal cases. We lost none of the appeals to the Minnesota Supreme Court that we handled for outstate counties. There were 44 appeals. The Supreme Court affirmed convictions in 36 cases. Eight appeals are pending.

We helped outstate county attorneys with 26 criminal trials. The results were 18 convictions, 1 forfeited bond, 2 not guilty verdicts, 3 dismissals and 2 cases pending.

Two post-conviction hearings were handled. Both convictions were affirmed. Two requests for writs of habeas corpus were denied. One hundred twenty extraditions were handled, including 7 that required hearings.

Antitrust cases. Antitrust cases involved children's books, farm implements, cast-iron pipe, clothes, tubing, drugs, steel and plumbing fixtures.

Four of the suits have been settled, bringing awards of \$4,178,330.02 to Minnesotans at a cost of \$184,560.95. Four more suits are pending, including the first under the Minnesota Antitrust Act of 1971. We also secured the agreements of 10 car dealers on advertising practices.

Civil cases. Two hundred sixty civil cases on a variety of topics were added to our docket, while 134 cases were closed.

We litigated the state's challenge to the sending of draftees to Vietnam. The United States Supreme Court refused to hear the case on the merits.

Other significant cases included:

- A successful defense of the Minnesota Regional Development Act of 1969, challenged as unconstitutional.
- A defense of the residency requirement for divorces, challenged as unconstitutional. The trial court's decision for the state is on appeal.
- Defenses of 8 annexation, consolidation, detachment or incorporation orders of the Minnesota Municipal Commission. Trial courts affirmed the orders in 3 cases, 3 cases are pending and 2 are on appeal.
- An injunction prohibiting 3 corporations from holding themselves out as "better business bureaus" though they were unrelated to the well-known consumer offices.
- A pending attempt by the state to force Gift House to redeem stamp books for the amounts the firm advertised. We have received almost 1,000 contacts from citizens about Gift House practices.
- A defense of a Workmen's Compensation Commission order that owners of a corporation should reimburse the state for money it paid out because the corporation had no insurance. The Minnesota Supreme Court would not "pierce the corporate veil." Corrective legislation is being drafted.
- An injunction against a greeting card firm that advertised cards it did not have. It has left its Minnesota base.
- An injunction against a rock festival promoter who advertised bands with which he had no contracts.
- A suit against major car manufacturers for pollution. Pending.
- A suit against Sears, Roebuck and Co. for violation of the state usury law through the firm's "Easy Payment Plan." Pending.
- Suits against 22 uninsured employers. Four were won, 3 settled and 15 are pending. Judgments and settlements totaling \$122,935.47 were obtained.
- A pending suit to roll back a telephone rate hike.

ENVIRONMENT

Legal services provided to the Pollution Control Agency (PCA) included work on some 50 lawsuits. Twenty-eight were settled by agreements by defendants to undertake programs to comply with state standards. Eight of the programs are completed.

We have won 5 cases, 1 of them in the Minnesota Supreme Court, and lost 2, 1 of those in the United States Supreme Court. Some 14 cases are pending, 2 in the Minnesota Supreme Court.

In the very important case involving Reserve Mining Co., the Minnesota Supreme Court recently held that Reserve must secure PCA approval of the method to be used to dispose of taconite tailings.

The United States Supreme Court ruled that Minnesota could not set tougher standards than the Atomic Energy Commission for radioactive emissions from the Monticello plant of Northern States Power Co.

A suit is pending to require Bemidji to build sewage facilities.

We won a court order that Pollution Controls, Inc., must install a scrubber system to stop air pollution by the firm's liquid waste incinerator.

We have intervened in a case brought by a Freeborn County man to prevent construction of a county highway through a wildlife marsh. The suit, the first under the Minnesota Environmental Rights Act of 1971, is pending before the Minnesota Supreme Court.

We have helped negotiate 35 agreements that have resulted in installations of millions of dollars worth of pollution equipment.

Boise Cascade Corp. has agreed that its pulp and paper operation in International Falls will meet air quality standards.

Agreement is near with 3 firms to stop air and water pollution at Pine Bend.

A major project was work on adoption of the Minnesota Air Quality Implementation Plan, which includes all state air quality standards.

ADMINISTRATION

Legal activities for the Department of Administration included work on some 23 money claims against the state.

We contested and defeated before the Claims Commission 13 claims of state liability for personal injury. Three contests are pending. The commission allowed 4 uncontested claims.

One contract claim was contested and defeated. Another contested claim is pending.

A contested claim for lawyer's fees is pending.

We also worked on contracts, specifications, insurance, purchases, leases, land sales and condemnation, bids, title searches, easements, deeds, garnishments and liaison with federal officials.

HIGHWAYS

We appeared for the Highway Department in the following actions and proceedings:

Condemnations of land for highways. Ninety-two District Court hearings on petitions to condemn. Three hundred eighteen hearings before court-appointed commissioners to determine land value. Seventy-eight District Court trials on value. Seven Minnesota Supreme Court appeals.

Implied-consent proceedings to revoke licenses of drinking drivers who refuse to take an alcohol test. Municipal Court hearings—309 won, 93 lost, 53 dismissed, 20 pending. District Court trials — 51 won, 26 lost, 18 dismissed, 3 pending.

Claims by state against damagers of highways. Collected, mostly through negotiation, \$477,811.23.

UTILITIES AND TRANSPORTATION

Ten lawsuits involved work by the Attorney General for the Public Service Commission (PSC).

Federal Courts rejected state appeals from Interstate Commerce Commission (ICC) orders permitting abandonment of the Golden Valley-Wesota rail line and discontinuance of Twin Cities-Chicago passenger trains.

The Minnesota Supreme Court affirmed a PSC order granting an armored car firm authority to transport computerized banking materials.

A suit is pending to determine authority of the Metropolitan Transit Commission and the PSC to regulate chartered buses.

The Minnesota Supreme Court overturned a PSC order that asserted PSC jurisdiction over transmission of educational television by closed circuit microwave.

District Court appeals are pending from 5 PSC orders involving carrier routes and permits.

We prepared protests on behalf of the PSC to the Interstate Commerce Commission over 11 proposed abandonments of railroad service. The ICC has refused to permit one of the abandonments – the first successful protest by the PSC in 3 years – and has allowed 3. The other 7 proposals are pending.

We also helped with PSC hearings.

LABOR AND INDUSTRY

Legal services for the Department of Labor and Industry included:

An investigation of the collapse of a Shoreview television tower, a pending review of an attempt to cancel an apprenticeship contract, 2 pending actions against collection agencies, suspension of a fee employment service license, a public hearing on wages in the public housekeeping industry and collection of wages.

SPECIAL COMPENSATION

Minnesota law provides for a Special Compensation Fund to aid injured employees. We represented the fund in 573 pre-trial proceedings, 650 hearings, 175 depositions and 95 appeals to the Workmen's Compensation Commission.

WELFARE

We represented the Department of Public Welfare in:

Federal Court. Five cases are pending that involve challenges to public assistance policies, and 1 was settled. Two pending cases involve challenges to nursing home rate policies, and 2 other pending cases involve challenges to mental commitment laws.

Minnesota Supreme Court. We won 1 and lost 2 claims against estates of state hospital patients for care they received, won a case involving an administrative order of the commissioner and have pending a case that involves the opposition of the commissioner to an adoption.

District Court. The state won 1 suit brought by a nursing home trade association, and 2 others are pending.

Many claims were filed against the estates of hospital patients for care they received. Some 100 claims were in process at all times. The state recovers money in 85 percent of the cases. The average recovery is \$1,990.

NATURAL RESOURCES

Legal activity included:

Condemnations. Nine cases are pending, and 5 were closed.

Car confiscations. Four cases were closed.

Actions to quiet title. One case is pending, and 11 were closed.

Title registration actions. Sixteen cases are pending, and 54 were closed.

Other cases. Twenty-two cases are pending, and 10 were closed.

“Other cases” included a pending case in which a Federal Court has ruled Leech Lake Indians are not subject to state game and fish regulations, a case pending in Federal Court in which the Izaak Walton League and the state are trying to prevent mining in the Boundary Waters Canoe Area and a case pending in the Minnesota Supreme Court in which the state is trying to prevent the dumping of fill into a lake and to force the removal of fill already dumped.

We did other work for the department.

Hearings. Two hearings were held on snowmobile regulations, 3 on Boundary Waters Canoe Area regulations, 1 on regulations for water safety, 11 on water permit requests, 1 on underground gas storage and 1 before the Water Resources Board.

Commissioner’s orders. Forty-eight orders were issued on game and fish, 3 on migratory waterfowl and 32 for appointments and delegations.

Delinquent timber accounts. Two accounts were uncollectable, 44 were collected and 9 cases are pending.

Land exchanges. Eighteen exchanges are pending, and 20 were completed.

Claims. Twenty-nine were closed, and 1 is pending.

Land title work. Three hundred three titles were handled involving game and fish projects, 16 involving lands and forestry and 87 involving parks and recreation.

Document approvals. A total of 3,929 documents were approved.

We gave advice on 323 mineral leases covering 89,673 acres and on dams, lake levels, drainage, water obstructions, appropriation of water and utility crossings.

Some 100 pieces of legislation were drafted.

HUMAN RIGHTS

The member of our staff assigned to the Human Rights Department participated in 5 discrimination suits.

The Minnesota Supreme Court ordered property transferred to a black woman in 1 case, a District Court affirmed a hearing examiner's order of equal housing opportunity and \$295 in damages in another, a District Court refused to order a union to provide information the department requested, a District Court refused to issue an injunction against the Minneapolis Civil Service Commission and an appeal is pending of a hearing examiner's order of payment of \$12,400 in lost wages.

We also took part in 8 administrative hearings in discrimination cases, most involving employment. Relief included reinstatement to jobs, transfers of property, apologies, recovery of \$15,800 in lost wages, \$500 in damages and penalties and removal of discriminatory devices.

TAXES

Legal services for the Department of Taxation included:

Minnesota Supreme Court. Six cases won, 5 lost, 20 pending.

District Courts. Forty-two cases won, 6 lost, 131 settled, 202 pending.

Minnesota Tax Court. Twenty-seven cases won, 13 lost, 73 settled, 202 pending.

Probate Courts. One case won, 7 settled, 5 pending.

We started 4,019 actions in District Courts to collect income, sales or withholding taxes and obtained judgments in 1,324. In the others the tax was paid, the case was settled or the case is pending.

A total of \$810,038.83 was collected. Remaining to be collected are 3,358 accounts.

MANPOWER SERVICES

We represented the Department of Manpower Services in the following matters:

Collections of Unemployment Compensation Fund taxes from employers. A total of 1,071 suits were started in District Courts, 61 contested cases were disposed of, 756 judgments were docketed and 282 proofs of claim were filed in bankruptcy, probate, receivership and corporate dissolution proceedings. The decisions of the department were essentially upheld in 6 of 8 appeals of department decisions on corporate liability. A total of \$279,022.08 was collected.

Minnesota Supreme Court. The court supported the department in 6 cases. Five cases are pending.

Federal Court. Pending is a case to determine whether a recipient of unemployment compensation is entitled to a hearing before the compensation is suspended and, if so, what type of hearing.

PUBLIC EMPLOYEES RETIREMENT ASSOCIATION

Four cases in which the Public Employees Retirement Association (PERA) is a defendant are pending in District Courts.

In one of the cases a hospital is attempting to win exclusion of its employees from PERA coverage on the ground the hospital is unique and exempt under a special law.

LOCAL GOVERNMENT

The Attorney General's local government division is primarily involved in writing opinions to public officials. Other members of our staff help in writing the opinions.

BANKING

We represented the Banking Division of the Department of Commerce in appeals of 5 denials by the division of applications for state bank charters.

The Minnesota Supreme Court affirmed a decision of the division in one case, a District Court affirmed another decision, applicants dropped one appeal and 2 cases are pending.

An appeal by a bank of a division decision granting a charter for a new bank was dismissed. An appeal by objectors to the approval of a new savings and loan operation is pending.

A pending suit seeks to prevent a St. Paul bank from operating a detached facility. An injunction has been granted against a finance company that operated without a license and failed to register its trade name.

EDUCATION

Legal activities for the Department of Education included:

- Defenses of 4 appeals to District Courts of department orders to consolidate school districts. One case was won, and 3 are pending.
- A defense of a pending suit to stop payment of school transportation aid and to stop some types of transportation.
- A defense of a pending suit to prevent transfers of students.
- Defenses of 5 cases challenging the state's system of financing public education. Three were voluntarily dismissed, and 2 are pending.

The case statistics were:

Minnesota Supreme Court. One appeal pending.

District Courts. Four cases won, and 7 pending.

Federal Courts. Two cases won. One pending.

Bankruptcy. One case lost.

We assisted the department in revoking the license of a trade school for insolvency.

INSURANCE

Four cases involving the Insurance Division of the Department of Commerce were won, and 2 are pending.

The cases included:

- A pending suit to stop an insurer from doing business in Minnesota without a license and to collect \$90,000 in penalties.
- A successful suit to seize assets of an insurer liquidated in another state.
- A pending suit against an insurer for violation of insurance and unfair trade practice laws in advertising burial insurance.

We worked on several administrative proceedings, including:

Discipline of 4 agents, action against 2 health insurers for advertising practices, determination of the propriety of billing practices of an insurer, an insolvency order, approval of the takeover of one insurer by another, fining of an insurer for permitting unlicensed agents to sell policies and a refusal to grant a license to an agent.

We assisted in negotiations that led to changes in insurance practices, on investigations, on reviews of group health plans and on revision of laws regulating those and similar plans.

HIGHER EDUCATION

We represented the State College Board, State Junior College Board, Higher Education Coordinating Commission and Higher Education Facilities Authority.

Pending are 5 lawsuits by faculty members whose contracts were not renewed. We also helped with several administrative hearings on nonrenewals of teaching contracts and defended 2 dozen money claims against the state.

SECURITIES AND REAL ESTATE

We won 5 lawsuits involving the Securities Division of the Department of Commerce, and 2 are pending.

Among the cases were:

- Affirmation of the division's revocation of a real estate broker's license.
- An injunction against an issuer of unregistered securities. The case involved unusual securities, and the court gave a favorable ruling on a claimed exemption in securities law that had troubled the division for some time.

Legal activities of the division also included 17 administrative proceedings that led to suspension, revocation or cancellation of securities registrations; 1 proceeding that led to revocation of an exemption from registration of securities; 8 proceedings that resulted in suspension or revocation of securities broker-dealer or agent licenses; and 9 proceedings that led to 8 suspensions of real estate broker or salesman licenses.

One of the administrative proceedings led to the return of \$300,000 to Minnesotans by a securities issuer who failed to make full disclosure of the facts of his offering.

CORRECTIONS

Six suits involving the Department of Corrections were won by the state, 4 are pending and 2 were lost.

Most of the cases were attempts by prisoners to win release.

An important pending case is a suit by Stillwater Prison inmates that challenges disciplinary proceedings and other prison practices.

We also handled 22 money claims against the state.

OTHER AGENCIES

This office is counsel for more than 125 agencies of state government in addition to the agencies already mentioned.

Legal work for the agencies included condemnations, disciplinary action against license holders, defenses of money claims against the state, proceedings to discipline civil service employees, license applications and court cases.

The work included:

Agricultural Society. Nineteen misdemeanor violations at the State Fair were prosecuted. Fines totaling \$475 were collected.

Board of Medical Examiners. Pending is a suit over claims that a chiropractor is practicing medicine.

Board of Pharmacy. A case is pending to determine the validity of a state ban on drug advertising. Also pending is a suit by the board to shut down a pharmacist's "drop station" — a place outside the pharmacy where customers leave prescriptions with nonpharmacists and pick the drugs up from nonpharmacists. The board also revoked the license of a pharmacist who defrauded the Department of Public Welfare of more than \$100,000. The pharmacy was closed.

OTHER WORK

The Attorney General has several responsibilities in addition to lawsuits.

Our work included advice to constitutional officers and state legislators, attendance at agency meetings, answers to citizen inquiries, drafts and approvals of documents and forms, assistance with administrative hearings, drafts of rules and regulations, work on real estate transactions, advice on purchases, legal opinions and advice on disciplinary proceedings involving state employees.

Crime Statistics

The Division of Criminal Apprehension issues crime statistics. The agency formerly was under the Attorney General, but now is in the Department of Public Safety.

Legislation

We are preparing several pieces of legislation to propose to the 1973 Legislature, including proposals to protect consumers, control handguns, improve corrections, protect our environment and make highways safer.

Opinions

We call special attention to several opinions of general interest that the Attorney General issued during the biennium.

STATE SCHOOL AID

Minn. State. Sec. 124.14(2) (1969) authorizes payment of reimbursement aids for transportation, handicapped education and vocational education pursuant to Minn. Stat. Sec. 124.22, 124.32 and 124.57 (1969) respectively. A specific appropriation for the biennium is not required. Op. Atty. Gen. 9-a-13, Sept. 3, 1971.

NOTICE OF COUNCIL MEETINGS

The Faribault City Council is required by open meeting provisions of Minn. Stat. Sec. 471.705 (1969) and ch. 10 sec. 67 of the City Charter to give advance notice to the public of the time and place of a special meeting when matters acted upon at the meeting have not been raised at a prior public meeting or hearing of the Council. Op. Atty. Gen. 63a-5, Jan. 11, 1972.

AGE OF CANDIDATES

The eligibility qualifications of Minn. Const. art. 7 sec. 7 as amended at the general election on Nov. 3, 1970, apply to elective city offices and prevail over city charter provisions having conflicting qualifications for the offices. A city officeholder must be at least 21 even though a city charter does not require it. Op. Atty. Gen. 64, Jan. 29, 1971.

CITIZENSHIP OF FELONS

Minn. Stat. Sec. 609.165 (1969) provides for automatic restoration of civil rights for federal as well as state felons upon final discharge of sentence. Op. Atty. Gen. 68-h, Dec. 27, 1971.

COUNTY ETHICS CODES

A county may adopt a resolution containing a code of ethics for officials and employees. A code of ethics may not be adopted by ordinance. A requirement of disclosure of financial interests is not authorized. Op. Atty. Gen. 125-a-38, Oct. 8, 1971.

RACE OF VOTERS

A municipality cannot require nor request a registrant to indicate race or color when registering to vote. Voter registration forms cannot be designed in a manner to indicate the race or color of voters. Op. Atty. Gen. 183q, Nov. 29, 1971.

VOTER REGISTRATION

A commissioner of voter registration may appoint volunteer or non-salaried individuals as deputies. Designation of additional places for registration is not limited to publicly owned buildings. Op. Atty. Gen. 183q, Jan. 10, 1972.

FACILITIES FOR THE HANDICAPPED

Buildings paid for by any level of local government or its agencies are public buildings under Minn. Stat. Sec. 299F.43 (1969) and must be made accessible to and usable by the handicapped when substantial remodeling is done. Op. Atty. Gen. 197g, July 12, 1971.

SEAPLANE LANDINGS

The Commissioner of Aeronautics and some municipalities have the power to prohibit seaplane landings on waters in the state in cooperation with the Department of Natural Resources. Op. Atty. Gen. 234-a, May 11, 1972.

JUROR CHALLENGES

The number of peremptory challenges in criminal trials is governed by Minn. Stat. Sec. 631.27 (1969), providing for three challenges by the state and five by the defendant, and the number in civil trials is governed by Minn. Stat. Sec. 546.10 (1969) as amended in 1971, providing for two challenges by each party. Op. Atty. Gen. 260-a-16, June 30, 1972.

TEACHERS' STRIKES

Minn. Stat. Sec. 179.55 (1969) does not prohibit payment to striking teachers of "step and lane" salary increases provided under a pre-strike contract, because the increases are not benefits of the illegal strike but rather automatic increases for additional job qualifications. Op. Atty. Gen. 270-D, Feb. 26, 1971.

TEACHERS' MILITARY LEAVES

When teachers' compensation is based upon and computed according to actual teaching days, exclusive of weekends, the 15 days of military leave that Minn. Stat. Sec. 192.26 (1969) grants with pay should be applied to actual teaching days and not calendar days. Op. Atty. Gen. 310-H-1A, April 7, 1971.

VILLAGE MEDICAL CLINICS

A village is authorized to issue bonds for acquisition of a clinic for lease to private physicians when necessary to provide adequate and continuing health care for the village. Provision of adequate health care is a valid public and municipal purpose. The village council is to determine whether a particular action is in the municipal interest. Op. Atty. Gen. 469a-12, Aug. 12, 1971.

ADMISSIONS TAXES

A local tax on admissions to entertainment events constitutes a local "sales tax" and is prohibited by Laws 1971 Ex. Sess. ch. 31 art. XXI. Op. Atty. Gen. 519t, Dec. 9, 1971.

SPECIAL LAW SCHOOL STUDENTS

The University Law School's Special Admissions and Scholarship Program for disadvantaged and minority students does not violate the Minnesota State Act Against Discrimination. Op. Atty. Gen. 618-a-15, March 28, 1972.

INSPECTION OF PUBLIC RECORDS

The certificate that must be filed with every transfer of title showing the consideration for the transfer pursuant to Minn. Stat. Sec. 287.241 (1969) is a public record available for inspection by the general public. Op. Atty. Gen. 851-i, Dec. 22, 1971.

STUDED TIRES

Studded tires are prohibited after May 1, 1971. Op. Atty. Gen. 989a, Dec. 6, 1971.

DISCHARGE OF PSYCHOPATHS

The Commissioner of Public Welfare may not discharge a patient committed as mentally ill and dangerous or a psychopathic personality without a recommendation of a Special Review Board pursuant to Laws 1971 ch. 262. The procedures in Minn. Stat. Sec. 253A.19 (1969) are available to patients committed as psychopathic personalities. Op. Atty. Gen. 1008, May 30, 1972 .

