

property therein for collection in the following year, and shall be payable instead from the appropriation made by this section.

Subd. 5. The commissioner of finance shall issue to the state treasurer warrants for payment of one-half of the amount to the treasurer of the school district on or before July 15 and one-half thereof on or before November 15 in the following year, in lieu of the distributions of this amount otherwise payable by county treasurers at these times under the provisions of section 276.11.

Subd. 6. The amount of ~~\$7,500,000~~ necessary is annually appropriated from the general fund to the respective districts entitled to these payments, for expenditure in fiscal years beginning with fiscal year 1978. This appropriation shall not lapse until and unless otherwise provided by law, but shall be reduced by the amount of any funds specifically appropriated for the same purpose in any year from any state fund. In the event that the appropriation is revoked in any future year, the state board for vocational education shall certify this fact to each school district theretofore entitled to an aid credit under this subdivision.

Subd. 7. The appropriation heretofore made for post-secondary vocational debt service aid payable in the school year ending June 30, 1977, is confirmed, and the board shall continue to provide for the payment of debt service aids therefrom at or before the due dates of school district bonds and interest in that school year. In addition, the state board for vocational education shall pay to districts which expended cash balances to finance the construction of new post-secondary vocational facilities and which the state board prior to May 15, 1975 agreed to repay for these expenditures the amount of the repayment specified in the agreement. Funds received in repayment shall revert to the fund of origin in the district.

Sec. 29. **REPEALER.** Minnesota Statutes, 1977 Supplement, Sections 16.015 and 16.016 are repealed.

Sec. 30. **EFFECTIVE DATE.** This act is effective the day following final enactment.

Approved April 5, 1978.

---

CHAPTER 793-H.F.No.2527

[Coded in Part]

*An act relating to the organization and operation of state government; clarifying, supplementing, and providing for deficiencies in appropriations for the expenses of state government with certain conditions; providing for payment of claims; transferring certain duties and appropriations; shortening time for cancellation of certain drafts; clarifying campaign financing requirements; authorizing fees and special accounts in certain cases; clarifying certain salary limits; providing certain insurance benefits; eliminating preparation of insurance abstracts; requiring certain insurance coverage; authorizing use of prison industries*

Changes or additions indicated by underline deletions by ~~strikeout~~

*in railroad rehabilitation; eliminating duty of commerce commission to enforce cigarette unfair sales act; providing certain judicial branch compensation and fringe benefits; expanding membership and extending existence of advisory council on economic status of women; extending existence of legislative commission to study public broadcasting; limiting use of certain federal money by the department of education; exempting nursing home rates from certain limitations; exempting certain employees in the police department of the city of Rochester from certain requirements; appropriating money; amending Minnesota Statutes 1976, Sections 3.736, Subdivision 7; 3.98, Subdivisions 3 and 4; 10.15; 10A.02, Subdivision 1, as amended; 10A.20, Subdivision 3, as amended; 10A.27, Subdivision 4, as amended; 10.32, Subdivision 3, as amended; 16.32, Subdivision 1; 16A.128; 16A.15, Subdivision 1; 16A.60; 16A.67, Subdivision 2; 43.064; 43.12, by adding a subdivision; 60A.13, Subdivision 7; 60A.14, Subdivision 1; 62A.149, Subdivision 1; 125.183, by adding a subdivision; 136A.29, Subdivision 9; 222.50, Subdivision 3; 242.385, Subdivision 1; 299D.03, Subdivision 6; 325.74, Subdivision 1; 341.12; 480.13; and Chapter 16A, by adding sections; Minnesota Statutes, 1977 Supplement, Sections 15A.083, Subdivision 4, and by adding a subdivision; 16.125, Subdivisions 1 and 3; 16.72, Subdivision 7; 43.067, Subdivision 1; 43.42; 43.43, Subdivision 2; 120.17, Subdivision 7a; 136A.55; 139.18, Subdivision 2; 174.21; 298.28, Subdivision 1; 363.14, Subdivision 1; 473.591, Subdivision 3; 484.62; 484.68, Subdivision 6, and by adding subdivisions; amending Laws 1975, Chapter 158, Section 4; Laws 1976, Chapter 337, Sections 1, Subdivisions 2 and 4; and 4; Laws 1977, Chapter 421, Section 13, by adding a subdivision; Laws 1977, Chapter 445, Section 3, Subdivision 3; repealing Minnesota Statutes 1976, Sections 3.732, Subdivision 4; 16.171; 60A.13, Subdivisions 3 and 4; 162.19; 325.75, Subdivisions 1, 2 and 3; and 363.122.*

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:**

Section 1. **STATE GOVERNMENT; APPROPRIATIONS.** The sums set forth in the columns designated "APPROPRIATIONS" are appropriated from the general fund, or any other fund designated, to the agencies and for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1978", and "1979", wherever used in this act, mean that the appropriation or appropriations listed thereunder are available for the year ending June 30, 1978, or June 30, 1979, respectively.

**SUMMARY BY FUND**

	1978	1979	TOTAL
General	\$4,224,175	\$2,290,006	\$6,514,181
Game and Fish	5,000		5,000
Trunk Highway		50,000	50,000
<b>TOTAL</b>	<b>\$4,229,175</b>	<b>\$2,340,006</b>	<b>\$6,569,181</b>

**APPROPRIATIONS**

Available for the year  
Ending June 30,

1978                      1979

\$                                      \$

**Sec. 2. LEGISLATIVE  
COORDINATING COMMISSION**

For the Advisory Council on Economic  
Status of Women

70,000

**Changes or additions indicated by underline deletions by strikethrough**

**Sec. 3. LEGISLATIVE COMMISSION ON  
PENSIONS AND RETIREMENT**

5,000 12,000

These appropriations are added to the appropriations in Laws 1977, Chapter 455, Section 2, Subdivision 5.

**Sec. 4. SUPREME COURT**

Subdivision 1. Salaries and fringe  
benefits for district court  
administrators

125,938

This appropriation is added to the appropriation in Laws 1977, Chapter 432, Section 47, Subdivision 1.

Subd. 2. Salary increase for state  
court administrator

5,000

Subd. 3. State Judicial Information  
Systems Project

259,870

Subd. 4. The appropriations in subdivisions  
2 and 3 are added to the appropriations  
in Laws 1977, Chapter 455, Section 3,  
Subdivision 1.

**Sec. 5. ATTORNEY GENERAL**

Approved Complement

General - add 9

These positions and the sum of \$237,003 are subtracted from the approved complement and fiscal 1979 appropriation to the commissioner of public welfare in Laws 1977, Chapter 453, Section 2, Subdivision 1, and are added to the approved complement and appropriation to the attorney general for fiscal year 1979 in Laws 1977, Chapter 455, Section 16, Subdivision 1.

**Sec. 6. STATE PLANNING AGENCY**

Subdivision 1. Up to \$175,000 of the appropriation made in Laws 1977, Chapter 455, Section 19, Subdivision 2, to the state planning agency for human services board grants may be used to support the development of a human services data base, including, but not limited to, an examination of existing home care programs, their current funding sources and an estimate of additional services needed. Any money for human services board grants not encumbered by November 1, 1978, may be made available to any county as grants for improving management and planning for the delivery of human services. Applications shall be on forms approved by the state planning officer, and grants shall be awarded on the basis of earliest date of application. No grant shall exceed \$4,000.

Subd. 2. For completion of local  
government fiscal studies

75,000

This appropriation is added to the appropriation for this purpose in Laws 1977, Chapter 455, Section 19, Subdivision 3.

**Sec. 7. ADMINISTRATION**

Subdivision 1. For the state contribution  
to the Council of State Governments

8,910

This appropriation is added to the appropriation for general support in Laws 1977, Chapter 455, Section 20.

Subd. 2. For the personnel and expenses  
of the governor and attorney general elect

32,500

The maximum allowed is \$25,000 for the governor and \$7,500 for the attorney general.

**Changes or additions indicated by underline deletions by strikeout**

No money is available for incumbents who are reelected.

Subd. 3. The unencumbered balance of the appropriation made in Laws 1977, Chapter 455, Section 20 for an energy survey shall not cancel but shall be available until December 31, 1979.

Sec. 8. PERSONNEL

Approved Complement

General - add 1

Subdivision 1. For the PRIDE phases 1 and 2 of a personnel management information system 65,000

This appropriation is available until June 30, 1979.

Subd. 2. Services to political subdivisions 12,530 12,562

These appropriations are added to the appropriations for personnel technical services in Laws 1977, Chapter 455, Section 23.

Subd. 3. Notwithstanding the provisions of Laws 1977, Chapter 455, Section 23, in fiscal year 1979 each state department shall use a proportion of its training money, equal to the ratio of schedule "C" civil service employees to total department employees, for special career training programs for schedule "C" civil service employees. When the ratio is greater than 50 percent, the department shall not be required to use more than 50 percent of its training money for the purpose of this subdivision.

Sec. 9. PERSONNEL BOARD 45,571

Sec. 10. REVENUE

Approved Complement - add 8

Subdivision 1. To collect, audit, and administer the stadium liquor tax 100,000 89,000

Subd. 2. To audit and enforce production tax on taconite and iron sulphides 50,000

Subd. 3. Compilation and analysis of mineral exploration data, pursuant to section 298.48 150,000

Subd. 4. The appropriations in subdivision 1 are added to the appropriations for income, sales and use tax management, and the appropriations in subdivisions 2 and 3 are added to the appropriation for property and special taxes management, in Laws 1977, Chapter 455, Section 25.

Subd. 5. Any unencumbered balance at the end of the first year of the biennium from the \$300,000 appropriated to the commissioner by Laws 1977, Chapter 423, Article XI is available for the second year and is added to the second year appropriation for revenue management, income, sales and use tax management, and property and special taxes management in Laws 1977, Chapter 455, Section 25.

Sec. 11. AGRICULTURE

Approved Complement

General - add 4

Special - subtract 2

Subdivision 1. For agricultural commodity promotion councils 22,518 78,000

Subd. 2. For market development and

Changes or additions indicated by underline deletions by strikeout

promotion 71,400

This appropriation is available until June 30, 1979.

Subd. 3. For a grant to conduct a feasibility study for an agricultural processing plant 10,000

Sec. 12. NATURAL RESOURCES

Approved Complement

General - add 20

Building - add 7

Game and Fish - subtract 9

Six of these new persons are regional trails coordinators, who shall be in the unclassified service. This complement increase is only until June 30, 1979, unless extended by law.

One person is a park manager for St. Croix Wild River state park.

Subdivision 1. The appropriation in Laws 1977, Chapter 455, Section 28, for peat studies in fiscal 1978 is available until June 30, 1979.

Subd. 2. For controlling smelt fishing activities on the north shore 5,000

This appropriation is added to the appropriation for this purpose for fiscal 1978 in Laws 1977, Chapter 455, Section 28.

This appropriation is from the game and fish fund.

Sec. 13. POLLUTION CONTROL AGENCY

The appropriation for 1977 in Laws 1977, Chapter 455, Section 31, Subdivision 2 is available until June 30, 1979.

Sec. 14. ENERGY AGENCY

The commissioners of agriculture and economic development and the directors of the energy and pollution control agencies shall jointly review all proposals by Minnesota organizations and individuals for pilot projects for production and marketing of industrial hydrocarbons derived from agricultural commodities and forest products pursuant to the Food and Agriculture Act of 1977, Pub. L. No. 95-113, Section 1420, 91 Stat. 998 (1977), and shall select one proposal to be recommended to the legislative commission on Minnesota resources for endorsement and promotion by the state of Minnesota when it is submitted to the secretary of agriculture for funding.

The director of the energy agency shall prepare and submit a work program and furnish progress reports every two months to the legislative commission on Minnesota resources.

Sec. 15. COMMERCE

Approved Complement

General - subtract 1

Federal - add 1

Subdivision 1. To provide sufficient money for continuation of implementation of a statewide licensing system for nonhealth related licensing boards 150,000

This appropriation is available until June 30, 1979.

Subd. 2. Of the appropriation made in Laws 1977, Chapter 453, Section 2, Subdivision 3, to the commissioner of public welfare for income maintenance, \$200,000 is transferred and appropriated to the commissioner of insurance for the biennium ending June 30, 1979 to reimburse the comprehensive health association for the first \$200,000 of claims expenses of the state plan incurred after June 30, 1978 which are in excess of premium

Changes or additions indicated by underline deletions by strikeout

payments allocated to the payment of benefits.

Notwithstanding any law to the contrary, insurers, fraternal and health maintenance organizations which are members of the association may recover any claims expenses and operating and administrative expenses of the association assessed against them through accident and health insurance premiums, subscriber contract charges, or health maintenance organization contract charges.

Notwithstanding the provisions of section 62E.08, subdivision 2, premiums charged for the state plan shall not exceed 125 percent of the premiums determined pursuant to section 62E.08, subdivision 1, except as this applies to health maintenance organizations whose charges for the state plan shall be based on generally accepted actuarial principles.

**Sec. 16. BOARD OF ACCOUNTANCY** 9,555

Approved Complement - add 1

This appropriation is added to the appropriation for fiscal 1979 in Laws 1977, Chapter 455, Section 36.

**Sec. 17. BOARD OF PEACE OFFICER STANDARDS AND TRAINING**

Approved Complement - add 2

**Sec. 18. ECONOMIC DEVELOPMENT**

Approved Complement - add 1

Subdivision 1. For development and promotion of markets for agricultural products 28,600

This appropriation is available until June 30, 1979.

Subd. 2. For an expanded tourism program 633,000

This appropriation is added to the appropriation for tourism industry services for fiscal 1979 in Laws 1977, Chapter 455, Section 48.

The limitations in that section on the amounts spent for tourism advertising and promotion and for tourism grants in fiscal 1979 are cancelled.

The amounts that may be expended for each purpose are as follows:

Media advertising	\$200,000
Promotion	33,000
Statewide marketing research	100,000
Matching grants to regional tourism organizations	70,000

Each regional tourism organization shall report to the commissioner of economic development by October 1, 1979 on the expenditure of money from this appropriation. The commissioner shall compile the reports and submit them to the legislature by November 15, 1979.

Matching grants to local and statewide organizations for special events	80,000
---	--------

Additional tourism publications	150,000
---------------------------------	---------

The nonstate match for tourism projects may be supplied from public money, private contributions, or both, but shall not include revenue from advertising in tourism publications.

**Sec. 19. PUBLIC SAFETY**

Approved Complement

General - add 16

Changes or additions indicated by underline deletions by ~~strikeout~~

Trunk Highway - subtract 12

Subdivision 1. Money appropriated for the criminal justice data communications network for fiscal 1978 by Laws 1977, Chapter 455, Section 51 is available until June 30, 1979.

Subd. 2. For assisting prevention of crimes and fires.

The appropriation for purchase of drugs and acquisition of information relating to possession and sale of controlled substances in Laws 1977, Chapter 455, Section 51 is decreased by \$100,000. The appropriation for purchase of contraband and information relating to receiving or selling stolen goods in Laws 1977, Chapter 455, Section 51 is decreased by \$50,000. These amounts are transferred and reappropriated for the purposes indicated in this subdivision.

Of this transfer, \$42,000 is for the purpose of investigating cross jurisdictional criminal activity. County sheriffs or the chief administrative officer of city police departments may use this amount for criminal investigatory activity, including purchase of information, relating to violations of section 609.32, subdivision 2 or subdivision 3 paragraphs 3 or 6. Application for funds, and reports at the conclusion of investigations, shall be made as provided in Laws 1977, Chapter 455, Section 51.

\$37,000 is for two laboratory analysts to assist in the program for victims of sexual assault.

\$46,000 is for the establishment of programs by the superintendent of the bureau of criminal apprehension for training peace officers and firefighters in the conduct of investigations relating to the origin and cause of fires. Courses shall include fire scene investigation and preservation of evidence, interviewing of witnesses and suspects, constitutional limits on interrogation by sworn and nonsworn officers, and other topics deemed necessary to the successful criminal investigation of arson and crimes related thereto. No more than \$38,000 shall be expended for reimbursing political subdivisions at a rate not to exceed 50 percent of the salaries of peace officers and firefighters for time spent in attending fire investigation courses offered by the bureau. Volunteer firefighters or peace officers from political subdivisions shall be reimbursed at a rate not to exceed \$35 per day plus expenses incurred in attending fire investigation training courses offered by the bureau. Reimbursement shall be made only in the event that both a peace officer and a firefighter from the same political subdivision attend the same training course. An officer from the county sheriffs office shall satisfy the reimbursement requirement in the event a political subdivision does not have a local police department.

\$25,000 is for use by the commissioner for reimbursing political subdivisions who enter into agreements to perform uniform fire code inspections required by chapters 299F and 299I. Nothing herein shall be construed as shifting or imposing any tort liability on political subdivisions that perform fire code inspections under agreement with the commissioner.

The commissioner of public safety may transfer unencumbered balances among the items listed in this subdivision.

These appropriations are available until June 30, 1979.

Subd. 3. For overtime, lodging, and expense costs of highway patrol personnel directly attributable to the power line dispute.

1,000,000

Subd. 4. The limitation in Laws 1977, Chapter 455, Section 51 on fiscal 1978 and 1979 spending for air patrolling of highways is cancelled. The commissioner of public safety

Changes or additions indicated by underline deletions by strikeout

may assign up to nine pilots to the air patrolling of highways. Notwithstanding the provisions of that section, the commissioner of public safety need not continue the air watch traffic patrol.

Subd. 5. Money appropriated for a study of noise monitoring devices by Laws 1977, Chapter 454, Section 3, Subdivision 11 is available until June 30, 1979.

Subd. 6. For training of highway patrol personnel 50,000

This appropriation is from the trunk highway fund.

Sec. 20. CRIME CONTROL PLANNING BOARD

Approved Complement - subtract 12

General - subtract 3

Federal - subtract 9

Subdivision 1. To offset a decline in appropriations of federal money 500,000

Of this appropriation, \$196,000 is for grants to regional and local units of government for planning purposes.

This appropriation is added to the appropriation for fiscal year 1979 in Laws 1977, Chapter 455, Section 11, Subdivision 4.

If federal Part B money received by the board and available for expenditure in fiscal 1979 exceeds \$535,000, this appropriation is reduced by the amount of the excess, with 57 percent of the reduction allocated to the appropriation for grants to regional and local units of government for planning purposes.

Subd. 2. For grants for youth intervention programs, pursuant to section 97 of this act 250,000

This appropriation is available until June 30, 1979.

Sec. 21. HUMAN RIGHTS

32,900

Approved Complement

General - add 1

Sec. 22. HOUSING FINANCE AGENCY

Approved Complement

1979 - 99

The spending limit on cost of general administration of agency programs for fiscal year 1979 is \$2,235,037.

Sec. 23. DEPARTMENT OF EDUCATION

Approved Complement

1979

General - add 1

Subdivision 1. For the purpose of planning an educational residential facility for blind and multiply handicapped students and for remodeling at the Minnesota school for the deaf to provide temporary accommodations for the multiply handicapped students presently residing in Dow Hall at the Minnesota braille and sight-saving school 123,700

This appropriation is available until June 30, 1979.

Changes or additions indicated by underline deletions by ~~strikeout~~

Subd. 2. Substitutes for teachers assisting the board of teaching, pursuant to section 125.183, subdivision 6 25,900

Subd. 3. Of the appropriation in Laws 1977, Chapter 449, Section 2, Subdivision 3, Clause (a), for fiscal 1978, \$150,000 is available until June 30, 1979 for ancillary and support services, which may be provided for by contract or otherwise, and \$40,000 is available until June 30, 1979 for the salary and expenses of the state schools coordinator, both at the Minnesota school for the deaf and the braille and sight-saving school.

Subd. 4. For the purpose of payments to school districts for preschool screening programs 410,000

This appropriation is in addition to the sum appropriated for this purpose for fiscal year 1978 in Laws 1977, Chapter 437, Section 6, Subdivision 2, Clause (b).

The rules adopted by the state board of education and the commissioner of health to govern the preschool screening program shall unconditionally permit registered nurses to perform those components of the screening program that can be performed by a nurse.

In selecting personnel to implement the preschool screening program, school districts shall give priority first to volunteers and second to persons possessing the minimum qualifications required by the rules adopted by the state board of education and the commissioner of health.

No preschool screening program shall provide laboratory tests, a health history or a physical exam to any child who has been provided with those laboratory tests or a health history or physical examination within the previous 12 months. The school district shall request the results of any laboratory test, health history or physical examination within the 12 months preceding a scheduled preschool screening clinic.

Sec. 24. STATE HORTICULTURAL SOCIETY  
For the garden state project 55,700

Sec. 25. MINNESOTA HISTORICAL SOCIETY  
Subdivision 1. Operations, management, and maintenance of Hill House 153,892

This appropriation is available until June 30, 1979.

Subd. 2. For payment to the Minnesota International Center for its educational, cultural, and economic programs 15,000

This appropriation is available until June 30, 1979.

Sec. 26. STATE ARTS BOARD 35,000

To be distributed by the board immediately upon receipt to the West Central Minnesota Educational Television station. The money may be used to defer operating and debt expenses of the station.

This appropriation is available until expended.

Sec. 27. TRANSPORTATION  
Approved Complement  
Trunk Highway - subtract 7  
Subdivision 1. For public transit assistance 1,300,000

This appropriation is added to the appropriation for special services for the handicapped grants in Laws 1977, Chapter 454, Section 5, Subdivision 1. Of the total of these two appropriations, 80 percent shall be paid to the Twin Cities area metropolitan transit

Changes or additions indicated by underline deletions by ~~strikeout~~

commission for continuation and expansion of "project mobility" and 20 percent shall be transferred to the appropriation in that subdivision for paratransit service demonstration grant programs and shall be used for grants for special services for the handicapped in the metropolitan area. The amount for "project mobility" shall be paid pursuant to the public transit subsidy program without regard to the operating deficit of the project. The amount to be used for paratransit service demonstration grants shall not be subject to the \$1,000,000 limitation on grants to the metropolitan transit commission imposed by Laws 1977, Chapter 454, Section 5, Subdivision 1.

Any person operating or assisting the operation of a vehicle while employed by a program such as "project mobility" may leave the vehicle to enter premises in order to assist a person who does not require emergency ambulance service to gain access and entrance to the vehicle.

Subd. 2. For a study of informational needs of travelers and visitors 40,000

The commissioner of transportation shall, in cooperation with the commissioner of economic development and other interested parties, conduct a survey of providers and users of facilities in Minnesota oriented to tourists and other travelers and visitors to identify their informational needs including but not limited to directional signing and recommend to the legislature by January 1, 1979 alternative proposals for providing information to motorists about Minnesota facilities.

The commissioners of transportation and economic development shall prepare and submit a work program by May 17, 1978 and furnish reports every two months to the legislative commission on Minnesota resources. None of the moneys provided in this subdivision may be expended unless the commission has approved the work program.

#### Sec. 28. HEALTH

Subdivision 1. To provide money for continuation of implementation of a statewide licensing system for health related licensing boards 100,000

This appropriation is available until June 30, 1979.

Subd. 2. To furnish health services pursuant to the 1976 edition of Minnesota Statutes, Section 145.922, Subdivision 1 75,000

Subd. 3. To furnish Indian health services pursuant to Minnesota Statutes, Section 145.922, Subdivision 2 75,000

Subd. 4. For wells, soil and chemical analysis, geological and hydrological studies, well abandonment and laboratory testing for model design 200,000

This appropriation is available until June 30, 1979.

Subd. 5. Of the appropriation made in Laws 1977, Chapter 455, Section 10, Subdivision 2, up to \$100,000 may be expended under the provisions of Minnesota Statutes, Section 3.30, for a monitoring program of the or - 400 kv direct current and the 500 kv alternating current transmission lines presently under construction in Minnesota. The commissioner of health shall supervise the monitoring program, which shall be directed toward features of the lines posing possible health and safety risks for individuals and livestock.

The commissioner of health shall report the results of the monitoring to the legislature by

Changes or additions indicated by underline deletions by ~~strikeout~~

March 1, 1979. This subdivision is effective July 1, 1978.

Sec. 29. CORRECTIONS

Subdivision 1. To the prison revolving account to replace fire losses to raw materials in the cordage building in June, 1977	80,000
--	--------

Subd. 2. To pay legal settlement awarded an inmate for damage to his hand in an industrial accident	50,000
---	--------

Subd. 3. To establish a secure recreation area at the Northwest Regional Correction Center	11,500
--	--------

This appropriation is available until June 30, 1979.

Sec. 30. PUBLIC WELFARE

Approved Complement

Program and administrative support - add 3 Subdivision 1. Alcohol and drug abuse programs for American Indians	47,500
--	--------

This appropriation is added to the appropriation in Laws 1976, Chapter 125, Section 10, Subdivision 3.

Subd. 2. The appropriation made in Laws 1977, Chapter 453, Section 21 for expenditure in Ramsey, Washington and Dakota counties shall be proportionately distributed to the appropriate county welfare departments on the basis of each county's census of mentally ill residents at Hastings state hospital for the five year period ending May 1, 1978. These counties shall expend this appropriation for residential mental health treatment for residents who were discharged from Hastings state hospital after June 30, 1973. This appropriation shall be used by the counties as reimbursement for treatment provided between May 20, 1977 and June 30, 1979. Ramsey, Washington and Dakota counties shall each present a report to the 1979 legislature detailing the expenditure of this appropriation. This is a final and non-recurring appropriation.

Sec. 31. UNEMPLOYMENT COMPENSATION

To the commissioner of finance for transfer to the unemployment compensation fund in reimbursement for unemployment compensation benefits paid to former employees of the bicentennial commission	11,135
---	--------

Sec. 32. Minnesota Statutes 1976, Section 3.736, Subdivision 7, is amended to read:

Subd. 7. PAYMENT. A state agency, including any entity defined as part of the state in section 3.732, subdivision 1, clause (1), incurring a tort claim judgment or settlement obligation or whose employees acting within the scope of their employment incur the obligation ~~may shall~~ seek approval to make payment ~~from money appropriated for this purpose~~ by submitting a written request to the commissioner of finance. The request shall contain a description of the tort claim precipitating the request, specify the amount of the obligation and be accompanied by copies of judgments, settlement agreements or other documentation relevant to the obligation for which the agency is seeking payment. Upon receipt of the request and review of the claim, the commissioner

Changes or additions indicated by underline deletions by ~~strikeout~~

of finance shall transfer money necessary to pay the obligation to the agency determine the proper appropriation from which to make payment. If there is sufficient money in an appropriation or combination of appropriations to the agency for its general operations and management to allow the claim to be paid from that source without unduly hindering the operation of the agency, the commissioner shall direct that payment be made from that source. Claims relating to activities paid for by appropriations of dedicated receipts shall be paid from those appropriations if practicable. If the commissioner determines that an agency has sufficient money in these appropriations to pay only part of a claim, the commissioner shall pay the remainder of the claim from the money appropriated to him for this purpose. If the commissioner determines that the agency does not have sufficient money to pay any part of the claim, the commissioner shall pay all of the claim from money appropriated to him for this purpose. On January 1 and July 1 of each year, the commissioner of finance shall transmit to the legislature and to the chairmen of the house appropriations and senate finance committees copies of all requests in the preceding six months together with a report on the transfers payments made with respect to each request. Payment shall be made only upon receipt of a written release by the claimant in a form approved by the attorney general, or the person designated as the university attorney, as the case may be.

No attachment or execution shall issue against the state.

Sec. 33. Minnesota Statutes 1976, Section 3.98, Subdivision 3, is amended to read:

Subd. 3. A copy of the fiscal note shall be delivered to the chairman of the committee of appropriations of the house of representatives, the chairman of the committee of finance of the senate, the chairman of the standing committee to which the bill has been referred, to the chief author of the bill and to the commissioner of administration finance.

Sec. 34. Minnesota Statutes 1976, Section 3.98, Subdivision 4, is amended to read:

Subd. 4. The commissioner of administration finance shall prescribe a uniform procedure to govern the departments and agencies of the state in complying with the requirements of this section.

Sec. 35. Minnesota Statutes 1976, Section 10.15, is amended to read:

**10.15 TIME OF CANCELATION.** No draft or account for a sum in excess of \$25 \$100 shall be canceled until more than six years after the issuance of such draft or the due date of such account, and nothing in sections 10.12 to 10.15 shall be construed as a cancellation or abandonment of the state's claim against the person or corporation against whom the canceled draft was drawn or account held, but the state shall nevertheless have authority to make collection thereof.

Sec. 36. Minnesota Statutes 1976, Section 10A.02, Subdivision 1, as amended by Laws 1978, Chapter 463, Section 19, is amended to read:

**10A.02 BOARD OF ETHICAL PRACTICES.** Subdivision 1. There is hereby Changes or additions indicated by underline deletions by strikeout

created a state ethical practices board composed of six members. The members shall be appointed by the governor with the advice and consent of three-fifths of both the senate and the house of representatives acting separately. If either house fails to confirm the appointment of a board member within 45 legislative days after his appointment, or by adjournment sine die, whichever occurs first, the appointment shall terminate on the day following the 45th legislative day or on adjournment sine die, whichever occurs first. If either house votes not to confirm an appointment, the appointment terminates on the day following the vote not to confirm. One member shall be a former member of the legislature from a major political party different from that of the governor; one member shall be a former member of the legislature from the same political party as the governor; two members shall be persons who have not been public officials, held any political party office other than precinct delegate, or been elected to public office for which party designation is required by statute in the three years preceding the date of their appointment; and the other two members shall not support the same political party. No more than three of the members of the board shall support the same political party.

Sec. 37, Minnesota Statutes 1976, Section 10A.20, Subdivision 3, as amended by Laws 1978, Chapter 463, Section 52, is amended to read:

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

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

(b) The name, address and employer, or occupation *if self-employed*, of each individual, political committee or political fund who within the year has made one or more transfers or donations in kind to the political committee or political fund, including the purchase of tickets for all fund raising efforts, which in aggregate exceed \$50 for legislative candidates or \$100 for statewide candidates, together with the amount and date of each transfer or donation in kind, and the aggregate amount of transfers and donations in kind within the year from each source so disclosed. A donation in kind shall be disclosed at its fair market value. An approved expenditure is listed as a donation in kind. A donation in kind is considered consumed in the reporting period in which it is received. The names of contributors shall be listed in alphabetical order;

(c) The sum of contributions to the political committee or political fund during the reporting period;

(d) Each loan made or received by the political committee or political fund within the year in aggregate in excess of \$100, continuously reported until repaid or forgiven, together with the name, address, occupation and the principal place of business, if any, of the lender and any endorser and the date and amount of the loan. If any loan made to the principal campaign committee of a candidate is forgiven at any time or repaid by any entity other than that principal campaign committee, it shall be reported as a contribution for the year in which the loan was made:

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

(f) The sum of all receipts of the political committee or political fund during the

Changes or additions indicated by underline deletions by ~~strikeout~~

reporting period;

(g) The name and address of each individual or association to whom aggregate expenditures, including approved expenditures, have been made by or on behalf of the political committee or political fund within the year in excess of \$100, together with the amount, date and purpose of each expenditure and the name and address of, and office sought by, each candidate on whose behalf the expenditure was made and, in the case of independent expenditures made in opposition to a candidate, the name, address and office sought for each such candidate;

(h) The sum of all expenditures made by or on behalf of the political committee or political fund during the reporting period;

(i) The amount and nature of any advance of credit incurred by the political committee or political fund, continuously reported until paid or forgiven. If any advance of credit incurred by the principal campaign committee of a candidate is forgiven at any time by the creditor or paid by any entity other than that principal campaign committee, it shall be reported as a donation in kind for the year in which the advance of credit was incurred;

(j) The name and address of each political committee, political fund, or principal campaign committee to which aggregate transfers in excess of \$100 have been made within the year, together with the amount and date of each transfer;

(k) The sum of all transfers made by the political committee, political fund, or principal campaign committee during the reporting period;

(l) For principal campaign committees only, the sum of noncampaign disbursements made in each category listed in section 10 of this act ~~by the political committee, political fund, or principal campaign committee~~ during the reporting period; and

(m) The sum of all noncampaign disbursements made by the political committee, political fund, or principal campaign committee during the reporting period.

Sec. 38. Minnesota Statutes 1976, Section 10A.27, Subdivision 4, as amended by Laws 1978, Chapter 463, Section 78, is amended to read:

Subd. 4. For the purposes of this section, a political party means the aggregate of the party organization within each house of the legislature, the state party organization, and the party organization within congressional districts, counties, legislative districts, municipalities, and precincts.

Sec. 39. Minnesota Statutes 1976, Section 10A.32, Subdivision 3, as amended by Laws 1978, Chapter 463, Section 98, is amended to read:

**Changes or additions indicated by underline deletions by ~~strikeout~~**

Subd. 3. As a condition of receiving any moneys from the state elections campaign fund, a candidate shall agree by stating in writing to the board that (a) his expenditures and approved expenditures shall not exceed the expenditure limits as set forth in section 10A.25 and that (b) he shall not accept contributions or allow approved expenditures to be made on his behalf for the period beginning with January 1 of the election year or with the registration of his principal campaign committee, whichever occurs later, and ending December 31 of the election year, which aggregate contributions and approved expenditures exceed the difference between the amount which may legally be expended by him or on his behalf, and the amount which he receives from the state elections campaign fund. The agreement, insofar as it relates to the expenditure limits set forth in section 10A.25, remains effective until the dissolution of the principal campaign committee of the candidate or the opening of filings for the next succeeding election to the office held or sought at the time of agreement, whichever occurs first. Beginning in 1980, money in the account of the principal campaign committee of a candidate on January 1 of the election year for the office held or sought shall be considered contributions accepted by that candidate in that year for the purposes of this subdivision. Notwithstanding the effective date of this section, for 1978, the period for determining the aggregate contribution and approved expenditure limit agreed to pursuant to this subdivision shall begin January 1, 1978. That amount of all contributions accepted by a candidate in an election year which equals the amount of noncampaign disbursements made by that candidate in that year, and the amount of contributions received and approved expenditures made between January 1, 1978, and February 28, 1978 which equals the amount of expenditures made between January 1, 1978, and February 28, 1978, for goods consumed and services used before February 28, 1978, shall not count toward the aggregate contributions and approved expenditure limit imposed by this subdivision. Any amount by which his aggregate contributions and approved expenditures agreed to under clause (b) exceed the difference shall be returned to the state treasurer in the manner provided in subdivision 2. In no case shall the amount returned exceed the amount received from the state elections campaign fund.

The candidate may submit his signed agreement to the filing officer on the day he files his affidavit of candidacy or petition to appear on the ballot, or he may submit the agreement to the board no later than September 1.

The board prior to the first day of filing for office shall forward forms for the agreement to all filing officers. The filing officer shall without delay forward signed agreements to the board. An agreement may not be rescinded after September 1.

For the purposes of this subdivision only, the total amount to be distributed to each candidate is calculated to be his share of the total estimated funds in his party account as provided in subdivision 3a, plus the total amount estimated as provided in subdivision 3a to be in the general account of the state elections campaign fund and set aside for that office divided by the number of candidates whose names are to appear on the general election ballot for that office. If for any reason the amount actually received by the candidate is greater than his share of the estimate, and his contributions thereby exceed the difference, the agreement shall not be considered violated.

Sec. 40. Minnesota Statutes, 1977 Supplement, Section 15A.083, Subdivision 4, is

Changes or additions indicated by underline deletions by ~~strikeout~~

amended to read:

**Subd. 4. 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	\$35,000
<del>State court administrator</del>	<del>27,400-37,400</del>
District administrator	25,000-35,000
County attorneys	
council executive	
director	20,400-29,700

Sec. 41. Minnesota Statutes, 1977 Supplement, Section 15A.083, is amended by adding a subdivision to read:

Subd. 4a. The salary of the state court administrator shall not exceed 90 percent of the salary of an associate justice of the supreme court.

Sec. 42. Minnesota Statutes, 1977 Supplement, Section 16.125, Subdivision 1, is amended to read:

**16.125 TRANSFER OF PERSONNEL, POWERS, DUTIES.** Subdivision 1. The commissioner of administration, in order to improve efficiency or avoid duplication, may transfer personnel, powers, or duties, and personnel necessary to perform the powers or duties, of or any combination of them, from a department or agency to another department or agency that has been in existence for at least one year prior to the date of transfer. A transfer must have received the prior approval of the governor. The commissioner of administration shall no later than January 15 of each year submit to the legislature a bill making all statutory changes required by reorganization orders issued by the commissioner during the preceding calendar year.

Sec. 43. Minnesota Statutes, 1977 Supplement, Section 16.125, Subdivision 3, is amended to read:

Subd. 3. The commissioner of finance shall determine the fractional part of the appropriation to the department or agency from which the personnel, power, or duty is transferred represented by that transferred personnel, power, or duty, and that part of the appropriation is hereby reapportioned to the transferee department or agency.

Sec. 44. Minnesota Statutes 1976, Section 16.32, Subdivision 1, is amended to read:

**16.32 PLANS AND SPECIFICATIONS; LIMITATIONS.** Subdivision 1. When an appropriation is made to the commissioner of administration for an improvement or building costing more than \$50,000, he shall prepare the plans for all improvements of buildings costing more than \$1,000, for which he may recommend an appropriation it. These plans shall be paid for out of any money in the state treasury, not otherwise appropriated; but when an appropriation has been made for the purpose of improving or

Changes or additions indicated by underline deletions by strikeout

constructing such ~~the~~ building; ~~the fund from which payment for plans was made shall be reimbursed from such appropriation; and.~~ No part of the balance shall be expended until the commissioner has secured suitable plans and specifications, prepared by a competent architect or engineer, and accompanied by a detailed statement of the amount, quality, and description of all material and labor required for the completion of the work; ~~and.~~ No plan shall be adopted, and no improvement made or building constructed, that contemplates the expenditure for its completion of more money than the appropriation therefor, unless otherwise provided in the act making the appropriation. In no event shall the commissioner direct or permit any expenditure beyond that appropriated ~~or contemplated by law~~, and any agent of the commissioner violating this provision shall be guilty of a gross misdemeanor.

Sec. 45. Minnesota Statutes, 1977 Supplement, Section 16.72, Subdivision 7, is amended to read:

Subd. 7. **SURCHARGE FOR VEHICLES OCCUPIED BY ONE PERSON.** The commissioner of administration shall impose a surcharge of 25 percent for vehicles occupied by only one person parking in a state parking facility in the capitol area, as described by section 15.50, subdivision 2. The revenue from this additional charge shall be placed by the commissioner in a special account. For the benefit of employees employed in the capitol area, the money in the account is appropriated to the commissioner and shall be used by the commissioner to acquire or lease commuter vans pursuant to section 16.756 and, within such limits and upon such conditions as the commissioner determines to be necessary, to reimburse state departments or agencies for costs resulting from agreements with the metropolitan transit commission or other operators pursuant to section 473.409. The commissioner may adopt rules necessary to administer the provisions of this subdivision, subdivision 5, and section 473.409. The rules may exempt from the surcharge vehicles operated by persons who the commissioner determines have job requirements that make car pooling impractical.

Sec. 46. Minnesota Statutes 1976, Section 16A.128, is amended to read:

16A.128 **FEE ADJUSTMENTS.** The fees fixed for the various accounts for which appropriations are made by law, shall be neither increased nor decreased except with the approval of the commissioner of finance. All such fees shall be reviewed at least once each six months, and such adjustments shall be made to the end that the total fees received shall approximate the amount appropriated for the several funds. Fee adjustments authorized under this section may be made without a public hearing when the total fees will not exceed the amount of the direct appropriation.

Sec. 47. Minnesota Statutes 1976, Section 16A.15, Subdivision 1, is amended to read:

16A.15 **ACCOUNTING SYSTEM; ALLOTMENT AND ENCUMBRANCE.** Subdivision 1. **REDUCTION.** In case the commissioner of finance shall discover at any time that the probable receipts from taxes or other sources for any appropriation, fund, or item will be less than was anticipated, and that consequently the amount available for the remainder of the term of the appropriation or for any allotment period will be less than

Changes or additions indicated by underline deletions by strikeout

the amount estimated or allotted therefor, he shall ~~notify the commissioner of administration who shall~~, with the approval of the governor, and after notice to the agency concerned, ~~request the commissioner of finance~~ to reduce the amount allotted or to be allotted so as to prevent a deficit. In like manner he shall request reduction of the amount allotted or to be allotted to any agency by the amount of any saving which can be effected upon previous spending plans through a reduction in prices or other cause.

Sec. 48. Minnesota Statutes 1976, Chapter 16A, is amended by adding a section to read:

**[16A.276] CASH OVERAGE AND SHORTAGE ACCOUNT.** The commissioner of finance may establish accounts to record on a daily basis discrepancies between actual cash receipts and recorded cash receipts including losses from forged and uncollectible checks. At the end of each fiscal year, these accounts shall be cleared by transferring balances to the general fund and paying all deficits from the operating accounts of the various agencies generating the deficit. A report of all adjustments shall be made to the legislative audit commission upon closing the books of account each fiscal year.

Sec. 49. Minnesota Statutes 1976, Chapter 16A, is amended by adding a section to read:

**[16A.281] LEGISLATIVE APPROPRIATIONS.** Section 16A.28 is inapplicable to appropriations made to the legislature, the senate, the house of representatives or its committees or commissions. An appropriation made to the legislature, the senate, the house of representatives or their standing committees for a fiscal biennium or any part thereof shall be available for expenditure in either year of the biennium or for the fiscal year preceding or following the biennium. An appropriation made to a committee or commission of the legislature if unexpended during the first year of a fiscal biennium is available for expenditure during the second year thereof, but any unexpended balance remaining at the end of the biennium shall lapse and be returned to the fund from which appropriated.

Sec. 50. Minnesota Statutes 1976, Section 16A.60, is amended to read:

**16A.60 COMMISSIONER OF FINANCE TO REIMBURSE GENERAL FUND.** The commissioner of finance is directed to deduct or reserve, as authorized from time to time by law, shall transfer from the highway user tax distribution fund to the general fund a sufficient sum of money which shall constitute a special account for the payment of to reimburse the general fund for the costs of collecting the taxes provided for in Article 14 of the Constitution of the State of Minnesota and for payment of refunds of such taxes as is authorized by law. A sum of money sufficient for such purpose is appropriated from the highway user tax distribution fund. Thereafter all moneys in the highway user tax distribution fund not needed to reimburse such special account for money paid out of such special account for refunds and collection costs shall be transferred as provided in Article 14 of the Constitution of the State of Minnesota.

Sec. 51. Minnesota Statutes 1976, Section 16A.67, Subdivision 2, is amended to read:

Changes or additions indicated by underline deletions by ~~strikeout~~

Subd. 2. Whenever it becomes necessary in order to avoid a deficiency in the general fund for the payment of warrants issued or to be issued against such fund pursuant to appropriations, the governor may authorize the issuance and sale of certificates of indebtedness of the state pursuant to and in accordance with Article 11, Section 6, of the Constitution, in anticipation of the collection of taxes levied for any other revenues appropriated to the fund for expenditure during the current biennium. To determine such necessity the governor shall obtain from the commissioner of revenue finance an estimate of the probable receipts from taxes ~~and from the commissioner of administration~~, an estimate of the probable receipts from other sources for the fund during the biennium, ~~and from the commissioner of finance~~ a statement of the total amount appropriated for expenditure from the fund during the biennium and the total amount of warrants drawn thereon to date, and ~~from the state treasurer~~ a statement of the cash balance in the fund. The total amount of certificates of indebtedness issued, plus the total amount of outstanding certificates of indebtedness issued against the same fund, plus the interest from date of issue to maturity on all such certificates of indebtedness, plus the total amount of warrants drawn on the fund during the current biennium and any interest theretofore paid on such warrants, plus the total cash balance then on hand in the fund, shall not exceed (a) the total amount appropriated for expenditure from the fund or (b) the total estimated collections of taxes and other revenues appropriated to the fund for the biennium, whichever is less; and the total amount of such certificates issued and outstanding at any time shall not exceed \$100,000,000.

Sec. 52. Minnesota Statutes 1976, Chapter 16A, is amended by adding a section to read:

**[16A.721] FEES FROM SEMINARS AND WORKSHOPS.** The commissioner of finance may adopt rules for charging fees for seminars and workshops conducted by state agencies. The commissioner may establish an account for deposit of seminar and workshop fee receipts generated, which are appropriated for payment of expenses relating to the workshops and seminars. The commissioner shall not allow the unobligated balance of this account to exceed \$10,000. This provision applies to fiscal year 1979.

Sec. 53. Minnesota Statutes 1976, Section 43.064, is amended to read:

**43.064 OTHER SALARIES SET BY COMMISSIONER OF PERSONNEL.** Notwithstanding any other law to the contrary, salaries for all unclassified positions in the executive branch not enumerated in the listing described in section 15A.081, shall be established by the commissioner of personnel except for the following: (1) positions listed in section 15A.083; (2) positions listed in section 299D.03; (3) employees in the office of the governor whose salaries shall be determined by the governor; (4) employees in the office of the attorney general; (5) positions in the state university system, the community college system, and in the higher education coordinating board whose primary duties consist of instructing and counseling students, directing academic programs of schools, divisions or departments of colleges and community colleges, or conducting research on academic subjects, and the positions of state university presidents. Individual salaries for positions enumerated in clauses (4) and (5) shall be determined by the attorney general, the state university board, the state board for community colleges, and the higher education coordinating board, respectively, within the limits of salary plans which shall

Changes or additions indicated by underline deletions by strikeout

have been approved by the commissioner of personnel before becoming effective.

No provision of any subsequent law relating to salaries of state employees shall be construed as inconsistent with this section unless it is expressly provided in such subsequent act that the provisions of this section shall not be applicable or shall be superseded, amended, or repealed.

Sec. 54. Minnesota Statutes, 1977 Supplement, Section 43.067, Subdivision 1, 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 the agency. The base salary of the chancellor of the state university system is the upper limit of compensation of state university presidents. 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.

Sec. 55. Minnesota Statutes 1976, Section 43.12, is amended by adding a subdivision to read:

Subd. 27. Notwithstanding the provisions of this section or any other law to the contrary, the commissioner of personnel may establish a system of incentive commission rates for those state employees engaged in the sale of products manufactured or processed at state adult correctional institutions.

Sec. 56. Minnesota Statutes, 1977 Supplement, Section 43.42, is amended to read:

**43.42 INSURANCE BENEFITS; INTENT.** Subdivision 1. It is the intent of sections 43.42 to 43.49 to provide certain state employees with basic life insurance, basic dental insurance, and basic health benefits coverage, including such basic health benefits coverage as the commissioner may make available from prepaid group practice plans, to be paid for by the state and to authorize an eligible state employee to enroll himself, and his dependents in such optional coverages as are made available therefor by the commissioner to be paid for by the employee through payroll deductions. Optional group coverages may include additional life insurance, auto insurance, disability insurance, dental insurance, legal insurance, homeowners insurance, and vision insurance.

Subd. 2. JUDGES' INSURANCE COVERAGE. Any county or county municipal judge in office prior to July 1, 1977 shall be eligible for basic life insurance at state expense and additional life insurance at the judge's expense, by payroll deduction, equal to the amount of life insurance coverage carried by him on June 30, 1977 under county policies, not to exceed the maximum group life coverage available under the state employees' contract effective on July 1, 1977.

Sec. 57. Minnesota Statutes, 1977 Supplement, Section 43.43, Subdivision 2, is amended to read:

Changes or additions indicated by underline deletions by ~~strikeout~~

Subd. 2. "State employee" for the purpose of determining eligibility for the basic life insurance and basic health benefits coverage hereunder means:

(1) An employee in the classified service of the state civil service paid on a state payroll;

(2) An employee in the unclassified service of the state paid on a state payroll who is not excluded from any of the provisions of sections 43.42 to 43.49;

(3) A permanent employee of the legislature or a permanent employee of a permanent study or interim committee or commission;

(4) A judge of the supreme court or an officer or employee of such court; a judge of the district court, a judge of county court, a judge of county municipal court, a judge of probate court; a district administrator; and the employees of the offices of the district administrators of the fifth and eighth judicial districts until July 1, 1979;

(5) A salaried employee of the public employees retirement association;

(6) Full time military or civilian personnel in the unclassified service of the department of military affairs whose salary is paid from state funds;

(7) A salaried employee of the Minnesota historical society, whether paid from state funds or otherwise, who is not a member of the governing board;

(8) An employee of the regents of the university of Minnesota, who is a member of the academic staff with the rank of instructor, research fellow, or above, including a lecturer, serving on not less than 75 percent regular appointment;

(9) An employee of the regents of the university of Minnesota and a member of the civil service staff under the civil service plan, adopted by the university of Minnesota, who is employed on a monthly salaried appointment;

(10) An employee of the state university board or the state board for community colleges who is a member of the academic staff, who is employed for not less than a 75 percent time basis, and who is paid on a state salary payroll; or

(11) An employee of the state university board or the state board for community colleges who is either in the classified service or the unclassified service of the state civil service whose salary is paid from the university board of the state of Minnesota revenue fund, the university activity fund, or the community college activity fund. The required premium payment of such an employee is to be paid, however, from the fund from which the employee's salary is paid:

(12) A member of the state legislature.

(13) A seasonal employee of the waters, soils and minerals division of the state department of natural resources whose duties include the sampling, weighing or grading

Changes or additions indicated by underline deletions by ~~strikeout~~

of iron ore, taconite, or other minerals; provided that the employee shall receive the benefits provided in sections 43.42 to 43.50, at no cost to the employee for the period in each calendar year when the employee is not working at his occupation, and the premiums therefor shall be paid from the same salary fund or account as the salary of the employee.

(14) A person employed in the state service as a pre-service trainee on a full time basis.

Sec. 58. Minnesota Statutes 1976, Section 60A.13, Subdivision 7, is amended to read:

Subd. 7. **EXCEPTIONS.** ~~(4) To file statement.~~ No fraternal beneficiary association, nor any social corporation paying only sick benefits not exceeding \$250 in any one year, or funeral benefits, or aiding those dependent on a member not more than \$350, nor any subordinate lodge or council which is, or whose members are, assessed for benefits which are payable by a grand body, shall be required to make such statements.

~~(2) To prepare abstract and publish. The commissioner shall not be required to prepare abstracts of the annual statement of fraternal beneficiary associations and reciprocal or interinsurance exchanges; nor shall such associations or exchanges be required to publish an abstract or summary of the statement.~~

Sec. 59. Minnesota Statutes 1976, Section 60A.14, Subdivision 1, is amended to read:

**60A.14 FEES.** Subdivision 1. **FEES OTHER THAN EXAMINATION FEES.** In addition to the fees and charges provided for examinations, there shall be paid to the commissioner, and by him accounted for and paid into the state treasury, the following fees:

(1) By township mutual fire insurance companies:

(a) For filing certificate of incorporation \$25 and amendments thereto, \$10;

(b) For filing annual statements, \$15;

(c) For each annual certificate of authority, \$15;

(d) For filing bylaws \$25 and amendments thereto, \$10.

(2) By other domestic and foreign companies including fraternal and reciprocal exchanges:

(a) For filing certified copy of certificate of articles of incorporation, \$50;

(b) For filing annual statement, \$30;

**Changes or additions indicated by underline deletions by ~~strikeout~~**

(c) For filing certified copy of amendment to certificate or articles of incorporation, \$50;

(d) For filing bylaws or amendments thereto, \$10;

(e) Each company's certificate of authority, \$30, annually;

(f) ~~For abstract or summary of annual statement for publication when prepared by commissioner, \$50.~~

(3) General fees: (a) For each certificate, including certified copy of certificate of authority, renewal, valuation of life policies, corporate condition or qualification, \$5;

(b) For each copy of paper on file in his office 50 cents per page, and \$2.50 for certifying the same;

(c) For license to procure insurance in unadmitted foreign companies, \$10;

(d) For receiving and forwarding each notice, proof of loss, summons, complaint or other process served upon the commissioner of insurance, as attorney for service of process upon any non-resident agent or insurance company, including reciprocal exchanges, \$5 (which amount shall be paid by the party serving same and may be taxed as other costs in the action);

(e) For valuing the policies of life insurance companies, one cent per one thousand of insurance so valued; (the commissioner may, in lieu of a valuation of the policies of any foreign life insurance company admitted, or applying for admission, to do business in this state, accept a certificate of valuation from such company's own actuary or from the commissioner of insurance of the state or territory in which such company shall be domiciled);

(f) For receiving and filing certificates of policies by the company's actuary, or by the commissioner of insurance of any other state or territory, \$50;

(g) For issuing a non-resident agent's license, \$10;

(h) For taking an examination for one line of insurance, \$10 and an additional \$10 for each examination for an additional line of insurance or for re-examination in any one line;

(i) For each new agent's license requested or for the requested renewal of an existing agent's license, the insurer shall remit \$3; and for each amendment requested on the license, the insurer shall remit \$1.

(4) All fees received by the commissioner pursuant to the provisions of this section shall be paid by him into the state treasury.

Sec. 60. Minnesota Statutes 1976, Section 62A.149, Subdivision 1, is amended to

Changes or additions indicated by underline deletions by ~~strikeout~~

read:

**62A.149 BENEFITS FOR ALCOHOLICS AND DRUG DEPENDENTS.**

Subdivision 1. No policy or plan of insurance regulated under this chapter, or subscriber contract offered by a nonprofit health service plan corporation regulated under chapter 62C shall be delivered, issued, executed or renewed in this state, or approved for issuance or renewal in this state by the commissioner of insurance unless the policy, plan or contract specifically includes and provides health service benefits to any subscriber or other person covered thereunder, on the same basis as other benefits, for the treatment of alcoholism; chemical dependency or drug addiction in The provisions of this section shall apply to all group policies of accident and health insurance and group subscriber contracts offered by nonprofit health service plan corporations regulated under chapter 62C, and to a plan or policy that is individually underwritten or provided for a specific individual and the members of his family as a nongroup policy unless the individual elects in writing to refuse benefits under this subdivision in exchange for an appropriate reduction in premiums or subscriber charges under the policy or plan, when the policies or subscriber contracts are issued or delivered in Minnesota or provide benefits to Minnesota residents enrolled thereunder.

Every insurance policy or subscriber contract included within the provisions of this subdivision, upon issuance or renewal, shall provide for payment of benefits for the treatment of alcoholism, chemical dependency or drug addiction to any Minnesota resident entitled to coverage thereunder on the same basis as coverage for other benefits when treatment is rendered in

- (1) a licensed hospital,
- (2) a residential treatment program as licensed by the state of Minnesota pursuant to diagnosis or recommendation by a doctor of medicine,
- (3) a non-residential treatment program approved or licensed by the state of Minnesota.

~~Provided, however, that the restrictions and requirements of this subdivision shall not apply to any plan or policy which is individually underwritten or provided for a specific individual and the members of his family as a non-group policy.~~

Sec. 61. Minnesota Statutes, 1977 Supplement, Section 120.17, Subdivision 7a, is amended to read:

**Subd. 7a. ATTENDANCE AT SCHOOL FOR THE HANDICAPPED.**

Responsibility for special instruction and services for a visually disabled or hearing impaired child attending the Minnesota school for the deaf or the Minnesota braille and sight-saving school shall be determined in the following manner:

- (a) The legal residence of the child shall be the school district in which his parent or guardian resides.

Changes or additions indicated by underline deletions by ~~strikeout~~

(b) When it is determined pursuant to section 128A.05, subdivisions 1 or 2 that the child is entitled to attend either school, the state board shall provide the appropriate educational program for the child. The state board shall make a tuition charge to the child's district of residence for the actual cost of providing the program; provided, however, that the amount of tuition charged shall not exceed \$2,000 for any school year. The district of the child's residence shall pay the tuition and may claim foundation aid for the child. All tuition so received shall be deposited in the state treasury.

(c) When it is determined that the child can benefit from public school enrollment but that the child should also remain in attendance at the applicable school, the school district where the institution is located shall provide an appropriate educational program for the child and shall make a tuition charge to the state board for the actual cost of providing the program, less any amount of aid received pursuant to section 124.32. The state board shall pay the tuition and other program costs including the unreimbursed transportation costs. Aids for handicapped children shall be paid to the district providing the special instruction and services. Special transportation shall be provided by the district providing the educational program and the state shall reimburse such district within the limits provided by law;

(d) Notwithstanding the provisions of clauses (b) and (c), the state board may agree to make a tuition charge for less than the amount specified in clause (b) for pupils attending the applicable school who are residents of the district where the institution is located and who do not board at the institution, if that district agrees to make a tuition charge to the state board for less than the amount specified in clause (c) for providing appropriate educational programs to pupils attending the applicable school.

(e) Notwithstanding the provisions of clauses (b) and (c), the state board may agree to supply staff from the Minnesota School for the Deaf and the Minnesota Braille and Sight-Saving School to participate in the programs provided by the district where the institutions are located when the programs are provided to students in attendance at the state schools.

Sec. 62. Minnesota Statutes 1976, Section 125.183, is amended by adding a subdivision to read:

Subd. 6. The board may reimburse local school districts for the costs of substitute teachers employed when regular teachers are providing professional assistance to the state by serving on the board or on a committee or task force appointed by the board and charged to make recommendations concerning standards for teacher licensure in this state.

Sec. 63. Minnesota Statutes 1976, Section 136A.29, Subdivision 9, is amended to read:

Subd. 9. The authority is authorized and empowered to issue revenue bonds whose aggregate principal amount at any time shall not exceed ~~\$62,000,000~~ \$100,000,000 and to issue notes, bond anticipation notes, and revenue refunding bonds of the authority under the provisions of sections 136A.25 to 136A.42, to provide funds for acquiring,

**Changes or additions indicated by underline deletions by strikethrough**

constructing, reconstructing, enlarging, remodeling, renovating, improving, furnishing, or equipping one or more projects or parts thereof. During the biennium commencing July 1, 1973, not more than \$20,000,000 shall be used for financing new construction, and not more than 50 percent of the amount used for new construction shall be used for construction projects which expand the capacity of institutions. An issue of revenue bonds authorized to be issued for a biennium under this subdivision may be sold and delivered in a later biennium; without being charged against the amount of bonds authorized to be issued in the later biennium; if the authority shall have approved an application from a participating institution of higher education in respect of the project or bonds or shall have entered into a contract for purchase or construction of a project or shall have adopted a resolution to issue and sell the bonds during the preceding biennium.

Sec. 64. Minnesota Statutes, 1977 Supplement, Section 136A.55, is amended to read:

**136A.55 POST-SECONDARY EDUCATION CONSORTIUM; CREATION.**

Subdivision 1. There is hereby created a post-secondary education consortium for southwestern and west central Minnesota which shall have its principal office at southwest state university at Marshall. The purpose of the consortium shall be to improve the efficiency and effectiveness of post-secondary education, through increased interinstitutional cooperation and planning, in the area served by southwest state university and the university of Minnesota at Morris.

Subd. 2. The consortium shall be coordinated by a southwestern and west central Minnesota post-secondary education consortium board consisting of: the provost of the university of Minnesota, or his designee; the chancellor of the state university system, or his designee; the chancellor of the community college system, or his designee; the assistant commissioner for vocational-technical education within the state department of education, or his designee; the executive director of the higher education coordinating board, or his designee; and three persons representing the public at large who shall be appointed by the governor.

Subd. 3. The board shall appoint an advisory committee consisting of: the provost at the university of Minnesota at Morris; the presidents of southwest state university and the community colleges at Willmar and Worthington; the directors of the vocational-technical institutes located in the area served; and seven citizen members who shall be residents of the area served by southwest state university. The citizen members shall be appointed for terms of two years, except that three of the initial appointments shall be for terms of one year. No more than one citizen member shall be appointed from a county.

Subd. 4. The board is authorized to hire staff and incur other expenses as necessary for the purposes of ~~Laws 1977, Chapter 449~~ this section. Staff members are in the unclassified service and subject to the provisions of chapters 43 and 352. All expenditures are subject to the requirements of chapter 16A.

Sec. 65. Minnesota Statutes, 1977 Supplement, Section 139.18, Subdivision 2, is amended to read:

Changes or additions indicated by underline deletions by ~~strikeout~~

Subd. 2. In calculating the amount of contributions received by a public station pursuant to subdivision 1, there shall be excluded: contributions, whether monetary or in kind, from the corporation for public broadcasting; tax generated funds, including payments by public or private elementary and secondary schools; that portion of any foundation and or corporation donations donation in excess of \$250 from any one contributor in a calendar year; contributions from any source if made for the purpose of capital expenditures; and contributions from all sources based outside the state.

Sec. 66. Minnesota Statutes, 1977 Supplement, Section 174.21, is amended to read:

**174.21 PUBLIC TRANSIT ASSISTANCE AND TRANSPORTATION MANAGEMENT; PURPOSE.** It is the purpose of sections 174.21 to 174.27:

(a) to increase vehicle occupancy, to reduce the use of vehicles occupied by only one person and the congestion, pollution, energy consumption, highway damage, and other costs associated with such use;

(b) to assure that those citizens of this state who are unable by reason of age or incapacity to use regular means of private or public transportation shall have reasonable access to transportation service necessary to permit them to be active, productive, self-supporting and healthy citizens; and

(c) to increase the efficiency and productivity of and benefit from public investments in road space and transportation and transit facilities and systems in the state.

Sec. 67. Minnesota Statutes 1976, Section 222.50, Subdivision 3, is amended to read:

Subd. 3. The director shall have the power to:

(a) Set priorities for the allocation of money or in kind contributions to railroads according to criteria developed by the director. The criteria shall include the anticipated economic and social benefits to the state and to the area being served;

(b) Negotiate and enter into contracts for rail line rehabilitation or other rail service improvement;

(c) Disburse state and federal money for rail service improvements;

(d) Adopt rules necessary to carry out the purposes of sections 222.46 to 222.54; and

(e) Acquire elm railroad ties manufactured by Stillwater state prison inmates and disperse them by sale, lease or otherwise to be used in rail line rehabilitation. The director may negotiate with rail companies concerning the use of the ties. Progress reports on this activity shall be submitted to the senate finance and house appropriations committees on a regular basis.

Changes or additions indicated by underline deletions by ~~strikeout~~

Sec. 68. **LOAN TO DEPARTMENT OF CORRECTIONS.** The department of corrections may borrow from the rail service improvement account in the state treasury up to \$150,000 in one loan to be paid back in three equal annual installments with the final payment due three years from the date of the loan. The loan proceeds shall be used to establish a program for converting diseased elm trees into railroad ties at Stillwater state prison.

Sec. 69. Minnesota Statutes 1976, Section 242.385, Subdivision 1, is amended to read:

**242.385 THE MINNESOTA CORRECTIONAL FACILITY - LINO LAKES.** Subdivision 1. There is hereby established the Minnesota ~~metropolitan training center~~ Correctional Facility - Lino Lakes, at Lino Lakes, Minnesota, to which may be delivered ~~for training and treatment children and youth persons~~ committed to the commissioner of corrections by the ~~juvenile~~ courts of this state who, in the opinion of the commissioner, may benefit from the programs available thereat. The general control and management of the ~~training and treatment center~~ facility shall be under the commissioner of corrections.

Sec. 70. Minnesota Statutes, 1977 Supplement, Section 298.28, Subdivision 1, is amended to read:

**298.28 DIVISION AND DISTRIBUTION OF PROCEEDS.** Subdivision 1. The proceeds of the taxes collected under section 298.24, except the tax collected under section 298.24, subdivision 2, shall, upon certificate of the commissioner of revenue to the general fund of the state, be paid by the commissioner of revenue as follows:

(1) 2.5 cents per gross ton of merchantable iron ore concentrate, hereinafter referred to as "taxable ton", to the city or town in which the lands from which taconite was mined or quarried were located or within which the concentrate was produced. If the mining, quarrying, and concentration, or different steps in either thereof are carried on in more than one taxing district, the commissioner shall apportion equitably the proceeds of the part of the tax going to cities and towns among such subdivisions upon the basis of attributing 40 percent of the proceeds of the tax to the operation of mining or quarrying the taconite, and the remainder to the concentrating plant and to the processes of concentration, and with respect to each thereof giving due consideration to the relative extent of such operations performed in each such taxing district. His order making such apportionment shall be subject to review by the tax court of appeals at the instance of any of the interested taxing districts, in the same manner as other orders of the commissioner.

(2) 12.5 cents per taxable ton to the taconite municipal aid account in the apportionment fund of the state treasury, to be distributed as provided in section 298.282.

(3) 29 cents per taxable ton to school districts to be distributed as follows:

(a) 6 cents per taxable ton to the school districts in which the lands from which taconite was mined or quarried were located or within which the concentrate was produced. The commissioner shall follow the apportionment formula prescribed in clause (1).

Changes or additions indicated by underline deletions by ~~strikeout~~

(b) 23 cents per taxable ton, less any amount distributed under part (c), shall be distributed to a group of school districts comprised of those school districts wherein the taconite was mined or quarried or the concentrate produced or in which there is a qualifying municipality as defined by section 273.134 or in which is located property which is entitled to the reduction of tax pursuant to section 273.135, subdivision 2, clause (c). The 23 cents, less any amount distributed under part (c), shall be distributed in direct proportion to school district tax levies as follows: each district shall receive that portion of the total distribution which its permitted levy for the prior year, computed pursuant to section 275.125, comprises of the sum of permitted levies for the prior year for all qualifying districts, computed pursuant to section 275.125. That portion of the amount so distributed to a school district which is not deducted from state aids in section 124.212, subdivision 8a, shall be included in computing the permissible levies under section 275.125. For purposes of distributions pursuant to this part, permitted levies for the prior year computed pursuant to section 275.125 shall not include the amount of any increased levy authorized by referendum pursuant to section 275.125, subdivision 2a, clause (4).

(c) There shall be distributed to any school district the amount which the school district was entitled to receive under section 298.32 in 1975.

(4) 19.5 cents per taxable ton to counties to be distributed as follows:

(a) 15.5 cents per taxable ton shall be distributed to the county in which the taconite is mined or quarried or in which the concentrate is produced, less any amount which is to be distributed pursuant to part (b). The commissioner shall follow the apportionment formula prescribed in clause (1).

(b) If an electric power plant owned by and providing the primary source of power for a taxpayer mining and concentrating taconite is located in a county other than the county in which the mining and the concentrating processes are conducted, one cent per taxable ton of the tax distributed to the counties pursuant to part (a) and imposed on and collected from such taxpayer shall be distributed by the commissioner of revenue to the county in which the power plant is located.

(c) 4 cents per taxable ton shall be paid to the county from which the taconite was mined, quarried or concentrated to be deposited in the county road and bridge fund. If the mining, quarrying and concentrating, or separate steps in any of those processes are carried on in more than one county, the commissioner shall follow the apportionment formula prescribed in clause (1).

(5) (a) 25.75 cents per taxable ton, less any amount required to be distributed under part (b), to the taconite property tax relief account in the apportionment fund in the state treasury, to be distributed as provided in sections 273.134 to 273.136.

(b) If an electric power plant owned by and providing the primary source of power for a taxpayer mining and concentrating taconite is located in a county other than the county in which the mining and the concentrating processes are conducted, .75 cent per taxable ton of the tax imposed and collected from such taxpayer shall be distributed by the commissioner of revenue to the county and school district in which the power plant is

Changes or additions indicated by underline deletions by ~~strikeout~~

located as follows: 25 percent to the county and 75 percent to the school district.

(6) 1 cent per taxable ton to the state.

(7) 3 cents per taxable ton shall be deposited in the state treasury to the credit of the iron range resources and rehabilitation board account in the special revenue fund for the purposes of section 298.22. Of this amount, one cent per taxable ton is to be used to provide environmental development grants to local governments located within any county in region 3 as defined in governor's executive order number 60 issued on June 12, 1970, which does not contain a municipality qualifying pursuant to section 273.134.

(8) the amounts determined under clauses (4)(a), (4)(c), and (5) shall be increased in 1979 and subsequent years in the same proportion as the increase in the steel mill products index as provided in section 298.24, subdivision 1.

(9) the proceeds of the tax imposed by section 298.24 which remain after the distributions in clauses (1) to (8) and parts (a), (b), (c), and (d) of this clause have been made shall be divided between the taconite environmental protection fund created in section 298.223 and the northeast Minnesota economic protection fund created in section 298.292 as follows: In 1978, 1979, 1980, 1981, and 1982, two-thirds to the taconite environmental protection fund and one-third to the northeast Minnesota economic protection fund; in 1983 and thereafter, one-half to each fund. The proceeds shall be placed in the respective special accounts in the general fund.

(a) In 1978 and each year thereafter, there shall be distributed to each city, town, school district, and county the amount that they received under section 294.26 in calendar year 1977.

(b) In 1978 and each year thereafter, there shall be distributed to the iron range resources and rehabilitation board the amounts it received in 1977 under section 298.22.

(c) In 1978 and each year thereafter, \$50,000 shall be distributed to the department of revenue for auditing and enforcing the production tax imposed by Laws 1977, Chapter 423, Article 10.

(d) In 1978 and 1979, \$150,000 shall be distributed to the department of revenue for the purpose of administering section 298.48. In 1980 and each year thereafter, \$100,000 shall be distributed to the department of revenue. On or before October 10 of each calendar year each producer of taconite or iron sulphides subject to taxation under section 298.24 (hereinafter called "taxpayer") shall file with the commissioner of revenue and with the county auditor of each county in which such taxpayer operates, and with the chief clerical officer of each school district, city or town which is entitled to participate in the distribution of the tax, an estimate of the amount of tax which would be payable by such taxpayer under said law for such calendar year; provided such estimate shall be in an amount not less than the amount due on the mining and production of concentrates up to September 30 of said year plus the amount becoming due because of probable production between September 30 and December 31 of said year, less any credit allowable as hereinafter provided. Such estimate shall list the taxing districts entitled to participate

Changes or additions indicated by underline deletions by ~~strikeout~~

in the distribution of such tax, and the amount of the estimated tax which would be distributable to each such district in the next ensuing calendar year on the basis of the last percentage distribution certified by the commissioner of revenue. If there be no such prior certification, the taxpayer shall set forth its estimate of the proper distribution of such tax under the law, which estimate may be corrected by the commissioner if he deems it improper, notice of such correction being given by him to the taxpayer and the public officers receiving such estimate. The officers with whom such report is so filed shall use the amount so indicated as being distributable to each taxing district in computing the permissible tax levy of such county, city or school district in the year in which such estimate is made, and payable in the next ensuing calendar year, except that in 1978 and 1979 two cents per taxable ton, and in 1980 and thereafter, one cent per taxable ton of the amount distributed under clause (4)(c) shall not be deducted in calculating the permissible levy. Such taxpayer shall then pay, at the times payments are required to be made pursuant to section 298.27, as the amount of tax payable under section 298.24, the greater of (a) the amount shown by such estimate, or (b) the amount due under said section as finally determined by the commissioner of revenue pursuant to law. If, as a result of the payment of the amount of such estimate, the taxpayer has paid in any calendar year an amount of tax in excess of the amount due in such year under section 298.24, after application of credits for any excess payments made in previous years, all as determined by the commissioner of revenue, the taxpayer shall be given credit for such excess amount against any taxes which, under said section, may become due from the taxpayer in subsequent years. In any calendar year in which a general property tax levy subject to sections 275.125 or 275.50 to 275.59 has been made, if the taxes distributable to any such county, city or school district are greater than the amount estimated to be paid to any such county, city or school district in such year, the excess of such distribution shall be held in a special fund by the county, city or school district and shall not be expended until the succeeding calendar year, and shall be included in computing the permissible levies under sections 275.125 or 275.50 to 275.59, of such county, city or school district payable in such year. If the amounts distributable to any such county, city or school district, after final determination by the commissioner of revenue under this section are less than the amounts indicated by such estimates, such county, city or school district may issue certificates of indebtedness in the amount of the shortage, and may include in its next tax levy, in excess of the limitations of sections 275.125 or 275.50 to 275.59 an amount sufficient to pay such certificates of indebtedness and interest thereon, or, if no certificates were issued, an amount equal to such shortage.

There is hereby annually appropriated to such taxing districts as are stated herein, to the taconite property tax relief account and to the taconite municipal aid account in the apportionment fund in the state treasury, to the department of revenue, to the iron range resources and rehabilitation board, to the taconite environmental protection fund, and to the northeast Minnesota economic protection fund, from any fund or account in the state treasury to which the money was credited, an amount sufficient to make the payment or transfer. The payment of the amount appropriated to such taxing districts shall be made by the commissioner of revenue on or before May 15 annually.

Sec. 71..Minnesota Statutes 1976, Section 299D.03; Subdivision 6, is amended to read:

**Changes or additions indicated by underline deletions by ~~strikeout~~**

Subd. 6. **TRAINING PROGRAMS.** The commissioner of public safety may provide training programs for the purpose of obtaining qualified personnel for the highway patrol. Persons accepted by the commissioner of public safety for training under ~~such~~ this training program shall be designated highway patrol trainees and shall receive a salary not to exceed 70 percent of the basic salary for patrol officers as ~~such is set forth~~ prescribed in subdivision 2, ~~per month~~ during the period of ~~such~~ the training. Nothing contained in this subdivision shall be construed to prevent the commissioner of public safety from providing in-service training programs for highway patrol officers. The commissioner of transportation shall furnish the commissioner of public safety with lands and buildings necessary in providing in-service training programs ~~at no cost to the division of highway patrol and the department of public safety shall reimburse the department of transportation for all reasonable costs incurred due to the provision of these training facilities.~~

Sec. 72. Minnesota Statutes 1976, Section 325.74, Subdivision 1, is amended to read:

**325.74 REMEDIES; SALES OF GOVERNMENT AGENCIES.** Subdivision 1. ~~The chairman of the commerce commission,~~ Any corporation, partnership, trade association, or any person or persons who would suffer injury from any threatened violation of sections 325.64 to 325.76 may maintain an action to enjoin such actual or threatened violation and proof of actual damages need not be alleged or proved in cases of threatened violation. If a violation or threatened violation of the Minnesota unfair cigarette sales act shall be established, the court shall enjoin such violator or threatened violator, and, in addition thereto, the court shall assess in favor of the plaintiff and against defendant the injuries of the suit including reasonable attorneys fees. Where alleged and proved, the plaintiff, in addition to such injunctive relief and cost of suit including reasonable attorneys fees, shall be entitled to recover from defendant the actual damages sustained by him.

Sec. 73. Minnesota Statutes 1976, Section 341.12, is amended to read:

**341.12 BONDS.** Before any license other than an amateur boxing license shall be granted to any person, club, corporation, or organization to conduct, hold or give any boxing or sparring match, or exhibition, such applicant therefor shall execute and file with the ~~commissioner of finance~~ chairman of the commerce commission a bond in the sum of \$2,500 in cities of the first class and \$1,000 in other communities, to be approved, as to form and sufficiency of the sureties thereof, by the ~~commissioner of finance~~ chairman of the commerce commission, conditioned for the payment of the five percent of the total gross receipts and license fees herein provided. Upon the filing and approval of such bond the ~~commissioner of finance~~ chairman of the commerce commission shall issue to such applicant for such license a certificate of such filing and approval, which shall be by such applicant filed in the office of the board with its application for such license; and no such license shall be issued until such certificate shall be so filed.

Sec. 74. Minnesota Statutes, 1977 Supplement, Section 363.14, Subdivision 1, is amended to read:

Changes or additions indicated by underline deletions by ~~strikeout~~

**363.14 COURT ACTIONS, SUITS BY PRIVATE PARTIES, INTERVENTION, DISTRICT COURT JURISDICTION, ATTORNEY'S FEES, AND COSTS.** Subdivision 1. **COURT ACTIONS, SUITS BY PRIVATE PARTIES, INTERVENTION.** A person may bring a civil action seeking redress for an unfair discriminatory practice, upon withdrawal of the complaint from the department of human rights, at the following times:

(a) Within 45 days after the commissioner has determined that there is no probable cause to credit the allegations contained in a charge filed with the commissioner, or, if the charging party requested a reconsideration, within 45 days after the commissioner has reaffirmed his determination of no probable cause; or

(b) After 45 days ~~but within one year after from~~ the filing of a charge pursuant to section 363.06, subdivision 1 if at or prior to the time of bringing the civil action a hearing has not been held pursuant to section 363.071 ~~or if the commissioner has not entered into a conciliation agreement to which the charging party is a signator. The charging party shall notify the commissioner of his intention to bring a civil action, which shall be commenced within 90 days of giving the notice.~~

A charging party bringing a civil action shall mail by registered or certified mail a copy of the summons and complaint to the commissioner, and upon his receipt thereof the commissioner shall cause all proceedings in the department relating to the charge to terminate. No charge shall be filed or reinstated with the commissioner after a civil action relating to the same unfair discriminatory practice has been brought unless the civil action has been dismissed without prejudice.

Upon application by the complaining party to the district court at a special term thereof and in such circumstances as the court may deem just, the court may appoint an attorney for such person and may authorize the commencement of the action without payment of fees, costs, or security.

Upon timely application, the court may, in its discretion, permit the department to intervene in a civil action brought pursuant to this section upon certification that the case is of general public importance.

Upon request, the court may, in its discretion, stay further proceedings for not more than 60 days pending further efforts of the department to obtain voluntary compliance.

Sec. 75. Minnesota Statutes, 1977 Supplement, Section 473.591, Subdivision 3, is amended to read:

Subd. 3. **PROCEEDS; USE.** The collections of the tax, less refunds and a proportionate share of the cost of collection, shall be remitted at least quarterly to the council. The commissioner of revenue shall deduct from the proceeds remitted to the council an amount that equals the indirect statewide costs as well as the direct and indirect department costs necessary to administer, audit, and collect this tax. The amount deducted shall be deposited in the general fund of the state. The proceeds remitted shall be placed, together with the net revenues of the commission under section 473.595, into

Changes or additions indicated by underline deletions by ~~strikeout~~

the debt service fund or special funds established under section 473.581, subdivisions 4 and 5, provided however that during the first year the tax is imposed pursuant to this section the council may reappropriate to the commission a total amount not to exceed one-half of the proceeds from the first year of the tax, to be used by the commission to pay its expenses related to planning, designing, and locating sports facilities pursuant to sections 473.551 to 473.595. Collection of the tax imposed by this section shall be suspended at the end of any calendar year upon a determination by the metropolitan council that the balance in the debt service fund, including any reserve fund has reached an amount sufficient to pay the principal and interest on bonds which will become due within the next succeeding three year period. Collection shall be resumed by the commissioner of revenue at the end of any calendar year upon notice from the metropolitan council that the balance in the debt service fund, including any reserve fund has fallen below an amount sufficient to pay the principal and interest on bonds which will become due within the next succeeding two year period.

Sec. 76. Minnesota Statutes 1976, Section 480.13, is amended to read:

**480.13 COURT ADMINISTRATOR OFFICE CREATED; APPOINTMENT, TERM, SALARY.** There is hereby created a state office to be known as the office of court administrator, the holder of which office shall be appointed by the supreme court, ~~shall be paid a salary as fixed by said court,~~ and shall hold office at the pleasure of the supreme court.

Sec. 77. Minnesota Statutes, 1977 Supplement, Section 484.62, is amended to read:

**484.62 COMPENSATION AND REPORTER:** When a retired judge undertakes such service, he shall be provided at the expense of the county in which he is performing the service with a reporter, selected by the retired judge, clerk, bailiff, if the judge deems a bailiff necessary, and a courtroom or hearing room for the purpose of holding court or hearings, to be paid for by the county in which the service is rendered and shall be paid in addition to his retirement compensation and not affecting the amount thereof, ~~the sum of \$50 per diem for such additional service; together with travel pay in the same amount and manner as other state employees and his actual expenses incurred in the service receive pay and expenses in the amount and manner provided by law for judges serving on the court to which the retired judge is assigned, less the amount of retirement pay which the judge is receiving,~~ said payment to be made in the same manner as the payment of salaries for judges of the district court, on certification by the chief judge of the judicial district or by the chief justice of the supreme court of the state of Minnesota. A deputy clerk may act as bailiff when called to do so for the purposes of this section.

Sec. 78. Minnesota Statutes, 1977 Supplement, Section 484.68, Subdivision 6, is amended to read:

Subd. 6. **SALARY.** The salary of the district administrator shall be set by the state court administrator within the limits provided in section 15A.083, and shall be paid by the state. The salaries of the district administrators of the second and fourth judicial districts may be supplemented by the appropriate county board by an amount not to exceed \$10,000 per year. If an administrator dies, the amount of his salary remaining unpaid for

Changes or additions indicated by underline deletions by strikeout

the month in which his death occurs shall be paid to his estate.

Sec. 79. Minnesota Statutes, 1977 Supplement, Section 484.68, is amended by adding a subdivision to read:

Subd. 7. ACCUMULATED BENEFITS. A clerk of district court who, without interruption of public service, is appointed a district administrator shall be given credit by the state of Minnesota for vacation time and sick leave accumulated while serving as a clerk of district court but for which no compensation has been received, except that credit shall be restricted in the same manner and amount as state employees.

Credit for accumulated vacation time and sick leave for which no compensation has been received shall be extended to the district administrators of the fifth judicial district and the eighth judicial district holding such office on the effective date of this act. These two administrators may elect to retain their membership in the public employees retirement association.

Sec. 80. Minnesota Statutes, 1977 Supplement, Section 484.68, is amended by adding a subdivision to read:

Subd. 8. A member of the public employees retirement association appointed as district administrator pursuant to chapter 484, shall remain a member of the fund unless the member elects, within 12 months of the appointment, to be covered by the Minnesota state retirement system.

Sec. 81. Laws 1975, Chapter 158, Section 4, is amended to read:

Sec. 4. Subdivision 1. The state of Minnesota hereby waives immunity and consents to commencement of a suit in the case set forth in this section. Any suit shall be commenced within six months from the date of final enactment. The state and the department of public welfare may be named as defendants in any suit commenced under this section and shall be served by the service of a summons and complaint upon the attorney general. The sums necessary to pay any resulting judgment are hereby appropriated from the fund designated. In no case shall the judgment exceed the monetary ceiling set forth in this section; provided further that the parties ~~are~~ shall not ~~authorized to settle this case prior to trial but without the approval of the court before which the case is pending. In the event the case is tried, the parties~~ are directed to litigate fully the following issues: Was the state of Minnesota negligent in allowing a patient to escape from the Anoka state hospital? If so, was ~~this~~ the negligence the proximate cause of the fire at the Rum River Lumber Company? If so, what are the monetary damages for loss of income and property loss? The state and the department are further instructed to take all applicable appeals available to them. This waiver of immunity is not an admission of liability on the part of the state or its departments. Further, the ceilings set forth below should not be construed in any way as a determination by the legislature as to the amount of loss suffered by the claimant. In any such action, the state or its departments may interpose any legal or equitable defense except the defenses of sovereign immunity and the statute of limitations.

Changes or additions indicated by underline deletions by ~~strikeout~~

Subd. 2. Rum River Lumber Company, Anoka, Minnesota, for loss of income and property damage not covered by insurance resulting from a fire allegedly set by an escapee from the Anoka state hospital. Any judgment rendered in this matter shall not exceed ~~\$25,000~~ \$15,835 for loss of income and ~~\$16,000~~ \$59,165 for property damage. ~~Any such judgment shall be satisfied from any moneys in the state treasury not otherwise appropriated.~~

Sec. 82. Laws 1976, Chapter 337, Section 1, Subdivision 2, is amended to read:

Subd. 2. The council shall consist of five members of the house of representatives appointed by the speaker, five members of the senate appointed by the committee on committees, and ~~eight~~ twelve citizens appointed by the governor. At least 50 percent of those appointed by the governor and by the speaker of the house shall be women. Members shall serve ~~until the expiration date of this act~~ for two years or until the expiration of their legislative terms. The compensation of nonlegislator members, their removal from office and the filling of vacancies shall be as provided in section 15.059. The persons appointed by the governor shall be representative of a range of economic interests and vocations and shall include persons who are not regularly employed on a full-time or part-time basis outside their homes.

Sec. 83. Laws 1976, Chapter 337, Section 1, Subdivision 4, is amended to read:

Subd. 4. The council shall report its findings and recommendations to the governor and the legislature not later than December 15, 1977, and shall supplement its findings and recommendations not later than June 30, 1978, and June 30, 1981. The report shall recommend any necessary changes in laws and programs designed to enable women to achieve full participation in the economy. The report shall also recommend methods to encourage the development of coordinated, interdepartmental goals and objectives and the coordination of programs, services and facilities among all state departments and public and private providers of services related to children, youth and families.

Sec. 84. Laws 1976, Chapter 337, Section 4, is amended to read:

Sec. 4. **EXPIRATION DATE.** ~~Sections Section 1 and 2 of this act shall be effective May 1, 1976 and shall expire June 30, 1978~~ 1981. ~~Section 3 of this act shall be effective July 1, 1976.~~

Sec. 85. Laws 1977, Chapter 421, Section 13, is amended by adding a subdivision to read:

Subd. 11. EMPLOYEE STATUS. Persons employed by a state agency and paid from an appropriation in subdivision 10, are in the unclassified service and their continued employment is contingent upon the availability of money from the appropriation.

Sec. 86. Laws 1977, Chapter 445, Section 3, Subdivision 3, is amended to read:

Subd. 3. **RECOMMENDATIONS.** The commission shall act from the time its ~~Changes or additions indicated by underline deletions by strikeout~~

members are appointed until January 15, ~~1978~~ 1979. It shall report its findings and recommendations to the legislature not later than January 15, ~~1978~~ 1979.

**Sec. 87. COMPUTER SYSTEM DEVELOPMENT.** In all cases where an appropriation made in this act includes money for computer system development, development shall not proceed beyond PRIDE phase I until the project has been reviewed and approved by the commissioners of administration and finance. All approved projects shall be reported to the chairmen of the house appropriation committee and senate finance committee to receive their recommendation on the project. A recommendation is advisory only. In the case of rejected projects, the commissioner of finance shall cancel the unencumbered balance of the appropriation allotted for development of the project.

**Sec. 88. EDUCATION; REORGANIZATION.** The commissioner of education with the approval of the commissioner of finance may change the composition of budgetary programs and activities in order to be consistent with the functional organization of the department following the reorganization authorized by the department of administration in January, 1978. No transfer shall be made until the commissioner of education has submitted a plan specifying the relationship between the appropriations made by Laws 1977, Chapter 449, Section 2 and the purposes for which the money is to be expended and encumbered to the chairman of the senate finance committee and the chairman of the house appropriations committee, and the chairmen have made their recommendations thereon.

**Sec. 89. EDUCATION; FEDERAL MONEY.** Subdivision 1. In preparing its biennial budget request for fiscal years 1980 and 1981, the department of education shall plan to spend the federal money specified in this section, including any federal money formerly allocated for indirect costs, only for the purposes indicated in this section. Where federal law requires any of this money to be spent for a purpose not indicated in this section, the budget request shall comply with the federal requirement and make a note of it in the explanation of budget request. This section is not intended to restrict the department in requesting state money for any of the purposes for which this federal money was formerly used or for which this section requires it to be used in the future.

Subd. 2. Federal money received for state vocational education programs pursuant to the Vocational Education Act of 1963, Part B, as amended, and required to be used for vocational education of the disadvantaged and handicapped shall be used only for grants and not for state administrative costs. This does not limit the use of grant money by a school district for its own administrative costs if otherwise permitted by federal law. The remainder of the Part B money not required to be used for eliminating sex bias in vocational education shall be used for grants for post-secondary vocational categorical aid.

Subd. 3. Federal money received pursuant to the Elementary and Secondary Education Act of 1965, Title 4C, as amended, shall be used as a source of money for the venture fund of the Council on Quality Education and, to the extent allowed by federal law, for grants for early childhood and family education made by the Council on Quality Education.

Changes or additions indicated by underline deletions by strikeout

Subd. 4. Federal money received pursuant to the Elementary and Secondary Education Act of 1965, Title 4B, as amended, may be used either for grants or for administrative costs, but only in the instructional services budget activity. This does not limit the use of grant money by a school district for pupil personnel services, evaluation, or any other purpose authorized by federal law.

Subd. 5. Federal money received pursuant to the Library Services and Construction Act, as amended, shall be used for the payment of grants and not for state administrative costs.

**Sec. 90. COUNCIL ON QUALITY EDUCATION; REPORT.** The state board of education, in consultation with the council on quality education (CQE), shall develop and submit to the legislature by January 1, 1979 a plan, including proposed legislation, to alter the makeup of the CQE the minimum amount necessary to permit it to serve as the Title 4 advisory council. The CQE should retain a majority of lay members, but should not exceed 30 members. The CQE should be responsible for advising on the Title 4C grant program, subject to final authority of the state board of education. The plan should allow for the CQE to be consulted in the selection of its staff.

**Sec. 91. USE OF EXCESS FUEL AND UTILITY FUNDS FOR ENERGY-RELATED PROJECTS.** All other provisions of law notwithstanding, the state university board is authorized to transfer funds appropriated to its maintenance and equipment account for fuel and utility purposes to its repair and betterment account to finance energy-related repairs or betterments, provided that such funds are not required for fuel and utility purposes, the commissioner of finance concurs in each transfer made pursuant to this authority, and provided that the commissioner of finance secures the approval of the chairmen of the senate finance and house appropriations committees for the amount and purpose of each transfer.

**Sec. 92. CARRY FORWARD OF H.E.C.B. WORK-STUDY, AND CONSORTIUM AND UNIVERSITY MEDICAL CONTINGENT APPROPRIATIONS.** Notwithstanding any other law to the contrary, any unexpended balance remaining the first year in Laws 1977, Chapter 449, Section 3, Subdivisions 5 and 9 and Section 6, Subdivision 9, shall not cancel but shall be available for the second year of the biennium.

**Sec. 93. MEDICAL LABORATORY FEE.** The handling fee of \$1.50 per specimen proposed by the department of health pursuant to Laws 1977, Chapter 453, Section 6, Subdivision 2, is approved and shall be charged from July 1, 1978 to June 30, 1979.

**Sec. 94. NURSING HOME RATES.** Until July 1, 1980, the reasonable costs to nursing homes of complying with section 144A.611 shall not be subject to any limits on nursing home rates established pursuant to section 256B.47, subdivision 1.

**Sec. 95. [145.831] CERTIFICATE OF NEED.** Notwithstanding the provisions of sections 145.71 to 145.83, the authority to promulgate rules governing the Minnesota certificate of need act is transferred from the state planning agency to the commissioner of health. All rules heretofore promulgated by the state planning agency pursuant to sections 145.71 to 145.83 shall remain in full force and effect until modified or repealed

Changes or additions indicated by underline deletions by strikeout

by the commissioner.

Sec. 96. **ROCHESTER, CITY OF; CIVILIAN POLICE POSITIONS.** Subdivision 1. Notwithstanding the provisions of any other law to the contrary, the city of Rochester may employ within its police department administrative assistants, auto mechanics, clerk typists, communication supervisors, identification technicians, parking meter attendants, police dispatchers, property officers, research assistants, and secretaries to be employed within the police department, but who shall not be subject to the rules and regulations or jurisdiction of the police civil service commission or be eligible to be members in or to receive benefits from the policemen's relief association. The city shall by ordinance provide for benefits and for procedures in the hiring, and dismissal of employees excluded from the jurisdiction of the police civil service commission.

Subd. 2. This section is effective upon approval by the governing body of the city of Rochester and compliance with Minnesota Statutes, Section 645.021.

Sec. 97. **[299A.04] GRANTS-IN-AID TO YOUTH INTERVENTION PROGRAMS.** Subdivision 1. The crime control planning board may make grants to nonprofit agencies administering youth intervention programs in communities where the programs are or may be established.

"Youth intervention program" means a nonresidential community based program providing advocacy, education, counseling, and referral services to youth and their families experiencing personal, familial, school, legal or chemical problems with the goal of resolving the present problems and preventing the occurrence of the problems in the future.

Subd. 2. APPLICATIONS. Applications for a grant-in-aid shall be made by the administering agency to the crime control planning board. The grant-in-aid is contingent upon the agency having obtained from the community in which the youth intervention program is established local matching money two times the amount of the grant that is sought.

The crime control planning board shall provide by rule the application form, procedures for making application form, criteria for review of the application, and kinds of contributions in addition to cash that qualify as local matching money. No grant to any agency shall exceed \$25,000.

Sec. 98. **REPEALER.** Minnesota Statutes 1976, Sections 3.732, Subdivision 4; 16.171; 60A.13, Subdivisions 3 and 4; 162.19; 325.75, Subdivisions 1, 2, and 3; and 363.122, are repealed.

Sec. 99. **EFFECTIVE DATE.** This act is effective the day following final enactment, except as otherwise provided.

Approved April 5, 1978.

Changes or additions indicated by underline deletions by strikeout